



Business and Planning Act 2020

2020 CHAPTER 16

PART 3 **E+W+N.I.**

PLANNING

Construction working hours

16 **Modification of conditions relating to construction working hours** **E+W**

- (1) The Town and Country Planning Act 1990 has effect as if it were subject to the modifications in subsections (2) to (4).
- (2) The Act has effect as if after section 74A there were inserted—

“74B Conditions relating to construction working hours

- (1) This section applies where—
 - (a) planning permission has been granted for the development of land in England, other than for the relevant development of a dwellinghouse, and
 - (b) a condition has been imposed on the grant of that permission which specifies the times during which construction activities may be carried out.
- (2) This section also applies where—
 - (a) planning permission has been granted for the development of land in England, other than for the relevant development of a dwellinghouse,
 - (b) a condition has been imposed on the grant of that permission which requires the approval by a local planning authority of a document relating to the carrying out of the development,
 - (c) the authority has approved a document of that kind, and
 - (d) the document as approved (the “approved document”) specifies the times during which construction activities may be carried out.

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (3) A person with an interest in the land, or a person acting on behalf of such a person, may make an application to a local planning authority in whose area the land is situated for the condition or approved document to be modified in either or both of the ways specified in subsection (4).
- (4) Those ways are—
 - (a) to allow construction activities to be carried out for a longer period on a particular day (which may be the whole of that day);
 - (b) to allow construction activities to be carried out for the whole or part of a day on which they would not otherwise be allowed to be carried out.
- (5) The application must—
 - (a) be made in writing and sent to the local planning authority using electronic communications in such manner as the authority may specify,
 - (b) give sufficient information to enable the authority to identify the planning permission in respect of which it is made, and
 - (c) give sufficient information to enable the authority to identify the condition or approved document in respect of which it is made.
- (6) The application must specify—
 - (a) the date on which the application is sent,
 - (b) the proposed modifications to the condition or approved document,
 - (c) the date from which it is proposed the modifications should take effect,
 - (d) the date at the end of which it is proposed the modifications should cease to have effect, and
 - (e) the times which are specified in the condition or approved document as it has effect when the application is made as times during which construction activities may be carried out.
- (7) The date specified under subsection (6)(c) must not be earlier than the end of the period of 14 days beginning with the day after that on which the application is sent to the local planning authority.
- (8) The date specified under subsection (6)(d) must not be later than 1 April 2021.
- (9) In this section “relevant development of a dwellinghouse” means development—
 - (a) of an existing dwellinghouse, or within the curtilage of an existing dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse, and
 - (b) which does not involve a change of use of the dwellinghouse or a change in the number of dwellings in a building.
- (10) For the purposes of subsection (9)—

“dwellinghouse” does not include a building containing one or more flats or a flat contained within such a building;

“flat” means a separate and self-contained set of premises constructed or adapted for use for the purpose of a dwelling and

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

forming part of a building from some other part of which it is divided horizontally.

74C Effect of application under section 74B

- (1) If a person makes an application in accordance with section 74B to a local planning authority, the authority may by notice in writing to the person—
 - (a) modify the condition or approved document in accordance with the application,
 - (b) refuse to modify the condition or approved document, or
 - (c) make a determination about any of the matters specified in subsection (2).
- (2) Those matters are—
 - (a) the modifications to be made to the condition or approved document, so far as it relates to the times during which construction activities are permitted to be carried out,
 - (b) the date from which the modifications to the condition or approved document are to take effect, and
 - (c) the date at the end of which the modifications to the condition or approved document are to cease to have effect.
- (3) The local planning authority may make a determination under subsection (1)(c) only if the person who made the application has agreed in writing to the terms of the determination.
- (4) A modification under subsection (2)(a) must not prohibit construction activities from being carried out at any time when they are permitted to be carried out under the condition or approved document as it had effect when the application was made.
- (5) A date determined under subsection (2)(c) must not be later than 1 April 2021.
- (6) Subsection (7) applies if the local planning authority does not give notice under subsection (1) before the end of the period of 14 days beginning with the day after that on which the application in accordance with section 74B was sent to the authority.
- (7) The condition or approved document to which the application relates is deemed to have been modified in accordance with the application.
- (8) If the local planning authority makes a determination under subsection (1)(c) about only some of the matters specified in subsection (2), the condition or approved document is deemed to have been modified in accordance with the application in respect of the other matters specified in subsection (2).

