



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 3

PLANNING

CHAPTER 4

GRANT AND IMPLEMENTATION OF PLANNING PERMISSION

112 Completion notices

- (1) TCPA 1990 is amended as follows.
- (2) After section 93G insert—

“Termination of planning permission: England

93H Completion notices

- (1) This section applies where—
 - (a) a planning permission relating to land in England is by virtue of section 91 or 92 subject to a condition that the development to which the permission relates must begin before the expiration of a particular period, and development has been begun within that period but has not been completed,
 - (b) development has begun in accordance with a simplified planning zone scheme in England but has not been completed by the time the area ceases to be a simplified planning zone,
 - (c) development has begun in accordance with planning permission under an enterprise zone scheme in England but has not been completed by the time the area ceases to be an enterprise zone,

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- (d) a planning permission under a neighbourhood development order is subject to a condition that the development to which the permission relates must begin before the expiration of a particular period, and development has begun within that period but has not been completed, or
 - (e) a planning permission under a street vote development order is subject to a condition that the development to which the permission relates must begin before the expiration of a particular period, and development has begun within that period but has not been completed.
- (2) If the local planning authority are of the opinion that the development will not be completed within a reasonable period, they may serve a notice (a “completion notice”) stating that the planning permission will cease to have effect at a specified time (the “completion notice deadline”).
- (3) The completion notice deadline must be—
- (a) at least 12 months after the completion notice was served, and
 - (b) if the notice was served in a case within subsection (1)(a) or (d) before the end of the period referred to in that provision, at least 12 months after the end of that period.
- (4) A completion notice must include—
- (a) prescribed information in relation to the right of appeal against the notice, and
 - (b) any other prescribed information.
- (5) A completion notice must be served on—
- (a) the owner of the land,
 - (b) if different, the occupier of the land, and
 - (c) a person not falling within paragraph (a) or (b) with an interest in the land, being an interest which, in the opinion of the local planning authority, is materially affected by the notice.
- (6) The local planning authority may withdraw a completion notice at any time before the completion notice deadline.
- (7) If they do so they must immediately give notice of the withdrawal to every person who was served with the completion notice.
- (8) If it appears to the Secretary of State to be expedient that a completion notice should be served in respect of any land in England, the Secretary of State may, after consulting the local planning authority, serve such a notice.

93I Appeals against completion notices

- (1) Where a completion notice is served by a local planning authority under section 93H, any of the following may appeal to the Secretary of State against it (whether or not the notice was served on them)—
- (a) the owner of the land,
 - (b) a person not within paragraph (a) with an interest in the land, and
 - (c) a person who occupies the land by virtue of a licence.
- (2) An appeal may be brought on any of the following grounds—

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- (a) that the appellant considers that the development will be completed within a reasonable period;
 - (b) that the completion notice deadline is an unreasonable one;
 - (c) that the notice was not served on the persons on whom it was required to be served under section 93H(5).
- (3) The Secretary of State may by regulations prescribe the procedure which is to be followed on appeals under this section.
- (4) The regulations may in particular include provision—
 - (a) as to the period within which an appeal must be brought;
 - (b) as to how an appeal is made;
 - (c) as to the information to be supplied by the appellant;
 - (d) as to how a local planning authority must respond to an appeal and the information to be supplied by the authority;
 - (e) for the purpose of securing that the appeal is brought to the attention of persons in the locality of the development.
- (5) On an appeal under this section the Secretary of State may—
 - (a) quash the completion notice,
 - (b) vary the completion notice by substituting a later completion notice deadline, or
 - (c) uphold the notice with the original completion notice deadline.
- (6) On an appeal under this section the Secretary of State may also correct any defect, error or misdescription in the completion notice if satisfied that the correction will not cause injustice to the appellant or the local planning authority.
- (7) If, on an appeal made on the ground referred to in subsection (1)(c), the Secretary of State determines that the completion notice was not served on a person on whom it should have been served, the notice need not be quashed if it appears to the Secretary of State that neither that person nor the appellant has been substantially prejudiced by that fact.
- (8) Subsection (5) of section 250 of the Local Government Act 1972 (which authorises a Minister holding an inquiry under that section to make orders with respect to the costs of the parties) applies in relation to any proceedings before the Secretary of State on an appeal under this section as if those proceedings were an inquiry held by the Secretary of State under section 250.

93J Effect of completion notices

- (1) The planning permission to which a completion notice relates becomes invalid at the completion notice deadline (whether as originally specified or substituted on appeal under section 93I).
 - (2) Where an appeal is brought under section 93H the completion notice is of no effect pending the final determination or withdrawal of the appeal.
 - (3) Subsection (1) does not affect any planning permission so far as relating to development carried out under it before the completion notice deadline.”
- (3) [Schedule 11](#) contains consequential amendments.

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- (4) The amendments made by this section and [Schedule 11](#) apply in relation to planning permission granted before, as well as to planning permission granted after, the coming into force of this section.
- (5) But a completion notice may not be served under section 93H of TCPA 1990 in a case where—
- (a) before the coming into force of this section, a completion notice was served under section 94(2) of TCPA 1990, and
 - (b) that completion notice is awaiting confirmation under section 95 of TCPA 1990.

Commencement Information

- II** [S. 112](#) in force at 26.12.2023 for specified purposes, see [s. 255\(3\)\(a\)](#)

Changes to legislation:

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