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## STATUTORY INSTRUMENTS

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### 2015 No. 595

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

### Part 4

#### Consultation

##### **Representations by parish council before determination of application**

25.—(1) [<sup>F1</sup>Subject to paragraph (5)] where the council of a parish are given information in relation to an application pursuant to paragraph 8(1) [<sup>F2</sup>or paragraph 8(3B)] of Schedule 1 to the 1990 Act (local planning authorities: distribution of functions) <sup>M1</sup>, they must, as soon as practicable, notify the local planning authority who are determining the application whether they propose to make any representations about the manner in which the application should be determined, and must make any representations to that authority within 21 days of the notification to them of the application.

(2) A local planning authority must not determine any application in respect of which a parish are required to be given information before—

- (a) the council of the parish inform them that they do not propose to make any representations;
- (b) representations are made by that council; or
- (c) the period of 21 days mentioned in paragraph (1) has elapsed,

whichever occurs first; and in determining the application the authority must take into account any representations received from the council of the parish.

(3) The appropriate authority must notify the council of the parish of—

- (a) the terms of the decision on any such application; or
- (b) where the application is referred to the Secretary of State—
  - (i) the date when it was so referred; and
  - (ii) when notified to the appropriate authority, the terms of the Secretary of State's decision.

(4) For the purposes of paragraph (3), the “appropriate authority” is—

- (a) where the parish is situated in a National Park, the National Park authority;
- (b) where the parish is situated in Greater London or a metropolitan county, and is not situated in a National Park, the local planning authority;
- (c) where the parish is situated in a district which has no district council and is not situated in a National Park, the county planning authority;
- (d) in any other case, the district planning authority.

[<sup>F3</sup>(5) In the case of an application for planning permission for public service infrastructure development, in paragraph (1) and sub-paragraph (c) of paragraph (2) “21 days” is to be read as if it were a reference to “18 days”.]

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**Changes to legislation:** There are currently no known outstanding effects for the *The Town and Country Planning (Development Management Procedure) (England) Order 2015, Section 25*. (See end of Document for details)

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**Textual Amendments**

- F1** Words in [art. 25\(1\)](#) 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), **12(2)**
- F2** Words in art. 25(1) inserted (31.1.2018) by [The Neighbourhood Planning \(General\) and Development Management Procedure \(Amendment\) Regulations 2017 \(S.I. 2017/1243\)](#), regs. 1, **12(2)**
- F3** [Art. 25\(5\)](#) 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), **12(3)**

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**Marginal Citations**

- M1** Paragraph 8(1) of Schedule 1 was substituted by paragraph 53 of Schedule 7 to the [Planning and Compensation Act 1991 \(c. 34\)](#). There are other amendments to paragraph 8 which are not relevant to this Order.

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (England) Order 2015, Section 25.