

F1 SCHEDULE 1

Article 11 and 39

Letter to be sent to applicant on receipt of application

Textual Amendments

- F1** Sch. 1: for the words “in case of applications for major development, 13 weeks, or in all other cases, 8 weeks,”, in both places, there are substituted the words “in the case of applications for technical details consent for major development, 10 weeks, in the case of other applications for major development, 13 weeks, in the case of applications for technical details consent which is not major development, 5 weeks, in the case of any other applications, 8 weeks,” (15.4.2017) by [The Town and Country Planning \(Permission in Principle\) Order 2017 \(S.I. 2017/402\)](#), art. 1, **Sch. para. 2(6)**

Status: Point in time view as at 16/05/2017.

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

Letter to be sent by a local planning authority when they receive an application for planning permission or for a certificate of lawful use or development

Thank you for your application dated which I received on

I am still examining your application form and the accompanying plans and documents to see whether they comply with the law.*

If I find that your application is invalid because it does not comply with the statutory requirements then I will write to you again as soon as I can.*

If, by *(insert date at end of period of, in the case of applications for major development, 13 weeks, or in all other cases, 8 weeks, beginning with the day immediately following the date when the application was received)*.....you have not been given a decision in writing and:

- you have not been told that your application is invalid; or
- * you have not been told that your fee cheque has been dishonoured; or
- you have not agreed in writing to extend the period in which the decision may be given,

then you can appeal to the Secretary of State under section 78/section 195* of the Town and Country Planning Act 1990. This does not apply if your application has already been referred to the Secretary of State. You must use a form which you can get online from www.gov.uk/government/organisations/planning-inspectorate or from the Planning Inspectorate at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN. If you appeal:

- within 12 weeks [*in the case of a householder or minor commercial appeal other than type A Appeal or type B Appeal*] from, or
- if an enforcement notice relating to the same or substantially the same land and development as in your application has been served before [*insert the relevant date*] (but no earlier than 2 years before your application) and has not been withdrawn, you should appeal within 28 days from [*insert the relevant date*], or
- if an enforcement notice relating to the same or substantially the same land and development as in your application is served on or after [*insert the relevant date*] but no later than [*insert date that is 28 days before expiry of 6 months from the relevant date*] and has not been withdrawn, you should appeal within 28 days from the date on which the enforcement notice is served, or
- you should appeal within 6 months from [*insert date at end of period of, in the case of applications for major development, 13 weeks, or in all other cases, 8 weeks, beginning with the day immediately following the date when the application was received (“the relevant date”)*]

*delete where inappropriate

SCHEDULE 2

Article 13 and 36

Notices under articles 13 and 36

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

NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper and, where relevant, on a website or to be served on an owner* or a tenant**)

Proposed development at (a)
I give notice that (b)is
applying to the [(c).....Council][Secretary of State]+ for
planning permission to (d)
Any owner* of the land or tenant** who wishes to make representations about this application
should write to the [Council][Secretary of State]+ at (e) by (f)
.....

* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of
which is not less than 7 years, or, in the case of development consisting of the winning or working
of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold
or silver).

** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.

Signed.....
+On behalf of
Date

Statement of owners' rights

The grant of planning permission does not affect owners' rights to retain or dispose of their
property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants' rights

The grant of planning permission for non-agricultural development may affect agricultural
tenants' security of tenure.

+ delete where inappropriate

Insert:

- (a) address or location of the proposed development
(b) applicant's name
(c) name of the Council
(d) description of the proposed development
(e) address of the Council or the Secretary of State as appropriate
(f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with
the date of publication, of the notice (as the case may be)

Status: Point in time view as at 16/05/2017.

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

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

**NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING
PERMISSION FOR HOUSEHOLDER DEVELOPMENT**

*(to be published in a newspaper and, where relevant, on a website or to be served on
an owner* or a tenant** in the case of an application for planning permission for
householder development***)*

Proposed householder development*** at (a).....
I give notice that (b) is
applying to the (c) Council
for planning permission to (d)

Any owner* of the land or tenant** who wishes to make representations about this application
should write to the Council at (e).....by (f)
.....

In the event that an appeal is made against a decision of the Council to refuse to grant planning
permission for the proposed development, and that appeal then proceeds by way of the expedited
procedure under the written representations procedure+, any representations made by the owner*
or tenant** to the Council about this application will be passed to the Secretary of State and there
will be no opportunity to make further representations. Any owner or tenant wishing to make
representations should do so by the date given above.

* “owner” means a person having a freehold interest or a leasehold interest the unexpired term of
which is not less than 7 years.

** “tenant” means a tenant of an agricultural holding any part of which is comprised in the land.

*** “householder development” means development of an existing dwellinghouse, or
development within the curtilage of such a dwellinghouse for any purpose incidental to the
enjoyment of the dwellinghouse. It does not include a change of use or a change to the number of
dwellings in a building.

+ The expedited procedures in relation to written representations are set out in Part 1 of the Town
and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009
(S.I. 2009/452).