74D Sections 74B and 74C: supplementary

- (1) In sections 74B and 74C and this section—
 - “approved document” has the meaning given by section 74B(2)(d);
 - “condition” includes limitation;

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

“construction activities”, in relation to the development of land, means activities consisting of or relating to the carrying out of the development;

“development” does not include mining operations in, on, over or under land.

- (2) References in sections 74B and 74C to construction activities include references to construction activities of a particular kind.
 - (3) In calculating a period of 14 days for the purposes of section 74B(7) or 74C(6), no account is to be taken of a day which, apart from this subsection, would fall within that period and is—
 - (a) Christmas Day,
 - (b) Good Friday, or
 - (c) a day which under the Banking and Financial Dealings Act 1971 is a bank holiday in England.
 - (4) References in sections 74B and 74C to a condition or approved document include a condition or approved document as previously modified under section 74C.
 - (5) A person who makes an application under section 74B is to be taken to have agreed—
 - (a) to the use of electronic communications for all purposes relating to the application which are capable of being carried out electronically, and
 - (b) that the person's address for the purpose of such communications is the address incorporated into, or otherwise logically associated with, the person's application.
 - (6) In discharging its functions under sections 74B and 74C, a local planning authority must have regard to guidance issued by the Secretary of State.”
- (3) Section 78(1) (rights of appeal) has effect as if after paragraph (aa) there were inserted—
 - “(ab) refuse an application under section 74B (variation of condition relating to construction working hours);”.
 - (4) Schedule 1 (local planning authorities: distribution of functions) has effect as if in paragraph 3(1) (functions which are exercisable by district planning authority, subject to exceptions) after paragraph (a) there were inserted—
 - “(aza) applications under section 74B;”.
 - (5) Article 40 (register of applications) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595) has effect as if after paragraph (4) there were inserted—
 - “(4ZA) Part 2 of the register must contain, in respect of every application under section 74B of the 1990 Act (conditions relating to construction working hours) relating to the local planning register authority's area—
 - (a) a copy (which may be photographic or in electronic form) of the application,
 - (b) the decision, if any, of the local planning authority in respect of the application, including—

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (i) any modifications to the condition or approved document (within the meaning of that section) to which the application relates,
 - (ii) the date from which those modifications take effect, and
 - (iii) the date at the end of which they cease to have effect,
 - (c) the date of any such decision,
 - (d) the name of the local planning authority, and
 - (e) the reference number, the date and effect of any decision of the Secretary of State in relation to the application on appeal.”
- (6) Subsections (1) to (5) expire at the end of 1 April 2021.
- (7) If the Secretary of State considers it reasonable to do so to mitigate an effect of coronavirus, the Secretary of State may by regulations substitute the date for the time being specified in any of the following provisions with a later date—
- (a) section 74B(8) of the Town and Country Planning Act 1990, as that Act has effect by virtue of subsection (2) of this section;
 - (b) section 74C(5) of that Act, as it has effect by virtue of subsection (2) of this section;
 - (c) subsection (6) of this section.
- (8) In subsection (7) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Extension of certain permissions and consents

17 Extension of duration of certain planning permissions E+W

- (1) The Town and Country Planning Act 1990 has effect as if it were subject to the modifications in subsections (2) to (4).
- (2) The Act has effect as if after section 93 there were inserted—

“93A Extension of certain planning permissions: automatic extension

- (1) This section applies in relation to relevant planning permission granted or deemed to be granted—
 - (a) in relation to the development of land in England, and
 - (b) subject to a condition which has the effect that the development to which the permission relates must be begun not later than a time falling within the period—
 - (i) beginning with the day on which section 17 of the Business and Planning Act 2020 comes into force, and
 - (ii) ending with 31 December 2020.
- (2) The condition is deemed to provide instead that the development to which the relevant planning permission relates must be begun not later than 1 May 2021.
- (3) The time by which the development to which the relevant planning permission relates must be begun is not to be extended (whether by section 91(3B) or otherwise) to a later time than that for the time being provided for in subsection (2).

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (4) The reference in subsection (1) to relevant planning permission being granted, or deemed to be granted, subject to a condition which has the effect mentioned in paragraph (b) of that subsection includes a reference to the permission being subject to a condition which has that effect by virtue of being subsequently modified (whether by section 91(3B) or otherwise).

