



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### PART III

#### CONTROL OVER DEVELOPMENT

##### *Duration of planning permission*

#### **58 General condition limiting duration of planning permission**

- (1) Subject to the provisions of this section, every planning permission granted or deemed to be granted shall be granted or, as the case may be, be deemed to be granted subject to the condition that the development to which it relates must be begun not later than the expiration of—
  - (a) 5 years beginning with the date on which the permission is granted or, as the case may be, deemed to be granted, or
  - (b) such other period (whether longer or shorter) beginning with that date as the authority concerned with the terms of the planning permission may direct.
- (2) The period mentioned in subsection (1)(b) shall be a period which the authority consider appropriate having regard to the provisions of the development plan and to any other material considerations.
- (3) If planning permission is granted without the condition required by subsection (1), it shall be deemed to have been granted subject to the condition that the development to which it relates must be begun not later than the expiration of 5 years beginning with the date of the grant.
- (4) Nothing in this section applies to—
  - (a) any planning permission granted by a development order,
  - (b) any planning permission for any development carried out before the grant of planning permission,

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*Status: This is the original version (as it was originally enacted).*

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- (c) any planning permission granted for a limited period,
- (d) any planning permission for development consisting of the winning and working of minerals or involving the depositing of mineral waste which is granted (or deemed to be granted) subject to a condition that the development to which it relates must be begun before the expiration of a specified period after—
  - (i) the completion of other development consisting of the winning and working of minerals already being carried out by the applicant for the planning permission, or
  - (ii) the cessation of depositing of mineral waste already being carried out by the applicant for the planning permission,
- (e) any planning permission granted by an enterprise zone scheme,
- (f) any planning permission granted by a simplified planning zone scheme, or
- (g) any outline planning permission, within the meaning of section 59.