

- (8) Regulations under subsection (1) may provide that an actual or apparent failure to comply with a relevant planning condition is not to be treated as occurring during the relief period, if the failure—
  - (a) occurs wholly during the period, and
  - (b) is not remedied by a specified time after the period.
- (9) Regulations under subsection (1) may make provision that, where anything relating to the taking of a relevant enforcement measure is to be or may be done by a time during the relief period, it is to be or may be instead done by a specified time after that period.
- (10) Regulations under subsection (1) may—
  - (a) apply in relation to all, or only specified, local planning authorities in England;
  - (b) apply in relation to all, or only specified, relevant planning conditions;
  - (c) apply in relation to all, or only specified, relevant enforcement measures;
  - (d) prevent the taking of relevant enforcement measures indefinitely or only for a specified period of time.
- (11) In this section, “specified” means specified or described in regulations under subsection (1). ”

## CHAPTER 6

### OTHER PROVISION

#### **122 Consultation before applying for planning permission**

In section 122 of the Localism Act 2011 (consultation before applying for planning permission in England), omit subsections (3) and (4) (which provide for the expiry of sections 61W to 61Y of TCPA 1990).

#### **123 Duty in relation to self-build and custom housebuilding**

- (1) In section 2A of the Self-build and Custom Housebuilding Act 2015 (duty to grant planning permissions etc)—
  - (a) in subsection (2)—
    - (i) omit “suitable”;
    - (ii) for “in respect of enough serviced plots” substitute “for the carrying out of self-build and custom housebuilding on enough serviced plots”;
    - (iii) for “arising in” substitute “in respect of”;
  - (b) after subsection (5) insert—
    - “(5A) Regulations may make provision specifying descriptions of planning permissions or permissions in principle that are, or are not, to be treated as development permission for the

carrying out of self-build and custom housebuilding for the purposes of this section.”;

(c) in subsection (6), for paragraph (a) substitute—

“(a) the demand for self-build and custom housebuilding in an authority’s area in respect of a base period is the aggregate of—

(i) the demand for self-build and custom housebuilding arising in the authority’s area in the base period; and

(ii) any demand for self-build and custom housebuilding that arose in the authority’s area in an earlier base period and in relation to which—

(A) the time allowed for complying with the duty in subsection (2) expired during the base period in question, and

(B) the duty in subsection (2) has not been met;

(aa) the demand for self-build and custom housebuilding arising in an authority’s area in a base period is evidenced by the number of entries added during that period to the register under section 1 kept by the authority;”;

(d) omit subsection (6)(c);

(e) in subsection (9)(b), for “arising in” substitute “in respect of”.

(2) In section 4 of the Self-build and Custom Housebuilding Act 2015 (regulations), in subsection (2), before paragraph (za) insert—

“(zza) section 2A(5A),”.

## 124 Powers as to form and content of planning applications

(1) Before section 327A of TCPA 1990 insert—

**“327ZA Planning applications in England: powers as to form and content**

(1) Subsections (2) to (3) apply to a relevant power to make provision about—

(a) the form or manner in which a planning application is to be made, or

(b) the form or manner in which an associated document is to be provided.

(2) The power includes power to make provision requiring or allowing the application to be made, or the associated document to be provided—