Signed.....
On behalf of (delete if not applicable).....
Date

Statement of owners’ rights

The grant of planning permission does not affect owners’ rights to retain or dispose of their
property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants’ rights

The grant of planning permission for non-agricultural development may affect agricultural
tenants’ security of tenure.

Insert:

- (a) address or location of the proposed development
- (b) applicant’s name
- (c) name of the Council
- (d) description of the proposed development
- (e) address of the Council
- (f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with
the date of publication, of the notice (as the case may be)

Status: Point in time view as at 16/05/2017.

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

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

NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING PERMISSION FOR MINOR COMMERCIAL DEVELOPMENT

*(to be published in a newspaper and, where relevant, on a website or to be served on
an owner* or a tenant** in the case of an application for planning permission or
consent for minor commercial development***)*

Proposed minor commercial development*** at (a).....
I give notice that (b).....is
applying to the (c)Council for
planning permission to (d).....

Any owner* of the land or tenant** who wishes to make representations about this application
should write to the Council at (e).....
by (f).....

In the event that an appeal is made against a decision of the Council to refuse to grant planning
permission for the proposed development, and that appeal then proceeds by way of the expedited
procedure under the written representations procedure+, any representations made by the owner*
or tenant** to the Council about this application will be passed to the Secretary of State and there
will be no opportunity to make further representations. Any owner or tenant wishing to make
representations should do so by the date given above.

* “owner” means a person having a freehold interest or a leasehold interest the unexpired term of
which is not less than 7 years.

** “tenant” means a tenant of an agricultural holding any part of which is comprised in the land.

*** “minor commercial development” means development of an existing building, or part of a
building, in use for certain commercial purposes. It does not include a change of use, development
not wholly at ground floor level, an increase in floor space or a change to the number of units in a
building.

+The expedited procedures in relation to written representations are set out in Part 1 of the Town
and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009
(S.I. 2009/452).

Signed.....
On behalf of (delete if not applicable)
Date

Statement of owners’ rights

The grant of planning permission does not affect owners’ rights to retain or dispose of their
property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants’ rights

The grant of planning permission for non-agricultural development may affect agricultural
tenants’ security of tenure.

Insert:

- (a) address or location of the proposed development
- (b) applicant’s name
- (c) name of the Council
- (d) description of the proposed development
- (e) address of the Council
- (f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with
the date of publication, of the notice (as the case may be)

Status: Point in time view as at 16/05/2017.

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

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

**NOTICE UNDER ARTICLE 13 OF APPLICATION FOR PLANNING
PERMISSION FOR THE WINNING AND WORKING OF MINERALS
BY UNDERGROUND OPERATIONS**

*(to be posted in the case of an application for planning permission for development
consisting of the winning and working of minerals by underground operations (in
addition to the service or publication of any other requisite notices in this Schedule))*

Proposed development at (a)
I give notice that (b)
is applying to the [(c)Council][Secretary of State]+
for planning permission to (d)

Members of the public may inspect copies of:

- the application
- the plans
- and other documents submitted with it

at (e)
during all reasonable hours until (f).....

Anyone who wishes to make representations about this application should write to the
[Council][Secretary of State]+ at (g)
by (f).....

Signed.....
+ On behalf of
Date

+ delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of the Council
- (d) description of the proposed development
- (e) address at which the application may be inspected (the applicant is responsible for making the application available for inspection within the area of the local planning authority)
- (f) date giving a period of 21 days beginning with the date when the notice is posted
- (g) address of the Council or the Secretary of State as appropriate

Status: Point in time view as at 16/05/2017.

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

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

NOTICE UNDER ARTICLES 13 AND 36 OF APPEAL

(to be published in a newspaper and, where relevant, on a website or to be served on an owner or a tenant**)*

Proposed development at (a)
I give notice that (b)
having applied to the (c)Council to
(d)is
appealing to the Secretary of State

against the decision of the Council +
on the failure of the Council to give notice of a decision +

Any owner* of the land or tenant** who wishes to make representations about this appeal should write to the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or using the website at
by (e).....

* “owner” means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

** “tenant” means a tenant of an agricultural holding any part of which is comprised in the land.

Signed.....
+On behalf of
Date

Statement of owners’ rights

The grant of planning permission does not affect owners’ rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants’ rights

The grant of planning permission for non-agricultural development may affect agricultural tenants’ security of tenure.

+ delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant’s name
- (c) name of the Council
- (d) description of the proposed development
- (e) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)

Status: Point in time view as at 16/05/2017.

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

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

NOTICE UNDER ARTICLES 13 AND 36 OF APPEAL

(to be published in a newspaper and, where relevant, on a website or to be served on an owner or a tenant** in the case of an appeal against the refusal to grant planning permission for householder development***)*

Proposed householder development*** at (a)
I give notice that (b).....
having applied to the (c)Council to
(d) is
appealing to the Secretary of State against the refusal of the Council to grant planning permission for the proposed development.

