



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III **E+W**

CONTROL OVER DEVELOPMENT

Determination of applications

72 **Conditional grant of planning permission.** **E+W**

- (1) Without prejudice to the generality of section 70(1), conditions may be imposed on the grant of planning permission under that section—
 - (a) for regulating the development or use of any land under the control of the applicant (whether or not it is land in respect of which the application was made) or requiring the carrying out of works on any such land, so far as appears to the local planning authority to be expedient for the purposes of or in connection with the development authorised by the permission;
 - (b) for requiring the removal of any buildings or works authorised by the permission, or the discontinuance of any use of land so authorised, at the end of a specified period, and the carrying out of any works required for the reinstatement of land at the end of that period.
- (2) A planning permission granted subject to such a condition as is mentioned in subsection (1)(b) is in this Act referred to as “planning permission granted for a limited period”.
- (3) Where—
 - (a) planning permission is granted for development consisting of or including the carrying out of building or other operations subject to a condition that the operations shall be commenced not later than a time specified in the condition; and
 - (b) any building or other operations are commenced after the time so specified, the commencement and carrying out of those operations do not constitute development for which that permission was granted.

Status: Point in time view as at 01/10/2018.

Changes to legislation: Town and Country Planning Act 1990, Section 72 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)

- (4) Subsection (3)(a) does not apply to a condition attached to the planning permission by or under section 91 or 92.
- (5) Part I of Schedule 5 shall have effect for the purpose of making special provision with respect to the conditions which may be imposed on the grant of planning permission for development consisting of the winning and working of minerals [^{F1}or involving the depositing of refuse or waste materials], and subsection (2) has effect subject to paragraph 1(6)(a) of that Schedule.
- [^{F2}(6) See also section 100ZA, which makes provision about restrictions on the power to impose conditions by virtue of this section on a grant of planning permission in relation to land in England.]

Textual Amendments

- F1** Words in s. 72(5) inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para.2](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)
- F2** S. 72(6) inserted (1.10.2018) by [Neighbourhood Planning Act 2017 \(c. 20\)](#), s. 46(1), [Sch. 3 para. 3](#); S.I. 2018/567, [reg. 3\(b\)](#)

Modifications etc. (not altering text)

- C1** S. 72: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of S.I. 2000/2853, [reg. 2\(1\)](#), [Sch. 1](#)
- C2** S. 72 applied (7.7.2014) by [The East Anglia ONE Offshore Wind Farm Order 2014 \(S.I. 2014/1599\)](#), [arts. 1, 35\(1\)](#) (with [arts. 37, 38, Sch. 9 para. 19](#))
- C3** S. 72(1) applied (with modifications) (W.) (1.3.2016) by [The Developments of National Significance \(Wales\) Regulations 2016 \(S.I. 2016/56\)](#), [reg. 1\(2\)](#), [Sch. 7 para. 1\(1\)\(j\)](#) (with [regs. 1\(3\), 47](#))
- C4** S. 72(1) applied (with modifications) (W.) (1.3.2016) by [The Developments of National Significance \(Application of Enactments\) \(Wales\) Order 2016 \(S.I. 2016/54\)](#), [arts. 1, 3\(1\)\(j\)](#)
- C5** S. 72(1)(a) modified (26.11.1992) by S.I. 1992/2683, [reg. 2](#), [Sch. para. 2](#)
S. 72(1)(a) modified (3.6.1995) by S.I. 1995/1139, [reg. 2](#), [Sch. para. 1](#)

Status:

Point in time view as at 01/10/2018.

Changes to legislation:

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