
STATUTORY INSTRUMENTS

2015 No. 595

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

Part 3

Applications

Publicity for applications for planning permission

15.—(1) An application for planning permission must be publicised by the local planning authority to which the application is made in the manner prescribed by this article.

[^{F1}(1A) In the case of any EIA application accompanied by an environmental statement, the application must be publicised in accordance with the requirements of paragraph (7) and by giving requisite notice—

- (a) by site display in at least one place on or near the land to which the application relates for not less than 30 days; and
- (b) by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.]

(2) In the case of an application for planning permission for development which—

- ^{F2}(a)
- (b) does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated, or
- (c) would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 (public rights of way) ^{M1} applies,

the application must be publicised in the manner specified in paragraph (3).

(3) An application falling within paragraph (2) (“a paragraph (2) application”) must be publicised in accordance with the requirements in paragraph (7) and by giving requisite notice—

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; and
- (b) by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.

(4) In the case of an application for planning permission which is [^{F3}neither an application to which paragraph (1A) applies nor a paragraph (2) application], if the development proposed is major development the application must be publicised in accordance with the requirements in paragraph (7) and by giving requisite notice—

- (a) (i) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or
- (ii) by serving the notice on any adjoining owner or occupier; and

- (b) by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated.

[^{F4}(4A) In a case of an application for technical details consent to which neither paragraph (2) nor paragraph (4) applies, the application must be publicised—

- (a) in accordance with the requirements of paragraph (7), and
- (b) by giving requisite notice by site display in at least one place on or near the land to which the application relates for not less than 21 days.]

(5) [^{F5}In a case to which paragraphs (1A), (2), (4) and (4A) do not apply the application must] be publicised in accordance with the requirements in paragraph (7) and by giving requisite notice—

- (a) by site display in at least one place on or near the land to which the application relates for not less than 21 days; or
- (b) by serving the notice on any adjoining owner or occupier.

(6) Where the notice is, without any fault or intention of the local planning authority, removed, obscured or defaced before the period of 21 days referred to in paragraph (3)(a), (4)(a)(i)[^{F6}, (4A)(b)] or (5)(a) [^{F7}, or before the period of 30 days referred to in [^{F8}paragraph (1A)(a)],] has elapsed, the authority is to be treated as having complied with the requirements of the relevant paragraph if they have taken reasonable steps for protection of the notice and, if need be, its replacement.

(7) The following information must be published on a website maintained by the local planning authority—

- (a) the address or location of the proposed development;
- (b) a description of the proposed development;

[^{F9}(ba) in the case of EIA application accompanied by an environmental statement, that statement;]

- (c) the date by which any representations about the application must be made, which must not be before the last day of the period of [^{F10}14 days][^{F10}21 days][^{F11}, or in the case of an EIA application accompanied by an environmental statement 30 days,] beginning with the date on which the information is published;
- (d) where and when the application may be inspected;
- (e) how representations may be made about the application; and
- (f) that, in the case of a householder or minor commercial application, in the event of an appeal that proceeds by way of the expedited procedure, any representations made about the application will be passed to the Secretary of State and there will be no opportunity to make further representations.

[^{F12}(7A) Paragraph (7B) applies—

- (a) in the case of an application made to a local planning authority to which paragraph (1A), (2), (4), (4A) or (5) applies; and
- (b) if the local planning authority to which the application is made is not able to give requisite notice by one or more of the following methods (as may be required by paragraph (1A), (2), (4), (4A) or (5))—
 - (i) by site display;
 - (ii) by serving the notice on an adjoining owner or occupier; or
 - (iii) by publication of the notice in a newspaper;

because it is not reasonably practicable to do so for reasons connected to the effects of coronavirus, including restrictions on movement.

(7B) In a case falling within paragraph (7A), the local planning authority must—

- (a) comply with the requirement to give requisite notice as required by paragraph (1A), (2), (4), (4A) or (5) (as the case may be), only to the extent that it is reasonably practicable to do so;
- (b) take reasonable steps to inform any persons who are likely to have an interest in the application of the website mentioned in paragraph (7); and
- (c) publish the requisite notice on that website.

(7C) If the local planning authority complies with the requirements set out in paragraph (7B) that authority is discharged of its obligation to give requisite notice as required by paragraph (1A), (2), (4), (4A) or (5)—

- (a) by site display;
- (b) by serving the notice on an adjoining owner or occupier; or
- (c) by publication of the notice in a newspaper;

in so far as such notice was not given because the authority was not able to do so under paragraph (7A)(b).

(7D) In paragraph (7B)(b)—

- (a) the persons who are likely to have an interest in an application must include the persons who live or work in, or otherwise have a direct connection with, the area in which the proposed development is located; and
- (b) the reasonable steps that are taken by the local planning authority—
 - (i) may include use of social media and communication by electronic means; and
 - (ii) must be proportionate to the scale and impact of the development.

(7F) In paragraph (7A)(b) “coronavirus” means severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).]

(8) Subject to paragraph (9), if the local planning authority have failed to satisfy the requirements of this article in respect of an application for planning permission at the time the application is referred to the Secretary of State under section 77 (reference of applications to Secretary of State) of the 1990 Act^{M2}, or any appeal to the Secretary of State is made under section 78 of the 1990 Act^{M3}, this article continues to apply as if such referral or appeal to the Secretary of State had not been made.

