

## SCHEDULE 2

Regulation 15

### Information to be included in the Register

1.—(1) The register must contain the following information in relation to each entry of land in Part 1—

- (a) the local authority's own reference for the land;
- (b) the name and address of the land;
- (c) a plan which identifies the land;
- (d) location co-ordinates to identify a point on the land expressed as an east/west component and a north/south component;
- (e) the co-ordinate reference system used for paragraph (d);
- (f) the area of the land in hectares;
- (g) the name of the local authority;
- (h) the uniform resource identifier "URI" of the local authority expressed in the form <http://opendatacommunities.org/id/> followed by the relevant type of authority and name of the local authority;
- (i) the ownership status of the land expressed as—
  - (i) where the ownership is known to the local planning authority—
    - (aa) "owned by a public authority",
    - (bb) "not owned by a public authority", or
    - (cc) "mixed ownership";
  - (ii) "unknown ownership" where the ownership is unknown or partly unknown to the local planning authority;
- (j) where the land is "deliverable" a note to that effect;
- (k) the planning status of the land, expressed as—
  - (i) "permissioned",
  - (ii) "not permissioned", or
  - (iii) "pending decision";
- (l) where the planning status is "permissioned"—
  - (i) the date that such permission was granted or deemed to have been granted; and
  - (ii) whether the grant of permission is—
    - (aa) "full planning permission",
    - (bb) "outline planning permission",
    - (cc) "reserved matters approval",
    - (dd) "permission in principle",
    - (ee) "technical details consent",
    - (ff) "planning permission granted under a local development order, a mayoral development order or a neighbourhood development order", or
    - (gg) "other";
- (m) (i) a description of any proposed housing development; or

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- (ii) the minimum and maximum net number of dwellings, given as a range, which, in the authority's opinion, the land is capable of supporting;
  - (n) the minimum net number of dwellings which, in the authority's opinion, the land is capable of supporting;
  - (o) where the development includes non-housing development, the scale of any such development and the use to which it is to be put;
  - (p) the date that the land was first entered in the register; and
  - (q) where applicable, the date that information about the land was last updated in the register.
- (2) Where—
- (a) land has been entered in Part 1,
  - (b) first publication of Part 1, (in accordance with paragraph (2) of regulation 3), has taken place, and
  - (c) the local planning authority have given requisite notice in accordance with paragraph (1) of regulation 6 of their intention to enter that land in Part 2,

the local planning authority must, within the period of 7 days beginning with the date on which the notice was first displayed, record in Part 1 in relation to that land the statement “proposed for residential development (permission in principle)”.

**Commencement Information**

**I1** Sch. 2 para. 1 in force at 16.4.2017, see [reg. 1](#)

2. In relation to each entry of land in Part 2, the register must contain—
- (a) the minimum net number of dwellings, and the maximum net number of dwellings, given as a range, which, in the authority's opinion, the land is capable of supporting; and
  - (b) where the development includes non-housing development, the scale of any such development and the use to which it is to be put.

**Commencement Information**

**I2** Sch. 2 para. 2 in force at 16.4.2017, see [reg. 1](#)

3. In relation to each entry of land in Part 2, the register must contain the information required by paragraph (3) of regulation 26 of the Planning (Hazardous Substances) Regulations 2015<sup>(1)</sup> where—
- (a) development of that land would, in the opinion of the local planning authority, be a relevant project for the purpose of that regulation; and
  - (b) the local planning authority is the competent authority for the purpose of that regulation.

**Commencement Information**

**I3** Sch. 2 para. 3 in force at 16.4.2017, see [reg. 1](#)

4. Where land is entered in Part 2, Part 2 of the register must, in relation to that land, contain the statement “allocated for residential development for the purposes of section 59A of the Town

<sup>(1)</sup> [S.I. 2015/627](#) to which there are amendments not relevant to these Regulations.

and Country Planning Act 1990 (permission in principle)” and the statement in Part 1, required by paragraph 1(2), if any, must be removed.

#### Commencement Information

**I4** Sch. 2 para. 4 in force at 16.4.2017, see [reg. 1](#)

#### 5.—(1) In this Schedule—

“co-ordinate reference system” is—

- (a) the world geodetic system (WGS84), expressed as longitude and latitude;
- (b) the ordinance survey national grid reference system (OSGB36), expressed as easting and northing; or
- (c) the European terrestrial reference system 1989 (ETRS89), expressed as longitude and latitude;

“deliverable” means that there is a reasonable prospect that residential development will take place on the land within 5 years beginning with the entry date;

“development” in relation to an unused grant of planning permission, has the meaning given by section 336 of the TCPA 1990;

“full planning permission” means a planning permission, other than a grant of technical details consent, granted by the local planning authority under section 70, 73 or 73A of the TCPA 1990;

“mixed ownership” in relation to land means that the land is partly owned by a public authority;

“other”, in relation to land the planning status of which is “permissioned”, means that the land has a grant or deemed grant of planning permission which does not fall within the definitions of the terms mentioned in paragraph 1(1)(i)(ii)(aa) to (ff);

“outline planning permission” means a planning permission for the erection of a building subject to a condition requiring reserved matters approval granted by the local planning authority under section 92 of the TCPA 1990;

“owner” in relation to the ownership status of land has the same meaning as in paragraph (2) of regulation 4;

“pending decision” means that an application for planning permission or permission in principle has been made or is deemed to have been made and has not been finally disposed of;

“permissioned” means that in respect of the land, there is a grant of permission in principle or an unused grant, or unused deemed grant, of planning permission and “not permissioned” is to be construed accordingly;

“planning permission granted under a local development order, mayoral development order or a neighbourhood development order” means permission granted under an order made under section 61A, 61DA or 61E of the TCPA 1990;

