

Planning Advice Note

Applying to change an existing planning permission

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Changing a planning permission

After a planning permission has been issued, there are a 4 ways that the permission can be changed.

Most changes to a planning permission require an applicant to pay fees, for the application to be advertised and neighbours to be notified so that the public have an opportunity to make representations and comment on the changes.

Time limits for permission

All planning permission is granted for a period of 3 years from the decision unless the planning authority decides a shorter or longer period will apply.

The time period for an existing planning permission cannot be extended without an applicant paying fees and the planning authority notifying neighbours and advertising the application so the public can comment on it.

The table on the next page summarises the four ways that a planning application can be changed as well as the cost to an applicant.

Further advice

This advice note has been produced to summarise how changes can be made to a planning permission. It is not comprehensive.

If you want to change an existing planning permission and are unsure what you need to do, you should contact your local authority planning department who will confirm what information you need to supply and to whom.

If your planning permission was granted by the Cairngorms National Park Authority, you can contact the planning team for advice at planning@cairngorms.co.uk or Tel: 01479 873535

The four ways a planning permission can be changed:

Type of Application	Fee payable	The way to ask for changes	Neighbour notification and public adverts	Factors which may be taken into account	Time limit for implementation
1 Variation to existing planning permission <i>(Section 64 variation¹)</i>	None	Letter making the request to planning authority who granted planning permission.	No	Can only be applied to what the planning authority considers to be a non-material variation (ie small and insignificant changes).	Does not change the time period of the planning permission.
2 Section 42 Application² <i>(To change conditions attached to the original planning permission. Applications to change conditions with time limits will no longer be accepted.)</i>	Fixed fee, currently £202	Letter making the request to your local authority planning department. The application may be called in and determined by the Cairngorms National Park Authority (CNPA).	Yes	The planning authority only considers the question of the conditions on which planning permission should be granted.	3 years from approval unless planning authority decide that there should be a shorter or longer period ³
3 Renewal of Permission⁴ <i>(Where there is an unimplemented planning permission on which the time limit has not yet expired.)</i>	The appropriate fee for an application for full planning permission	Letter making the request to your local authority planning department. The application may be called in and determined by the CNPA.	Yes	Determined as if it were a new application so any changes to the development plan or changes to other relevant factors since the original permission will be taken into account.	3 years from approval unless planning authority decide that there should be a shorter or longer period ³
4 New application for full planning permission	The appropriate fee for an application for full planning permission	Normal full planning application to local authority. The application may be called in and determined by the CNPA.	Yes	Should be determined in accordance with the development plan unless material considerations indicate otherwise.	3 years from approval unless planning authority decide that there should be a shorter or longer period ³

¹ Section 64, Town and Country Planning (Scotland) Act 1997

² Section 42, Town and Country Planning (Scotland) Act 1997

³ Section 58(2), Town and Country Planning (Scotland) Act 1997

⁴ Regulation 11.1, The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

CAIRNGORMS NATIONAL PARK AUTHORITY

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