

Status: Point in time view as at 30/04/2005. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Town and Country Planning Act 1990, Cross Heading: Non-material changes to planning permission is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

VALID FROM 01/10/2009

[^{F1}Non-material changes to planning permission

Textual Amendments

F1 S. 96A and cross-heading inserted (1.10.2009) by [Planning Act 2008 \(c. 29\)](#), ss. **190(2)**, 241 (with s. 226); S.I. 2009/2260, **art. 3**

96A Power to make non-material changes to planning permission

- (1) A local planning authority in England may make a change to any planning permission relating to land in their area if they are satisfied that the change is not material.
- (2) In deciding whether a change is material, a local planning authority must have regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.
- (3) The power conferred by subsection (1) includes power—
 - (a) to impose new conditions;
 - (b) to remove or alter existing conditions.
- (4) The power conferred by subsection (1) may be exercised only on an application made by or on behalf of a person with an interest in the land to which the planning permission relates.
- (5) An application under subsection (4) must be made in the form and manner prescribed by development order.

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- (6) Subsection (7) applies in relation to an application under subsection (4) made by or on behalf of a person with an interest in some, but not all, of the land to which the planning permission relates.
- (7) The application may be made only in respect of so much of the planning permission as affects the land in which the person has an interest.
- (8) A local planning authority must comply with such requirements as may be prescribed by development order as to consultation and publicity in relation to the exercise of the power conferred by subsection (1).]

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