In the event that the appeal is dealt with by the expedited procedure under the written representations procedure+, any representations made by the owner* of the land or tenant** to the Council about the application will be passed to the Secretary of State and there will be no opportunity to make further representations in relation to the appeal.

* “owner” means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years.

** “tenant” means a tenant of an agricultural holding any part of which is comprised in the land.

*** “householder development” means development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse. It does not include a change of use or a change to the number of dwellings in a building.

+ The expedited procedures in relation to written representations are set out in Part 1 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009 (S.I. 2009/452).

Signed.....
On behalf of (delete if not applicable).....
Date

Statement of owners’ rights

The grant of planning permission does not affect owners’ rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants’ rights

The grant of planning permission for non-agricultural development may affect agricultural tenants’ security of tenure.

Insert:

- (a) address or location of the proposed development
- (b) applicant’s name
- (c) name of the Council
- (d) description of the proposed development

Status: Point in time view as at 16/05/2017.

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

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

NOTICE UNDER ARTICLES 13 AND 36 OF APPEAL

(to be posted in the case of an application for planning permission for development consisting of the winning and working of minerals by underground operations (in addition to the service or publication of any other requisite notices in this Schedule))

Proposed development at (a).....
I give notice that (b).....
having applied to the (c).....Council to
(d).....is
appealing to the Secretary of State

against the decision of the Council +
on the failure of the Council to give notice of a decision +

Members of the public may inspect copies of

- the application
- the plans
- and other documents submitted with it

at (e).....
during all reasonable hours until (f).....

Anyone who wishes to make representations about this appeal should write to the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate by (f)

Signed.....
+On behalf of

Date

+ delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of the Council
- (d) description of the proposed development
- (e) address of the Council
- (f) date giving a period of 21 days beginning with the date when the notice is posted

Status: Point in time view as at 16/05/2017.

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

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

NOTICE UNDER ARTICLES 13 AND 36 OF APPEAL

(to be published in a newspaper and, where relevant, on a website or to be served on an owner or a tenant** in the case of an appeal against the refusal to grant planning permission for minor commercial development***)*

Proposed minor commercial development*** at (a).....

I give notice that (b).....
having applied to the (c).....Council
to (d).....is
appealing to the Secretary of State against the refusal of the Council to grant planning permission for the proposed development.

In the event that the appeal is dealt with by the expedited procedure under the written representations procedure+, any representations made by the owner* of the land or tenant** to the Council about the application will be passed to the Secretary of State and there will be no opportunity to make further representations in relation to the appeal.

* “owner” means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years.

** “tenant” means a tenant of an agricultural holding any part of which is comprised in the land.

*** “minor commercial development” means development of an existing building, or part of a building, in use for certain commercial purposes. It does not include a change of use, development not wholly at ground floor level, an increase in floor space or a change to the number of units in a building.

+The expedited procedures in relation to written representations are set out in Part 1 of the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009 (S.I. 2009/452).

Signed.....
On behalf of (delete if not applicable).....
Date

Statement of owners’ rights

The grant of planning permission does not affect owners’ rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants’ rights

The grant of planning permission for non-agricultural development may affect agricultural tenants’ security of tenure.

Insert:

- (a) address or location of the proposed development
- (b) applicant’s name
- (c) name of the Council
- (d) description of the proposed development

F²SCHEDULE 3

Articles 15 or 16

Publicity for applications for planning permission

Textual Amendments

- F2** Sch. 3 Form: in the second notice, in the bottom box beginning with the word "Insert", in paragraph (f), for "21" there is substituted "30"; and the words "a period of 14 days, beginning with the date" are 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(9)** (with regs. 47, 70)

Status: Point in time view as at 16/05/2017.

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

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

NOTICE UNDER ARTICLE 15(4) OR (5) OR ARTICLE 16 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper, displayed by site display on or near the site, or served on owners and/or occupiers of adjoining land, or infrastructure managers)

Proposed development at (a).....
I give notice that (b).....
is applying to the (c).....Council
for planning permission to (d)
The proposed development 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.*
The proposed development to which the application relates is situated within 10 metres of relevant railway land*
Members of the public may inspect copies of
• the application
• the plans
• and other documents submitted with it
at (e).....
during all reasonable hours until (f).....
Anyone who wishes to make representations about this application should write to the Council at (g).....
by (f).....

In the event that an appeal is made against a decision of the Council to refuse to grant planning permission for the proposed development, and that appeal then proceeds by way of the expedited procedure under the written representations procedure+, any representations made by the owner* or tenant** to the Council about this application will be passed to the Secretary of State and there will be no opportunity to make further representations. Any owner or tenant wishing to make representations should do so by the date given above.

Signed.....(Council's authorised officer)
On behalf of.....Council
Date
*delete where inappropriate

- Insert:
(a) address or location of the proposed development
(b) applicant's name
(c) name of the Council
(d) description of the proposed development
(e) address at which the application may be inspected
(f) date giving a period of 21 days, beginning with the date when the notice is first displayed where visible or accessible on or near the site or served on an owner and/or occupier of adjoining land, or a period of 14 days, beginning with the date when the notice is published in a newspaper (as the case may be)
(g) address of the Council

Status: Point in time view as at 16/05/2017.