(9) Where paragraph (8) applies, the local planning authority must inform the Secretary of State as soon as they have satisfied the relevant requirements in this article.

(10) In this article—

“adjoining owner or occupier” means any owner or occupier of any land adjoining the land to which the application relates; and

“requisite notice” means notice in the appropriate form set out in Schedule 3 or in a form substantially to the same effect.

[^{F13}(10A) In this article, when computing the number of days, any day which is a public holiday must be disregarded unless—

- (i) the application is an EIA application accompanied by an environmental statement; or
- (ii) the application is one to which paragraph (11) applies.]

[^{F14}(10B) In this article, in the case of an application for public service infrastructure development, in paragraphs (3)(a), (4)(a)(i), and (6), “21 days” is to be read, in each place it occurs, as if it were a reference to “18 days”.]

(11) Paragraphs (1) to (6) apply to applications made to the Secretary of State under section 293A of the 1990 Act (urgent Crown development: application)^{M4} as if the references to a local planning authority were references to the Secretary of State.

Textual Amendments

- F1** Art. 15(1A) inserted (16.5.2017) by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(S.I. 2017/571\)](#), regs. 1(1), **72(3)(a)** (with regs. 47, 70)
- F2** Art. 15(2)(a) omitted (16.5.2017) by virtue of [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(S.I. 2017/571\)](#), regs. 1(1), **72(3)(b)** (with regs. 47, 70)
- F3** Words in art. 15(4) substituted (16.5.2017) by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(S.I. 2017/571\)](#), regs. 1(1), **72(3)(c)** (with regs. 47, 70)
- F4** Art. 15(4A) inserted (15.4.2017) by [The Town and Country Planning \(Permission in Principle\) Order 2017 \(S.I. 2017/402\)](#), art. 1, **Sch. para. 2(2)(a)**
- F5** Words in art. 15(5) substituted (1.10.2018) by [The Town and Country Planning and Infrastructure Planning \(Environmental Impact Assessment\) \(Amendment\) Regulations 2018 \(S.I. 2018/695\)](#), regs. 1, **3(2)**
- F6** Word in art. 15(6) inserted (15.4.2017) by [The Town and Country Planning \(Permission in Principle\) Order 2017 \(S.I. 2017/402\)](#), art. 1, **Sch. para. 2(2)(c)**
- F7** Words in art. 15(6) inserted (16.5.2017) by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(S.I. 2017/571\)](#), regs. 1(1), **72(3)(e)** (with regs. 47, 70)
- F8** Words in art. 15(6) substituted (1.10.2018) by [The Town and Country Planning and Infrastructure Planning \(Environmental Impact Assessment\) \(Amendment\) Regulations 2018 \(S.I. 2018/695\)](#), regs. 1, **3(3)**
- F9** Art. 15(7)(ba) inserted (16.5.2017) by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(S.I. 2017/571\)](#), regs. 1(1), **72(3)(f)(i)** (with regs. 47, 70)
- F10** Words in art. 15(7)(c) substituted (temp.) (14.5.2020) by virtue of [The Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/505\)](#), regs. 1, **5** (with Pt. 5) (as substituted by S.I. 2020/1398, reg. 5)
- F11** Words in art. 15(7)(c) inserted (16.5.2017) by [The Town and Country Planning \(Environmental Impact Assessment\) Regulations 2017 \(S.I. 2017/571\)](#), regs. 1(1), **72(3)(f)(ii)** (with regs. 47, 70)
- F12** Art. 15(7A)-(7F) inserted (temp.) (14.5.2020) by [The Town and Country Planning \(Development Management Procedure, Listed Buildings and Environmental Impact Assessment\) \(England\) \(Coronavirus\) \(Amendment\) Regulations 2020 \(S.I. 2020/505\)](#), regs. 1, **4** (with Pt. 5) (as substituted by S.I. 2020/1398, reg. 5)
- F13** Art. 15(10A) inserted (coming into force in accordance with art. 1(6) of the amending S.I.) by [The Town and Country Planning \(Local Authority Consultations etc.\) \(England\) Order 2018 \(S.I. 2018/119\)](#), **art. 4**
- F14** Art. 15(10B) inserted (with application in accordance with reg. 1(5) of the amending S.I.) by [The Town and Country Planning \(Development Management Procedure and Section 62A Applications\) \(England\) \(Amendment\) Order 2021 \(S.I. 2021/746\)](#), arts. 1(3), **6**

Marginal Citations

- M1** 1981 c. 69; see section 66. There are amendments to Part 3 which are not relevant to this Order.
- M2** Section 77 was amended by paragraph 18 of Schedule 7 to the [Planning and Compensation Act 1991 \(c. 34\)](#) (“the 1991 Act”), paragraph 2 of Schedule 10 to the [Planning Act 2008 \(c. 29\)](#) (“the 2008 Act”) and paragraph 10 of Schedule 12 to the [Localism Act 2011 \(c. 20\)](#) (“the 2011 Act”).
- M3** Section 78 was amended by section 17(2) of the 1991 Act and paragraphs 1 and 3 of Schedule 10 (amendments in force for certain purposes and to come into force for remaining purposes on a date to be appointed, see [S.I. 2009/400](#)) and paragraphs 1 and 2 of Schedule 11 to the 2008 Act.
- M4** Section 293A was inserted by section 82(1) of the 2004 Act.

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (England) Order 2015, Section 15.