
STATUTORY INSTRUMENTS

2012 No. 3109

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 3) Order 2012

<i>Made</i>	- - - -	<i>17th December 2012</i>
<i>Laid before Parliament</i>		<i>20th December 2012</i>
<i>Coming into force</i>	- -	<i>31st January 2013</i>

The Secretary of State, in exercise of the powers conferred by sections 59, 62 and 333 (7) of the Town and Country Planning Act 1990 (1), makes the following Order:

Citation, commencement and application

1.—(1) This Order may be cited as the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 3) Order 2012 and shall come into force on 31st January 2013.

(2) This Order applies in relation to England only.

Amendment of the Town and Country Planning (Development Management Procedure) (England) Order 2010

2. The Town and Country Planning (Development Management Procedure) (England) Order 2010 is amended in accordance with the following provisions.

Amendment in relation to applications for outline planning permission

3.—(1) In article 4 (applications for outline planning permission) delete paragraphs (3) and (4).

(2) In article 6 (applications for planning permission), in paragraph (3) for “paragraphs (3) to” substitute “paragraph”.

Amendment in relation to local information requirements

4.—(1) In article 10 (general provisions relating to applications)–

(1) 1990 c.8. Section 62 was substituted by section 42(1) of the Planning and Compulsory Purchase Act 2004 (c.5) and amended by paragraph 5 of Schedule 12 to the Localism Act 2011. Section 69 was substituted by section 118 of, and paragraphs 1 and 3 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (c.5) and amended by section 190 of the Planning Act 2008 (c.29) and by paragraph 7 of Schedule 12 to the Localism Act 2011 (c.20).

- (a) in paragraph (3)(a) after “publish” insert “or republish”;
 - (b) at end of paragraph (3)(b) delete full stop and insert “; and”;
 - (c) after paragraph (3)(b) insert–
 - “(c) where the application is made on or after 31st July 2013, the list mentioned in sub-paragraph (a) was published (or republished) during the 2 year period immediately before the date on which the application is made.”
- (2) In article 29 (time periods for decision)–
- (a) in paragraph (4)(a) after “publish” insert “or republish”;
 - (b) at end of paragraph (4)(b) delete full stop and insert “; and”;
 - (c) after paragraph (4)(b) insert–
 - “(c) where the application is made on or after 31st July 2013, the list mentioned in sub-paragraph (a) was published (or republished) during the 2 year period immediately before the date on which the application is made.”

Signed by authority of the Secretary of State for Communities and Local Government

Nick Boles
Parliamentary Under Secretary of State
Department for Communities and Local
Government

17th December 2012

EXPLANATORY NOTE

(This note is not part of the Order)

The Town and Country Planning (Development Management Procedure) (England) Order 2010 ([S.I. 2010/2184](#)) (“the Development Management Procedure Order”) provides for procedures connected with planning applications in England.

Article 3 of this Order amends article 4 of the Development Management Procedure Order which sets out the requirements for applications which seek permission of a proposed development in principle (“outline applications”) and allows for specific details of the application to be reserved for subsequent approval by the local planning authority at a later stage (“reserved matters”). For such outline applications, article 4 of the Development Management Procedure Order provides that where layout is a reserved matter, the application must state the approximate location of buildings, routes and open spaces and where scale is a reserved matter; the application must state the upper and lower limit for the height, width and length of each building. The effect of the amendment is to remove the requirement to provide these details at the outline stage where layout and scale have been reserved.

Article 4 of this Order amends articles 10 and 29 of the Development Management Procedure Order to provide that, for applications on or after 31st July 2013, the only requirements which are to apply to a particular planning application are those on a ‘local list’ which has been published within 2 years before the planning application is made.

An impact assessment will be prepared in relation to this instrument. The assessment will be placed in the Library of each House of Parliament and copies may be obtained from the Planning Directorate, the Department for Communities and Local Government, Eland House, Bressenden Place, London SW1E 5DU or <http://www.communities.gov.uk>.