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

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

NOTICE UNDER ARTICLE 15(3) OR ARTICLE 16 OF APPLICATION FOR PLANNING PERMISSION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT

(to be published in a newspaper and displayed by site display on or near the site)

Proposed development at (a)
I give notice that (b) is
applying to the (c) Council for
planning permission to (d) and
that the application is accompanied by an environmental statement.

The proposed development 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.*

The proposed development to which the application relates is situated within 10 metres of relevant railway land*

Members of the public may inspect copies of

- the application
- the plans
- the environmental statement
- and other documents submitted with the application

at (e)
during all reasonable hours until (f)

Members of the public may obtain copies of the environmental statement from (g)
.....
at a charge of (h)

Anyone who wishes to make representations about this application should write to the Council at
(i)
by (f)

Signed (Council's authorised officer)

On behalf of Council

Date

* delete where inappropriate

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of the Council
- (d) description of the proposed development
- (e) address at which the application may be inspected
- (f) date giving a period of 21 days, beginning with the date when the notice is first displayed where visible or accessible on or near the site, or a period of 14 days, beginning with the date when the notice is published in a newspaper (as the case may be)
- (g) address from where copies of the environmental statement may be obtained (whether or not the same as (e))
- (h) amount of charge, if any
- (i) address of the Council

Status: Point in time view as at 16/05/2017.

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

SCHEDULE 4

Articles 18, 19 and 20

Consultations before the grant of permission

Table

<i>Para</i>	<i>Description of Development</i>	<i>Consultee</i>
(a)	Development likely to affect land in a National Park	The National Park authority concerned
(b)	Development likely to affect land in Greater London or in a metropolitan county other than land in a National Park	The local planning authority concerned
(c)	Development likely to affect land in a non-metropolitan county other than land in a National Park	The district planning authority concerned or, where there is no district planning authority in relation to the land, the county planning authority concerned
(d)	Development, in relation to which an application for planning permission has been made to the Secretary of State under section 293A of the 1990 Act (urgent Crown development: application)(a), where that development is likely to affect land in the area of a parish council	The parish council
(e)	Development within an area which has been notified to the local planning authority by the Health and Safety Executive for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances (otherwise than on a relevant nuclear site) and which involves the provision of— (i) residential accommodation; (ii) more than 250 square metres of retail floor space; (iii) more than 500 square metres of office floor space; or (iv) more than 750 square metres of floor space to be used for an industrial process, or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area	The Health and Safety Executive
(f)	Development within an area which has been notified to the local planning authority by the Office for Nuclear Regulation for the purpose of this provision because of the presence within the vicinity of toxic, highly reactive, explosive or inflammable substances on a relevant nuclear site and which involves the provision of— (i) residential accommodation; (ii) more than 250 square metres of retail floor space; or (iii) more than 500 square metres of office floor space; or (iv) more than 750 square metres of floor space to be used for an industrial process,	The Office for Nuclear Regulation

(a) 1990 c. 8. Section 293A was inserted by section 82(1) of the 2004 Act.

Status: Point in time view as at 16/05/2017.

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

	or which is otherwise likely to result in a material increase in the number of persons working within or visiting the notified area.	
(g)	Development other than minor development, likely to result in an adverse impact on the safety of, or queuing, on a trunk road	The highway authority for the trunk road
(h)	Development likely to prejudice the improvement or construction of a trunk road	The highway authority for the trunk road
(i)	Development which consists of or includes the construction, formation or laying out of access to or from a trunk road	The highway authority for the trunk road
(j)	Development which is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway	The operator of the network which includes or consists of the railway in question, and the Secretary of State for Transport
(k)	Development likely to result in a material increase in the volume or a material change in the character of traffic entering or leaving a classified road or proposed highway	The local highway authority concerned
(l)	Development likely to prejudice the improvement or construction of a classified road or proposed highway	The local highway authority concerned
(m)	Development involving—	
	(i) the formation, laying out or alteration of any means of access to a highway (other than a trunk road); or	The local highway authority concerned
	(ii) the construction of a highway or private means of access to premises affording access to a road in relation to which a toll order is in force	The local highway authority concerned, and in the case of a road subject to a concession, the concessionaire
(n)	Development which consists of or includes the laying out or construction of a new street	The local highway authority
(o)	Development which involves the provision of a building or pipeline in an area of coal working notified by the Coal Authority to the local planning authority	The Coal Authority
(p)	Development involving or including mining operations	The Environment Agency
(q)	Development of land involving the demolition, in whole or in part, or the material alteration of a listed building which is classified as Grade I or Grade II*	Historic England ^(a)
(r)	Development likely to affect the site of a scheduled monument	Historic England

(a) See section 32 of the National Heritage Act 1983 (c. 47). This body is also known as the Historic Buildings and Monuments Commission for England.