93B Extension of certain planning permissions: additional environmental approval

- (1) This section applies in relation to relevant planning permission granted or deemed to be granted—
- (a) in relation to the development of land in England, and
 - (b) subject to a condition which has the effect that the development to which the permission relates must be begun not later than a time falling within the period—
 - (i) beginning with 23 March 2020, and
 - (ii) ending with the day before that on which section 17 of the Business and Planning Act 2020 comes into force.
- (2) If an approval under this section (“an additional environmental approval”) is granted, or deemed to be granted, in relation to the relevant planning permission—
- (a) the condition is deemed to provide instead that the development to which the permission relates must be begun not later than 1 May 2021, and
 - (b) the time by which the development must be begun is not to be extended (whether by section 91(3B) or otherwise) to a later time than that for the time being provided for in paragraph (a).
- (3) A person with an interest in the land or a person acting on behalf of such a person (“the applicant”) may make an application to a local planning authority in whose area the land is situated for an additional environmental approval in relation to the relevant planning permission.
- (4) The application must—
- (a) be made in writing and sent to the local planning authority using electronic communications in such manner as the authority may specify,
 - (b) specify the date on which the application is sent,
 - (c) give sufficient information to enable the authority to identify the relevant planning permission in respect of which it is made,
 - (d) give sufficient information to enable the authority to identify the condition which would be affected by subsection (2)(a) if the additional environmental approval is granted, and
 - (e) give sufficient information to enable the authority to determine whether the additional environmental approval should be granted.
- (5) The local planning authority must, by notice in writing to the applicant, grant, or refuse to grant, the additional environmental approval in relation to the relevant planning permission before the end of the period of 28 days

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

beginning with the day after that on which the application in accordance with subsection (4) was sent.

- (6) If the local planning authority fails to do so, the additional environmental approval is deemed to be granted in relation to the relevant planning permission.
- (7) The applicant and the local planning authority may agree in writing one or more extensions to the period mentioned in subsection (5), but the period may not be extended by a total of more than 21 days.
- (8) The local planning authority is to grant the additional environmental approval in relation to the relevant planning permission if and only if—
 - (a) the EIA requirement is met, and
 - (b) the habitats requirement is met.
- (9) The EIA requirement is met if, at the time the local planning authority is deciding the application—
 - (a) no development to which the relevant planning permission relates is EIA development (within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (S.I. 2017/571)), or
 - (b) if any is—
 - (i) a reasoned conclusion was reached and integrated, as mentioned in paragraph (1) of regulation 26 of those regulations, in relation to the permission, and
 - (ii) in relation to that reasoned conclusion the authority is satisfied as mentioned in paragraph (2) of that regulation.
- (10) The habitats requirement is met where, if a decision were being taken as to whether to grant the relevant planning permission at the time the local planning authority is deciding the application—
 - (a) regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) would not require an assessment to be carried out first of the implications of the development to which the permission relates for a European site or a European offshore marine site, or
 - (b) regulation 63(1) of those regulations would require an assessment of the kind mentioned in paragraph (a) to be carried out first, but—
 - (i) an assessment of that kind was carried out before the permission was granted or deemed to be granted,
 - (ii) in accordance with regulation 63(5) and (6) of those regulations, it was ascertained, in light of the assessment, that the development to which the permission relates would not adversely affect the integrity of the European site or (as the case may be) the European offshore marine site, and
 - (iii) the authority is satisfied that the assessment remains up to date.
- (11) An additional environmental approval may not be granted subject to any condition.

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (12) No additional environmental approval is to be granted or deemed to be granted after 31 December 2020, unless it is granted on an appeal in respect of which the notice under section 78(3) is served on or before that date.
- (13) A person who makes an application under this section is to be taken to have agreed—
 - (a) to the use of electronic communications for all purposes relating to the application which are capable of being carried out electronically, and
 - (b) that the person's address for the purpose of such communications is the address incorporated into, or otherwise logically associated with, the person's application.
- (14) In discharging its functions under this section, a local planning authority must have regard to any guidance issued by the Secretary of State.
- (15) The reference in subsection (1) to relevant planning permission being granted, or deemed to be granted, subject to a condition which has the effect mentioned in paragraph (b) of that subsection includes a reference to the permission being subject to a condition which has that effect by virtue of being subsequently modified (whether under section 91(3B) or otherwise).
- (16) In this section “European site” and “European offshore marine site” have the same meaning as in the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012).

