
STATUTORY INSTRUMENTS

2015 No. 595

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

Part 3

Applications

General provisions relating to applications

- 11.—(1) An application made under article 5, 6 or 7, must be made—
- (a) where the application relates to land which is in a National Park, to the National Park authority;
 - (b) where the application relates to land in Greater London or a metropolitan county, which is not land in a National Park, to the local planning authority;
 - (c) where the application relates to land which is not in a National Park, Greater London or a metropolitan county, and the application relates to a county matter—
 - (i) to the county planning authority; or
 - (ii) where there is no county planning authority in relation to the land, to the district planning authority;
 - (d) in any other case—
 - (i) to the district planning authority; or
 - (ii) where there is no district planning authority in relation to the land, to the county planning authority.
- (2) When the local planning authority with whom the application has to be lodged receive—
- (a) in the case of an application made under article 5, 6 or 7, an application which complies with the requirements of article 5, 6 or 7, as the case may be;
 - (b) the certificate required by article 14;
 - (c) in a case to which article 9 applies, the design and access statement;
 - (d) in a case where pre-application consultation is required in accordance with article 3, the particulars in article 4(1);
 - (e) subject to paragraph (3), the particulars or evidence required by the authority under section 62(3) of the 1990 Act (applications for planning permission)(2); and
 - (f) the fee required to be paid in respect of the application,

the authority must, as soon as is reasonably practicable, send to the applicant an acknowledgement of the application in the terms (or substantially in the terms) set out in Schedule 1.

(1) Article 3 and 4 cease to have effect with effect from 17th December 2020; see section 122(3) of the Localism Act 2011 (c. 20) and by S.I. 2013/2931.

(2) Section 62 was substituted by section 42(1) of the 2004 Act.

- (3) Paragraph (2)(e) only applies if—
- (a) before the application is made the local planning authority publish or republish, for the purposes of article 34(4) and (5), a list of requirements on their website;
 - (b) the particulars or evidence that the authority require to be included in the application fall within that list;
 - (c) the particulars or evidence the authority require to be included in the application—
 - (i) are reasonable having regard, in particular, to the nature and scale of the proposed development; and
 - (ii) are about a matter which it is reasonable to think will be a material consideration in the determination of the application; and
 - (d) 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.
- (4) Where an application is made to a county planning authority, in accordance with paragraph (1), that authority must, as soon as reasonably practicable, send a copy of the application and of any accompanying plans, drawings and information to the district planning authority, if any.
- (5) Where, after sending an acknowledgement as required by paragraph (2), the local planning authority consider that the application is invalid, they must as soon as reasonably practicable notify the applicant that the application is invalid.
- (6) In this article—
- (a) “county matter” has the same meaning as in paragraph 1(1) of Schedule 1 to the 1990 Act (local planning authorities: distribution of functions)(3); and
 - (b) an application is invalid if it is not a valid application within the meaning of article 34(4) or it is not a non-validated application within the meaning of article 34(5).

(3) Paragraph 1(1) of Schedule 1 was amended by paragraph 13 of Schedule 1 to the Planning and Compensation Act 1991 (c. 34).