Status: Point in time view as at 16/05/2017.

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

(s) Development likely to affect any battlefield, garden or park of special historic interest which is registered in accordance with section 8C of the Historic Buildings and Ancient Monuments Act 1953 (register of gardens)(a)	(a) Historic England in relation to any battlefield, and any garden or park which is classified as Grade I or Grade II*; and (b) the Garden History Society in relation to all registered gardens or parks
(t) Development involving the carrying out of works or operations in the bed of, or within 20 metres of the top of a bank of, a main river which has been notified to the local planning authority by the Environment Agency as a main river for the purposes of this provision	The Environment Agency
(u) Development for the purpose of refining or storing mineral oils and their derivatives	The Environment Agency
(v) Development relating to the use of land as a cemetery	The Environment Agency
(w) Development in or likely to affect a site of special scientific interest	Natural England
(x) Development involving any land on which there is a theatre	The Theatres Trust
(y) Development which is not for agricultural purposes and is not in accordance with the provisions of a development plan and involves—	Natural England
(i) the loss of not less than 20 hectares of grades 1, 2 or 3a agricultural land(b) which is for the time being used (or was last used) for agricultural purposes; or	
(ii) the loss of less than 20 hectares of grades 1, 2 or 3a agricultural land which is for the time being used (or was last used) for agricultural purposes, in circumstances in which the development is likely to lead to a further loss of agricultural land amounting cumulatively to 20 hectares or more	
(z) Development which—	Sport England(c)
(i) is likely to prejudice the use, or lead to the loss of use, of land being used as a playing field; or	
(ii) is on land which has been—	
(aa) used as a playing field at any time in the 5 years before the making of the relevant application and which remains undeveloped; or	

(a) 1953 c. 49; section 8C was inserted by paragraph 10 of Schedule 4 to the National Heritage Act 1983 (c. 47).

(b) See Natural England publication for the agricultural land classification system. TIN049 edition 2 – Agricultural Land Classification: protecting the best and most versatile agricultural land available from <http://publications.naturalengland.org.uk/publication/35012?category=9001>.

(c) Sport England is also known as the English Sports Council.

Status: Point in time view as at 16/05/2017.

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

- (bb) allocated for use as a playing field in a development plan or in proposals for such a plan or its alteration or replacement; or
- (iii) involves the replacement of the grass surface of a playing pitch on a playing field with an artificial, man-made or composite surface

<p>(za) Development likely to affect—</p> <ul style="list-style-type: none"> (i) any inland waterway (whether natural or artificial) or reservoir owned or managed by the Canal & River Trust; or (ii) any canal feeder channel, watercourse, let off or culvert, <p>which is within an area which has been notified for the purposes of this provision to the local planning authority by the Canal & River Trust</p>	<p>The Canal & River Trust</p>
<p>(zb) Development falling within any of the following descriptions—</p> <ul style="list-style-type: none"> (i) development involving the siting of new establishments; (ii) development consisting of modifications to existing establishments covered by Article 11 of Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances^(a); or (iii) new developments including transport routes, locations of public use and residential areas in the vicinity of establishments, where the siting or development may be the source of or increase the risk or consequences of a major accident. 	<p>(a) The COMAH competent authority;</p> <p>(b) where it appears to the local planning authority that an area of particular natural sensitivity or interest may be affected, Natural England; and</p> <p>(c) in the case of development falling within paragraph (iii), any person who according to—</p> <ul style="list-style-type: none"> (i) the register held by the hazardous substances authority under regulation 20 of the Planning (Hazardous Substances) Regulations 2015^(b), or (ii) a notice submitted under regulation 32(1)(b) of those Regulations where the local authority has been notified under regulation 32(3) of those Regulations, is the person in control of the land on which any establishment is located.

(a) O.J.L 197, 24.7.2012, p. 1.
 (b) S.I. 2015/627.

Status: Point in time view as at 16/05/2017.

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

(zc)	Development, other than minor development, which is to be carried out on land— (i) in an area within Flood Zone 2 or Flood Zone 3; or (ii) in an area within Flood Zone 1 which has critical drainage problems and which has been notified for the purpose of this provision to the local planning authority by the Environment Agency	The Environment Agency
(zd)	Major development which does not use the services of a sewerage undertaker for the disposal of sewage	The Environment Agency
(ze)	Major development with surface water drainage	The Lead local flood authority
(zf)	Development involving the boring for or getting of oil and natural gas from shale	Any water or sewerage undertaker in whose area of appointment the development is proposed and, in the case where the development is likely to affect water resources in the area of appointment of another water or sewerage undertaker, that undertaker