93C Interpretation of sections 93A and 93B

In sections 93A and 93B “relevant planning permission” means any planning permission other than that which is—

- (a) granted by a development order, a local development order, a Mayoral development order or a neighbourhood development order,
 - (b) granted by an enterprise zone scheme,
 - (c) granted by a simplified planning zone scheme,
 - (d) deemed to be granted under section 90 (development with government authorisation), or
 - (e) outline planning permission (within the meaning given by section 92(1)).”
- (3) Section 78(1) (rights of appeal) has effect as if before paragraph (b) there were inserted—
 - “(ac) refuse an application under section 93B (extension of certain planning permissions in England: additional environmental approval);”.
 - (4) Schedule 1 (local planning authorities: distribution of functions) has effect as if in paragraph 3(1) (functions which are exercisable by district planning authority, subject to exceptions) before paragraph (aa) there were inserted—
 - “(azb) applications for additional environmental approvals under section 93B;”.
 - (5) Article 40 (register of applications) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595) has effect as if before paragraph (4A) there were inserted—

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- “(4ZB) Part 2 of the register must contain, in respect of every application under section 93B of the 1990 Act (extension of certain planning permissions: additional environmental approval) relating to the local planning register authority's area—
- (a) a copy (which may be photographic or in electronic form) of the application,
 - (b) the decision, if any, of the local planning authority in respect of the application,
 - (c) the date of any such decision,
 - (d) the name of the local planning authority, and
 - (e) the reference number, the date and effect of any decision of the Secretary of State in relation to the application on appeal.”
- (6) Subsections (1) to (5) expire at the end of 1 May 2021.
- (7) If the Secretary of State considers it reasonable to do so to mitigate an effect of coronavirus, the Secretary of State may by regulations substitute the date for the time being specified in any of the following provisions with a later date—
- (a) section 93A(1)(b)(ii) and (2) of the Town and Country Planning Act 1990, as that Act has effect by virtue of subsection (2) of this section;
 - (b) section 93B(2)(a) and (12) of that Act, as it has effect by virtue of subsection (2) of this section;
 - (c) subsection (6) of this section.
- (8) In subsection (7) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
- (9) Where regulations under subsection (7) substitute the date for the time being specified in section 93A(2) or 93B(2)(a) with a later date, the Secretary of State may by regulations make provision requiring an approval to be granted, or deemed to be granted, in relation to a relevant planning permission for the later date to apply in relation to that permission.
- (10) Regulations under subsection (9) may make provision—
- (a) for an approval to be required only in circumstances prescribed in the regulations or in all circumstances;
 - (b) in relation to who may apply for an approval;
 - (c) in relation to who may grant an approval;
 - (d) in relation to the procedure for applying for an approval or dealing with such an application;
 - (e) in relation to the contents of an application for an approval or any evidence or information which must be supplied in support of it,
 - (f) in relation to appeals;
 - (g) in relation to the circumstances in which an approval must, may or may not be granted;
 - (h) in relation to the circumstances in which an approval is to be deemed to be granted;
 - (i) applying or corresponding to any of the provision in this section for, or in connection with, additional environmental approvals under section 93B of the Town and Country Planning Act 1990, as that Act has effect by virtue of subsection (2) of this section, with or without modifications.

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

18 Extensions in connection with outline planning permission **E+W**

- (1) The Town and Country Planning Act 1990 has effect as if it were subject to the modifications in subsections (2) to (4).
- (2) The Act has effect as if before section 94 there were inserted—

“93D Outline planning permission: automatic extension of time limits for application for approval

- (1) This section applies in relation to outline planning permission granted or deemed to be granted—
 - (a) in relation to the development of land in England, and
 - (b) subject to a condition which has the effect that application for approval of a reserved matter must be made not later than a time falling within the period—
 - (i) beginning with 23 March 2020, and
 - (ii) ending with 31 December 2020.
- (2) The condition is deemed to provide instead that application for approval of that reserved matter must be made not later than 1 May 2021.
- (3) The time by which that application for approval must be made is not to be extended to a later time than that for the time being provided for in subsection (2).
- (4) The reference in subsection (1) to outline planning permission granted, or deemed to be granted, subject to a condition which has the effect mentioned in paragraph (b) of that subsection includes a reference to the permission being subject to a condition which has that effect by virtue of being subsequently modified.
- (5) In this section “outline planning permission” and “reserved matter” have the meanings given by section 92(1).

