
STATUTORY INSTRUMENTS

1995 No. 419

The Town and Country Planning (General Development Procedure) Order 1995

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Town and Country Planning (General Development Procedure) Order 1995 and shall come into force on 3rd June 1995.

(2) In this Order, unless the context otherwise requires—

“the Act” means the Town and Country Planning Act 1990;

“building” includes any structure or erection, and any part of a building, as defined in this article, but does not include plant or machinery or any structure in the nature of plant or machinery;

“dwellinghouse” does not include a building containing one or more flats, or a flat contained within such a building;

“environmental information” and “environmental statement” have the same meanings respectively as in regulation 2 of the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988(1) (interpretation);

“erection”, in relation to buildings as defined in this article, includes extension, alteration, or re-erection;

“flat” means a separate and self-contained set of premises constructed or adapted for use for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally;

“floor space” means the total floor space in a building or buildings;

“landscaping” means the treatment of land (other than buildings) being the site or part of the site in respect of which an outline planning permission is granted, for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes screening by fences, walls or other means, the planting of trees, hedges, shrubs or grass, the formation of banks, terraces or other earthworks, the laying out of gardens or courts, and the provision of other amenity features;

“by local advertisement” means by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated;

“mining operations” means the winning and working of minerals in, on or under land, whether by surface or underground working;

“outline planning permission” means a planning permission for the erection of a building, which is granted subject to a condition requiring the subsequent approval of the local planning authority with respect to one or more reserved matters;

“proposed highway” has the same meaning as in section 329 of the Highways Act 1980(2) (further provision as to interpretation);

(1) S.I.1988/1199, amended by S.I. 1990/367, 1992/1494, 1994/677.

(2) 1980 c. 66.

“1988 Regulations” means the Town and Country Planning (Applications) Regulations 1988(3);

“reserved matters” in relation to an outline planning permission, or an application for such permission, means any of the following matters in respect of which details have not been given in the application, namely—

- (a) siting,
- (b) design,
- (c) external appearance,
- (d) means of access,
- (e) the landscaping of the site;

“by site display” means by the posting of the notice by firm affixture to some object, sited and displayed in such a way as to be easily visible and legible by members of the public;

“special road” means a highway or proposed highway which is a special road in accordance with section 16 of the Highways Act 1980 (general provisions as to special roads);

“trunk road” means a highway or proposed highway which is a trunk road by virtue of sections 10(1) or 19 of the Highways Act 1980(4) (general provisions as to trunk roads, and certain special roads and other highways to become trunk roads) or any other enactment or any instrument made under any enactment.

(3) S.I. 1988/1812.

(4) 1980 c. 66; section 19 was amended by section 21(1) of the New Roads and Street Works Act 1991 (c. 22).