Interpretation of Table

1. In the above Table—

- (a) in paragraph (e)(iv), “industrial process” means a process for or incidental to any of the following purposes—
- (i) the making of any article or part of any article (including a ship or vessel, or a film, video or sound recording);
 - (ii) the altering, repairing, maintaining, ornamenting, finishing, cleaning, washing, packing, canning, adapting for sale, breaking up or demolition of any article; or
 - (iii) the getting, dressing or treatment of minerals in the course of any trade or business other than agriculture, and other than a process carried out on land used as a mine or adjacent to and occupied together with a mine (and in this paragraph, “mine” means any site on which mining operations are carried out);
- (b) in paragraph (g), “minor development” means—
- (i) development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse, for any purpose incidental to the enjoyment of the dwellinghouse as such;
 - (ii) the extension of an existing building used for non-domestic purposes where the floor space created by the development does not exceed 250 square metres; and
 - (iii) the alteration of an existing building where the alteration does not increase the size of the building.
- (c) in paragraph (j), “network” and “operator” have the same meaning as in Part 1 of the Railways Act 1993 (the provision of railway services)(a);

(a) 1993 c. 43; see section 83.

- (d) in paragraphs (k) and (l), “classified road” means a highway or proposed highway which—
- (i) is a classified road or a principal road by virtue of section 12(1) of the Highways Act 1980 (general provision as to principal and classified roads)(a); or
 - (ii) is classified for the purposes of any enactment by the Secretary of State by virtue of section 12(3) of that Act;
- (e) in paragraph (m), “concessionaire”, “road subject to a concession” and “toll order” have the same meaning as in Part 1 of the New Roads and Street Works Act 1991 (new roads in England and Wales)(b);
- (f) in paragraph (n), “street” has the same meaning as in section 48(1) of the New Roads and Street Works Act 1991 (streets, street works and undertakers), and “new street” includes a continuation of an existing street;
- (g) in paragraph (r), “scheduled monument” has the same meaning as in section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979 (schedule of monuments)(c);
- (h) in paragraph (t), “main river” has the same meaning as in section 113 of the Water Resources Act 1991 (interpretation of Part 4 – flood defence)(d);
- (i) in paragraph (x), “theatre” has the same meaning as in section 5 of the Theatres Trust Act 1976 (interpretation)(e);
- (j) in paragraph (z)—
- (i) “playing field” means the whole of a site which encompasses at least one playing pitch;
 - (ii) “playing pitch” means a delineated area which, together with any run-off area, is of 0.2 hectares or more, and which is used for association football, American football, rugby, cricket, hockey, lacrosse, rounders, baseball, softball, Australian football, Gaelic football, shinty, hurling, polo or cycle polo;
- (k) in paragraph (zb)—
- (i) expressions appearing both in that paragraph and in Directive 2012/18/EU have the same meaning as in that Directive;
 - (ii) “COMAH competent authority” has the meaning in regulation 2(1) of the Planning (Hazardous Substances) Regulations 2015; and
- (l) in paragraph (zc)—
- “Flood Zone 1” means land which has a less than a 1 in 1000 annual probability of river or sea flooding(f);
- “Flood Zone 2” means land which has—
- (i) between a 1 in 100 and 1 in 1000 annual probability of river flooding; or
 - (ii) between a 1 in 200 and 1 in 1000 annual probability of sea flooding;
- “Flood Zone 3” means land which has—
- (i) a 1 in 100 or greater annual probability of river flooding; or
 - (ii) a 1 in 200 or greater annual probability of sea flooding; and
- “minor development” has the same meaning as in paragraph (g).

(a) 1980 c. 66.

(b) 1991 c. 22.

(c) 1979 c. 46.

(d) 1991 c. 57.

(e) 1976 c. 27.

(f) Maps showing the various Flood Zones are available from the Environment Agency at <http://www.environment-agency.gov.uk>.

Status: Point in time view as at 16/05/2017.

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

SCHEDULE 5

Article 35

Notification where planning permission refused or granted subject to conditions

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS *(to be endorsed on notices of decision)*

*(page 1 of 2)**

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- As this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice [reference], if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.*
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within:
28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.*
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.*
- If you want to appeal against your local planning authority's decision then you must do so within 6 months of the date of this notice.*
- Appeals must be made using a form which you can get from the Secretary of State at Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN or online at www.gov.uk/government/organisations/planning-inspectorate.
- The Secretary of State can allow a longer period for giving notice of an appeal, but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

* delete where inappropriate

TOWN AND COUNTRY PLANNING ACT 1990

NOTIFICATION TO BE SENT TO AN APPLICANT WHEN A LOCAL PLANNING AUTHORITY REFUSE PLANNING PERMISSION OR GRANT IT SUBJECT TO CONDITIONS *(to be endorsed on notices of decision)*

*(page 2 of 2)**

- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by the Secretary of State.

Purchase Notices

- If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that the owner can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (that is, where the land is situated in a National Park, the National Park authority for that Park, or in any other case the district council (or county council which is exercising the functions of a district council in relation to an area for which there is no district council), London borough council or Common Council of the City of London in whose area the land is situated). This notice will require the Council to purchase the owner's interest in the land in accordance with the provisions of Chapter I of Part 6 of the Town and Country Planning Act 1990.

* delete where inappropriate

Status: Point in time view as at 16/05/2017.