93E Outline planning permission: automatic extension of certain time limits for beginning development

- (1) This section applies in relation to outline planning permission granted or deemed to be granted—
 - (a) in relation to the development of land in England, and
 - (b) subject to a condition which has the effect that all or a part of the development to which the permission relates must be begun not later than a time falling within the period—
 - (i) beginning with the day on which section 18 of the Business and Planning Act 2020 comes into force, and
 - (ii) ending with 31 December 2020.
- (2) The condition is deemed to provide instead that the development or (as the case may be) the part of the development must be begun not later than 1 May 2021.

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (3) The time by which the development or (as the case may be) the part of the development must be begun is not to be extended to a later time than that for the time being provided for in subsection (2).
- (4) The reference in subsection (1) to outline planning permission granted, or deemed to be granted, subject to a condition which has the effect mentioned in paragraph (b) of that subsection includes a reference to the permission being subject to a condition which has that effect by virtue of being subsequently modified.
- (5) In this section “outline planning permission” has the meaning given by section 92(1).

93F Outline planning permission: extension of limits for beginning development with additional environmental approval

- (1) This section applies in relation to outline planning permission granted or deemed to be granted—
 - (a) in relation to the development of land in England, and
 - (b) subject to a condition which has the effect that all or a part of the development to which the permission relates must be begun not later than a time falling within the period—
 - (i) beginning with 23 March 2020, and
 - (ii) ending with the day before that on which section 18 of the Business and Planning Act 2020 comes into force.
- (2) If an approval under this section (“an additional environmental approval”) is granted, or deemed to be granted, in relation to the outline planning permission—
 - (a) the condition is deemed to provide instead that the development or (as the case may be) the part of the development must be begun not later than 1 May 2021, and
 - (b) the time by which the development or (as the case may be) the part of the development must be begun is not to be extended to a later time than that for the time being provided for in paragraph (a).
- (3) A person with an interest in the land or a person acting on behalf of such a person (“the applicant”) may make an application to a local planning authority in whose area the land is situated for an additional environmental approval in relation to the outline planning permission.
- (4) The application must—
 - (a) be made in writing and sent to the local planning authority using electronic communications in such manner as the authority may specify,
 - (b) specify the date on which the application is sent,
 - (c) give sufficient information to enable the authority to identify the outline planning permission in respect of which it is made,
 - (d) give sufficient information to enable the authority to identify the condition which would be affected by subsection (2)(a) if the additional environmental approval is granted, and

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (e) give sufficient information to enable the authority to determine whether the additional environmental approval should be granted.
- (5) The local planning authority must, by notice in writing to the applicant, grant, or refuse to grant, the additional environmental approval in relation to the outline planning permission before the end of the period of 28 days beginning with the day after that on which the application in accordance with subsection (4) was sent.
- (6) If the local planning authority fails to do so, the additional environmental approval is deemed to be granted in relation to the outline planning permission.
- (7) The applicant and the local planning authority may agree in writing one or more extensions to the period mentioned in subsection (5), but the period may not be extended by a total of more than 21 days.
- (8) The local planning authority is to grant the additional environmental approval in relation to the outline planning permission if and only if—
 - (a) the EIA requirement is met, and
 - (b) the habitats requirement is met.
- (9) The EIA requirement is met if, at the time the local planning authority is deciding the application—
 - (a) no development to which the outline planning permission relates is EIA development (within the meaning of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (S.I. 2017/571)), or
 - (b) if any is—
 - (i) a reasoned conclusion was reached and integrated, as mentioned in paragraph (1) of regulation 26 of those regulations, in relation to the permission, and
 - (ii) in relation to that reasoned conclusion the authority is satisfied as mentioned in paragraph (2) of that regulation.
- (10) The habitats requirement is met where, if a decision were being taken as to whether to grant the outline planning permission at the time the local planning authority is deciding the application—
 - (a) regulation 63(1) of the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012) would not require an assessment to be carried out first of the implications of the development to which the permission relates for a European site or a European offshore marine site, or
 - (b) regulation 63(1) of those regulations would require an assessment of the kind mentioned in paragraph (a) to be carried out first, but—
 - (i) an assessment of that kind was carried out before the permission was granted or deemed to be granted,
 - (ii) in accordance with regulation 63(5) and (6) of those regulations, it was ascertained, in light of the assessment, that the development to which the permission relates would not adversely affect the integrity of the European site or (as the case may be) the European offshore marine site, and