“public authority” in relation to the ownership status of the land means that the land is held by or on behalf of a public authority mentioned in Part 1 of Schedule 19 to the Equality Act 2010(2);

(2) [2010 c.15](#); Part 1 of Schedule 19 has been amended by section 26(2) of, and paragraph 34 of Part 2 of Schedule 5 to, the Budget Responsibility and National Audit Act [2011 \(c.4\)](#); section 99 of, and paragraphs 380 and 383 of Part 3 of Schedule 16 to, the Police Reform and Social Responsibility Act [2011 \(c.13\)](#); sections 178 and 237 of, and paragraph 62 of Part 2 of Schedule 16 and Parts 26 and 32 of Schedule 25 to, the Localism Act [2011 \(c.20\)](#) and section 222 of, and paragraph 62 of Schedule 22 to, that Act; section 30(3) of, and Schedule 6 to, the Public Bodies Act [2011 \(c.24\)](#); section 55(2) of, and paragraphs 182(a) to (d) of Schedule 5 to, the Health and Social Care Act 2012 (c.7), section 150(5) of, and paragraph 19 of Schedule 13 to, and section 277 of, and paragraph 13 of Schedule 19 to, that Act; section 39(1) of, and paragraph 70 of Part 1 of Schedule 5 to, the Legal Aid, Sentencing and Punishment of Offenders Act [2012 \(c.10\)](#); section 114(1) of, and paragraphs 131(a) and (b)

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“reserved matters approval” in relation to an outline planning permission means approval given under section 92 of the TCPA 1990 for any of the following matters in respect of which details have not been given in the application—

- (a) access;
- (b) appearance;
- (c) landscaping;
- (d) layout; and
- (e) scale;

“technical details consent” means planning permission granted following an application under section 70(2ZZB) of the TCPA 1990(3);

“type of authority” means a district council, a London borough council, a metropolitan district council, a county council, the Broads Authority, a National Park authority, a Mayoral development corporation or the Homes and Community Agency; and

“unused”, in relation to land, means that development of the land has not been initiated in accordance with section 56 of the TCPA 1990.

(2) For the purposes of the definition in sub-paragraph (1)—

(a) of the terms mentioned in paragraph 1(1)(1)(ii)(aa) to (ee), such permission, consent or approval may also have been granted or given—

- (i) by the Secretary of State following an application made to the Secretary of State under section 62A of the TCPA 1990,
- (ii) by the Secretary of State following the referral of an application under section 77 of that Act,
- (iii) by the Secretary of State in deciding an appeal under section 78 of that Act, or
- (iv) by the Secretary of State in deciding an enforcement appeal under section 177(5) of that Act,

as the case may be;

(b) of “pending decision”, an application has not been finally disposed of unless and until—

- (i) it has been decided by the authority (or any time prescribed under section 74(1)(d) of the TCPA 1990 for dealing with the application has expired without their giving a decision) and any time prescribed under section 78(3) of the TCPA 1990 has expired without any appeal having been made to the Secretary of State;
- (ii) if it has been referred to the Secretary of State under section 77 of the TCPA 1990 or an appeal has been made to the Secretary of State under section 78 of the TCPA 1990, the Secretary of State has issued a decision and the period of 6 weeks specified in section 288 of the TCPA 1990 has expired without any application having been made to the High Court under that section;

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of Part 2 of Schedule 18 to, the Financial Services Act 2012 (c.21); section 15(3) of, and paragraphs 180 and 183 of Part 2 of Schedule 8 to, the Crime and Courts Act 2013 (c.22); section 25(4) of, and paragraph 26 of Part 1 of Schedule 4 to, the Enterprise and Regulatory Reform Act 2013 (c.24); section 116(1) of, and paragraph 102 of Part 5 of Schedule 12 to, the Energy Act 2013 (c.32); section 40(5) of, and paragraph 16 of Schedule 4 to, the Financial Services (Banking Reform) Act 2013 (c.33); section 109(2) of, and paragraph 27 of Part 4 of Schedule 7 to, the Care Act 2014 (c.23) and section 96(2) of, and paragraph 35 of Part 4 of Schedule 5 to, that Act; section 181(1) of, and paragraph 96 of Part 3 of Schedule 11 to, the Anti-social Behaviour, Crime and Policing Act 2014 (c.12); section 23(1) of, and paragraph 31 of Schedule 5 to, the Cities and Local Government Devolution Act 2016 (c.1); section 184 of, and paragraph 15 of Schedule 25 to, the Finance Act 2016 (c.24); and SIs 2011/1060, 2012/2007, 2014/892 and 2014/3184.

(3) Paragraph (2ZZB) was inserted into section 70 of the TCPA 1990 by section 150(3)(b) of the Housing and Planning Act 2016 (c.22).

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- (iii) if an application has been made to the High Court under section 288 of the TCPA 1990, the matter has been finally determined, either by final dismissal of the application by a court or by the quashing of the Secretary of State’s decision and the issue of a fresh decision (without a further application under section 288); or
  - (iv) it has been withdrawn before being decided by the authority or the Secretary of State, as the case may be, or an appeal has been withdrawn before the Secretary of State has issued a decision; and
- (c) of “reserved matters approval”, “layout” and “scale” have the same meanings as in paragraph (1) of article 2 of the Town and Country Planning (Development Management Procedure) (England) Order 2015(4).

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**Commencement Information**

**I5** Sch. 2 para. 5 in force at 16.4.2017, see [reg. 1](#)

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(4) [S.I. 2015/595](#).

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**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 14(3)(c)-(e) substituted for reg. 14(3)(c)(d) by [S.I. 2018/695 reg. 5\(3\)\(b\)](#)