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

SCHEDULE 6

Articles 28, 29 and 30

Deemed discharge: exemptions

1. For the purposes of article 30, the following planning conditions are exempt under section 74A(6) of the 1990 Act (deemed discharge of planning conditions)(a).

Environment

2.—(1) A condition attached to the grant of planning permission where the development permitted—

- (a) is EIA development;
- (b) would have been EIA development apart from that condition;
- (c) is likely to have a significant effect on a qualifying European site and is not directly connected with or necessary to the management of that site; or
- (d) would have been likely to have a significant effect on a qualifying European site apart from that condition and is not directly connected with or necessary to the management of that site.

(2) In sub-paragraph (1)—

- (a) reference to development which is, or would have been, likely to have significant effect on a qualifying European site includes development which is, or would have been, likely to have that effect in combination with other plans or projects;
- (b) reference to the development which would have been of a particular kind apart from a condition imposed on the grant of planning permission for the development include development which would have been of that kind apart from—
 - (i) that condition; and
 - (ii) any other condition attached to the grant of planning permission for the development.

Flooding

3. A condition attached to the grant of planning permission, intended to manage the risk of flood.

Sites of special scientific interest

4.—(1) A condition attached to the grant of planning permission for the development of land which is or forms part of a site of special scientific interest—

- (a) which is likely to have a significant effect on such a site; or
- (b) which would have been likely to have a significant effect on such a site apart from that condition.

(2) In sub-paragraph (1)—

- (a) the reference to development of land which is, or would have been, likely to have a significant effect on a site of special scientific interest includes development which is, or would have been, likely to have that effect in combination with other plans or projects.
- (b) the reference to development which would have been likely to have a significant effect on a site of special scientific interest apart from a condition includes a development which would have been likely to have that effect apart from—

(a) Section 74A was inserted by section 29 of the Infrastructure Act 2015 (c. 7).

- (i) that condition; and
- (ii) any other condition attached to the grant of planning permission for the development.

Contaminated land

5. A condition attached to the grant of planning permission which relates to the—
- (a) assessment of whether the land to which the planning permission relates is contaminated land; or
 - (b) remediation of contaminated land (whether or not the remediation is to the land to which the planning permission relates).

Archaeology

6. A condition attached to the grant of planning permission which relates to investigation of the archaeological potential of the land to which the planning permission relates.

Highways

7. A condition attached to the grant of planning permission which—
- (a) relates to access between the development and the highway; or
 - (b) requires a section 278 agreement to be entered into.

Approval of reserved matters

8. A condition attached to the grant of an outline planning permission in relation to the approval of any reserved matter.

Planning obligations

9. A condition attached to the grant of planning permission that requires a planning obligation to be entered into.

Development orders

10. A condition attached to the grant of planning permission under a—
- (a) development order pursuant to section 59 of the 1990 Act^(a); or
 - (b) special development order pursuant to section 264 of the 1990 Act^(b);
 - (c) local development order pursuant to section 61A of the 1990 Act^(c); or
 - (d) neighbourhood development order pursuant to section 61E^(d) of the 1990 Act.

(a) Section 59 was amended by section 1(2) of, and paragraphs 1 and 4 of Schedule 1 to, the Growth and Infrastructure Act 2013 (c. 27).

(b) Section 264 was amended by section 40(2)(k) of the 2004 Act. There are amendments to section 264 not relevant to this Order.

(c) Section 61A was inserted by section 40(1) of the 2004 Act.

(d) Section 61E was inserted by section 116 of, and Schedule 9 to, the Localism Act 2011 (c. 20).

Status: Point in time view as at 16/05/2017.

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

Simplified planning zones or enterprise zones

11. A condition attached to the grant of planning permission in relation to land in—

- (a) a simplified planning zone(a) where the development permitted is specified, or of a class specified, in the simplified planning zone scheme; or
- (b) an enterprise zone(b) where the development permitted is specified, or of a class specified, in the enterprise zone scheme.

Crown development or government authorisation

12. A condition attached to the grant of planning permission under—

- (a) section 90 of the 1990 Act (government authorisation)(c);
- (b) section 293A of the 1990 Act (urgent Crown development)(d).

(a) See section 84.

(b) See section 88 which was amended in ways not relevant to this Order.

(c) Section 90 was amended by section 78 of, and paragraph 32(4) of Schedule 10, to the Environment Act 1995

(d) Section 293A was inserted by section 82(1) of the Planning and Compulsory Purchase Act 2004 (c. 5).

Status: Point in time view as at 16/05/2017.

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

SCHEDULE 7

Notices under article 38

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

NOTICE UNDER ARTICLE 38 OF PROPOSAL FOR LOCAL DEVELOPMENT ORDER GRANTING PLANNING PERMISSION

(to be displayed by site display on or near the site to which the order relates and to be served on an owner or a tenant**)*

Proposed development at (a)
I give notice that the (b)Council proposes to make a local
development order granting planning permission to (c).....
.....