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (iii) the authority is satisfied that the assessment remains up to date.
- (11) An additional environmental approval may not be granted subject to any condition.
- (12) No additional environmental approval is to be granted or deemed to be granted after 31 December 2020, unless it is granted on an appeal in respect of which the notice under section 78(3) is served on or before that date.
- (13) A person who makes an application under this section is to be taken to have agreed—
- (a) to the use of electronic communications for all purposes relating to the application which are capable of being carried out electronically, and
 - (b) that the person's address for the purpose of such communications is the address incorporated into, or otherwise logically associated with, the person's application.
- (14) In discharging its functions under this section, a local planning authority must have regard to any guidance issued by the Secretary of State.
- (15) The reference in subsection (1) to outline planning permission being granted, or deemed to be granted, subject to a condition which has the effect mentioned in paragraph (b) of that subsection includes a reference to the permission being subject to a condition which has that effect by virtue of being subsequently modified.
- (16) In this section—
- “European site” and “European offshore marine site” have the same meaning as in the Conservation of Habitats and Species Regulations 2017 (S.I. 2017/1012);
 - “outline planning permission” has the meaning given by section 92(1).”
- (3) Section 78(1) (rights of appeal) has effect as if before paragraph (b) there were inserted—
- “(ad) refuse an application under section 93F (outline planning permission: extension of limits for beginning development with additional environmental approval);”.
- (4) Schedule 1 (local planning authorities: distribution of functions) has effect as if in paragraph 3(1) (functions which are exercisable by district planning authority, subject to exceptions), before paragraph (aa) there were inserted—
- “(azc) applications for additional environmental approvals under section 93F;”.
- (5) Article 40 (register of applications) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 (S.I. 2015/595) has effect as if before paragraph (4A) there were inserted—
- “(4ZC) Part 2 of the register must contain, in respect of every application under section 93F of the 1990 Act (outline planning permission: extension of limits for beginning development with additional environmental approval) relating to the local planning register authority's area—

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (a) a copy (which may be photographic or in electronic form) of the application,
 - (b) the decision, if any, of the local planning authority in respect of the application,
 - (c) the date of any such decision,
 - (d) the name of the local planning authority, and
 - (e) the reference number, the date and effect of any decision of the Secretary of State in relation to the application on appeal.”
- (6) Subsections (1) to (5) expire at the end of 1 May 2021.
- (7) If the Secretary of State considers it reasonable to do so to mitigate an effect of coronavirus, the Secretary of State may by regulations substitute the date for the time being specified in any of the following provisions with a later date—
 - (a) section 93D(1)(b)(ii) and (2) of the Town and Country Planning Act 1990, as that Act has effect by virtue of subsection (2) of this section;
 - (b) section 93E(1)(b)(ii) and (2) of that Act, as it has effect by virtue of subsection (2) of this section;
 - (c) section 93F(2)(a) and (12) of that Act, as it has effect by virtue of subsection (2) of this section;
 - (d) subsection (6) of this section.
- (8) In subsection (7) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).
- (9) Where regulations under subsection (7) substitute the date for the time being specified in section 93D(2), 93E(2) or 93F(2)(a) with a later date, the Secretary of State may by regulations make provision requiring an approval to be granted, or deemed to be granted, in relation to an outline planning permission for the later date to apply in relation to that permission.
- (10) Regulations under subsection (9) may make provision—
 - (a) for an approval to be required only in circumstances prescribed in the regulations or in all circumstances;
 - (b) in relation to who may apply for an approval;
 - (c) in relation to who may grant an approval;
 - (d) in relation to the procedure for applying for an approval or dealing with such an application;
 - (e) in relation to the contents of an application for an approval or any evidence or information which must be supplied in support of it;
 - (f) in relation to appeals;
 - (g) in relation to the circumstances in which an approval must, may or may not be granted;
 - (h) in relation to the circumstances in which an approval is to be deemed to be granted;
 - (i) applying or corresponding to any of the provision in this section for, or in connection with, additional environmental approvals under section 93F of the Town and Country Planning Act 1990, as that Act has effect by virtue of subsection (2) of this section, with or without modifications.

