
STATUTORY INSTRUMENTS

2015 No. 595

The Town and Country Planning (Development Management Procedure) (England) Order 2015

Part 3

Applications

Validation dispute

12.—(1) Where—

- (a) a local planning authority require particulars or evidence to be included in an application; and
- (b) the applicant considers any particulars or evidence required do not meet the requirements set out in article 34(6)(c), the applicant may send a notice to the authority.

(2) The notice must—

- (i) specify which particulars or evidence the applicant considers do not meet the requirements set out in article 34(6)(c);
- (ii) set out the reasons the applicant relies upon in holding that view; and
- (iii) request the authority to waive the requirement to include those particulars or evidence in the application.

(3) Following receipt of the notice mentioned in paragraph (1) and not later than the date specified in paragraph (3), the local planning authority must notify the applicant either that—

- (i) the authority no longer require the applicant to provide the particulars or evidence (“a validation notice”); or
- (ii) the authority continues to require the applicant to provide the particulars or evidence (“non-validation notice”).

(4) The date specified in this paragraph is—

- (a) the date the period specified or referred to in article 34(2) (“the determination period”) ends; or
- (b) where the notice mentioned in paragraph (1) is received—
 - (i) during the 7 working days immediately preceding the end of the determination period; or
 - (ii) on the final day of, or after the end of, the determination period, the date which is 7 working days after the date the notice is received by the local planning authority.

(5) In this article “working day” has the same meaning as in article 2(6).

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (England) Order 2015, Section 12.