

STAGE 4

LPA ISSUES A WRITTEN NOTICE TO THE DEVELOPER:

LPA fails to issue
decision within 42 days

LPA confirms
that prior approval
is not required

LPA gives
prior approval

LPA refuses
prior approval

REQUIREMENTS OF THE LEGISLATION:

Condition A.4(8) of the legislation states that “the development shall not be begun before the occurrence of one of the following”:

- “The receipt by the developer from the local planning authority of a written notice that their prior approval is not required”.
- “The receipt by the developer from the local planning authority of a written notice giving their prior approval”.
- “The expiry of 42 days following the date on which the information [required for the notification] was received by the local planning authority without the local planning authority notifying the developer as to whether prior approval is given or refused”.

Condition A.4(9) of the legislation states that “the development shall be carried out”:

- “Where prior approval is required, in accordance with the details approved by the local planning authority”.
- “Where prior approval is not required, or where [the LPA fails to issue a decision within 42 days], in accordance with the information [required for the notification]”.

“unless the local planning authority and the developer agree otherwise in writing”