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

19 Extension of duration of certain listed building consent **E+W**

- (1) The Planning (Listed Buildings and Conservation Areas) Act 1990 has effect as if after section 18 there were inserted—

“18A Extension of duration of certain listed building consent

- (1) This section applies in relation to listed building consent granted or deemed to be granted—
- (a) in relation to a building in England, and
 - (b) subject to a condition which has the effect that the works to which the consent relates must be begun not later than a time falling within the period—
 - (i) beginning with 23 March 2020, and
 - (ii) ending with 31 December 2020.
- (2) The condition is deemed to provide instead that the works to which the consent relates must be begun not later than 1 May 2021.
- (3) The time by which the works must be begun is not to be extended (whether by section 18(2B) or otherwise) to a later time than that for the time being provided for in subsection (2).
- (4) The reference in subsection (1) to listed building consent being granted, or deemed to be granted, subject to a condition which has the effect mentioned in paragraph (b) of that subsection includes a reference to the consent being subject to a condition which has that effect by virtue of being subsequently modified (whether under section 18(2B) or otherwise).”
- (2) Subsection (1) expires at the end of 1 May 2021.
- (3) If the Secretary of State considers it reasonable to do so to mitigate an effect of coronavirus, the Secretary of State may by regulations substitute the date for the time being specified in any of the following provisions with a later date—
- (a) section 18A(1)(b)(ii) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990, as that Act has effect by virtue of subsection (1) of this section;
 - (b) subsection (2) of this section.
- (4) In subsection (3) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Procedure for certain planning proceedings

20 Procedure for certain planning proceedings **E+W**

- (1) In section 319A(2) of the Town and Country Planning Act 1990 (determination of procedure for certain proceedings under that Act: England)—
- (a) for “whichever of the following ways appears” substitute “such one or more of the following ways as appear”, and
 - (b) omit “most”.

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

- (2) In section 88D(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (determination of procedure for certain proceedings under that Act: England)—
- (a) for “whichever of the following ways appears” substitute “such one or more of the following ways as appear”, and
 - (b) omit “most”.
- (3) In section 21A(2) of the Planning (Hazardous Substances) Act 1990 (determination of procedure for certain proceedings under that Act: England)—
- (a) for “whichever of the following ways appears” substitute “such one or more of the following ways as appear”, and
 - (b) omit “most”.

Electronic inspection of spatial development strategy

21 Mayor of London's spatial development strategy: electronic inspection E+W

- (1) The Greater London Authority Act 1999 has effect as if, in section 43 (publicity and availability of strategies), after subsection (4) there were inserted—
- “(4A) But if a copy of the current version of the spatial development strategy is available for inspection free of charge by appropriate electronic means, subsections (3) and (4) do not apply in relation to the current version of that strategy.
- (4B) For the purposes of subsection (4A), a copy of the current version of the spatial development strategy is available for inspection “by appropriate electronic means” if arrangements have been made such that it is available for inspection by electronic means in a reasonably convenient way.
- (4C) Before making any arrangements for the purposes of subsection (4B), the Mayor must have regard to any guidance issued by the Secretary of State as to—
- (a) how a copy of the current version of the spatial development strategy should be made available by electronic means;
 - (b) the arrangements (if any) that may be appropriate to mitigate the effects on a person of not being able to inspect a copy of the strategy, or finding it difficult to do so, by electronic means.”

(2) Subsection (1) expires at the end of ^{F1}31 December 2021].

(3) If the Secretary of State considers it reasonable to do so to mitigate an effect of coronavirus, the Secretary of State may by regulations substitute the date for the time being specified in subsection (2) with a later date.

(4) In subsection (3) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Textual Amendments

- F1** Words in s. 21(2) substituted (15.12.2020) by [The Business and Planning Act 2020 \(London Spatial Development Strategy\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/1529\)](#), regs. 1(2), 2

Changes to legislation: There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3. (See end of Document for details)

Local authority meetings

22 Power to make provision relating to local authority meetings E+W+N.I.

In section 78(7) of the Coronavirus Act 2020 (meaning of local authority: England), after paragraph (r) insert—

- “(s) a Mayoral development corporation established under section 198 of the Localism Act 2011;
- (t) an urban development corporation established under section 135 of the Local Government, Planning and Land Act 1980;
- (u) a parish meeting constituted under section 13 of the Local Government Act 1972;
- (v) Transport for London.”

Changes to legislation:

There are currently no known outstanding effects for the Business and Planning Act 2020, PART 3.