A copy of the draft order and a statement of the Council’s reasons for making the order are
available for inspection
at.....(d) and
are published on the Council’s website at (e)

Anyone who wishes to make representations about this proposed local development order should
write to the Council at (f)by
(g)

* “owner” means a person having a freehold interest or a leasehold interest the unexpired term of
which is not less than 7 years, or, in the case of development consisting of the winning or working
of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold
or silver).

** “tenant” means a tenant of an agricultural holding any part of which is comprised in the land.

Signed.....(Council’s authorised officer)
On behalf of Council
Date

Statement of owners’ rights

The grant of planning permission does not affect owners’ rights to retain or dispose of their
property, unless there is some provision to the contrary in an agreement or in a lease.

Statement of agricultural tenants’ rights

The grant of planning permission for non-agricultural development may affect agricultural
tenants’ security of tenure.

Insert:

- (a) address or location of the proposed development
- (b) name of the Council
- (c) description of the proposed development
- (d) places where and times when the documents are available for inspection
- (e) website address where the documents are published
- (f) address of the Council
- (g) date giving a period of not less than 28 days beginning with the [date the notice is first displayed where visible or accessible on or near the site, or the date of service of the notice (as the case may be)

Status: Point in time view as at 16/05/2017.

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

SCHEDULE 8

Article 39

Certificate of lawful use or development

Town and Country Planning Act 1990: sections 191 and 192
Town and Country Planning (Development Management Procedure)
(England) Order 2015: article 39

CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The (a) Council hereby certify that on (b) the use/operations/matter* described in the First Schedule to this certificate in respect of the land specified in the Second Schedule to this certificate and edged/hatched/coloured* (c)..... on the plan attached to this certificate, was/were/would have been/would be* lawful within the meaning of section 191/192* of the Town and Country Planning Act 1990 for the following reason(s):

.....
.....
Signed.....(Council’s authorised officer)
On behalf of (a).....Council
Date.....

- First Schedule
- (d)
- Second Schedule
- (e)

Notes

- 1 This certificate is issued solely for the purpose of section 191/192* of the Town and Country Planning Act 1990.
- 2 It certifies that the use/operations/matter* specified in the First Schedule taking place on the land described in the Second Schedule was/were/would have been/would be* lawful, on the specified date and, therefore, was not/were not/would not have been* liable to enforcement action under Part 7 of the 1990 Act on that date.
- 3 This certificate applies only to the extent of the use/operations/matter* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use/operations/matter* which is/are* materially different from that/those* described or which relate/s* to other land may render the owner or occupier liable to enforcement action.
- *4 The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations are begun, in any of the matters relevant to determining such lawfulness.

*delete where inappropriate

-
- Insert:
- (a) name of Council
 - (b) date of application to the Council
 - (c) colour used on the plan
 - (d) full description of use, operations or other matter, if necessary, by reference to details in the application or submitted plans, including a reference to the use class, if any, specified in an order under section 55(2)(f) of the 1990 Act, within which the use referred to in this certificate falls
 - (e) address or location of the site

SCHEDULE 9

Article 47

Revocations in relation to England

<i>Title of Instrument</i>	<i>Reference</i>	<i>Extent of revocation</i>
The Town and Country Planning (Development Management Procedure) (England) Order 2010	S.I. 2010/2184	The whole of the Order
The Town and Country Planning (Environmental Impact Assessment) Regulations 2011	S.I. 2011/1824	Paragraphs 17 to 20 of Schedule 6 to the Order
The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2012	S.I. 2012/636	The whole of the Order
The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2012	S.I. 2012/2274	The whole of the Order
The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 3) Order 2012	S.I. 2012/3109	The whole of the Order
The National Treatment Agency (Abolition) and the Health and Social Care Act 2012 (Consequential, Transitional and Saving Provisions) Order 2013	S.I. 2013/235	Paragraph 155 of Part 1 of Schedule 2 to the Order
The Town and Country Planning (Development Management Procedure) (England) (Amendment) Order 2013	S.I. 2013/1238	The whole of the Order
The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013	S.I. 2013/2136	The whole of the Order
The Growth and Infrastructure Act 2013 (Local Development Orders) (Consequential Provisions) (England) Order 2013	S.I. 2013/2879	Articles 2 and 4 of the Order
The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2013	S.I. 2013/2932	Article 2
The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment No 2) Order 2013	S.I. 2013/3194	Article 2
The Energy Act 2013 (Office for Nuclear Regulation) (Consequential Amendments, Transitional Provisions and Savings) Order 2014	S.I. 2014/469	Paragraph 201 of Part 5 of Schedule 3 to the Order
The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provision) (England) Order 2014	S.I. 2014/564	Article 8
The Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order	S.I. 2014/1532	Article 2
The Infrastructure Act 2015 (Strategic Highways Companies) (Consequential, Transitional and Savings Provisions) Regulations 2015	S.I. 2015/377	Paragraphs 47 to 51 of the Schedule to the Regulations

Status:

Point in time view as at 16/05/2017.

Changes to legislation:

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