

---

STATUTORY INSTRUMENTS

---

**2015 No. 595**

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

**Part 6**

**Determination**

**Written notice of decision or determination relating to a planning application**

**35.**—(1) When the local planning authority give notice of a decision or determination on an application for planning permission or for approval of reserved matters—

- (a) where planning permission is granted subject to conditions, the notice must state clearly and precisely their full reasons—
  - (i) for each condition imposed; and
  - (ii) in the case of each pre-commencement condition, for the condition being a pre-commencement condition;
- (b) where planning permission is refused, the notice must state clearly and precisely their full reasons for the refusal, specifying all policies and proposals in the development plan which are relevant to the decision;
- (c) where—
  - (i) the Secretary of State has given a direction restricting the grant of planning permission for the development for which application is made; or
  - (ii) the Secretary of State or a government department has expressed the view that the permission should not be granted (either wholly or in part) or should be granted subject to conditions,

the notice must give details of the direction or of the view expressed.

(2) Where paragraph (1)(a) or (b) applies, the notice must also include a statement explaining, whether, and if so how, in dealing with the application, the local planning authority have worked with the applicant in a positive and proactive manner based on seeking solutions to problems arising in relation to dealing with a planning application.

(3) Where paragraph (1)(a), (b) or (c) applies, the notice must be accompanied by a notification in the terms (or substantially in the terms) set out in Schedule 5.

(4) Where—

- (a) an applicant for planning permission has submitted an environmental statement; and
- (b) the local planning authority have decided (having taken environmental information into consideration) to grant permission (whether unconditionally or subject to conditions),

the notice given to the applicant in accordance with article 34(1) must include a statement that environmental information has been taken into consideration by the authority.

(5) In paragraph (1)(a)(ii) “pre-commencement condition” means a condition imposed on the grant of a planning permission which must be complied with—

- (a) before any building or other operation comprised in the development is begun; or
- (b) where the development consists of a material change in the use of any buildings or other land, before the change of use is begun.