



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART III

#### CONTROL OVER DEVELOPMENT

#### *Applications for planning permission [<sup>F1</sup>or permission in principle]*

##### Textual Amendments

- F1** Words in s. 62 cross-heading inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 7](#); S.I. 2016/733, reg. 3(d)

#### **[<sup>F3</sup>62 Applications for planning permission [<sup>F2</sup>or permission in principle].**

- (1) A development order may make provision as to applications for planning permission [<sup>F4</sup>or permission in principle] made to a local planning authority.
- (2) Provision referred to in subsection (1) includes provision as to—
  - (a) the form and manner in which the application must be made;
  - (b) particulars of such matters as are to be included in the application;
  - (c) documents or other materials as are to accompany the application.

**[<sup>F5</sup>(2A) In subsections (1) and (2) references to applications for planning permission include references to [<sup>F6</sup>—**

- (a) applications for consent, agreement or approval as mentioned in section 61DB(2), [<sup>F7</sup>and]
  - (b)] applications for approval under section 61L(2) [<sup>F8</sup>, and
  - (c) applications for consent, agreement or approval where that consent, agreement or approval is required by a condition or limitation imposed under section 61QI(1).]]
- (3) The local planning authority may require that an application for planning permission must include—

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- (a) such particulars as they think necessary;
  - (b) such evidence in support of anything in or relating to the application as they think necessary.
- (4) But a requirement under subsection (3) must not be inconsistent with provision made under subsection (1).
- [<sup>F9</sup>(4A) Also, a requirement under subsection (3) in respect of an application <sup>F10</sup>...—
- (a) must be reasonable having regard, in particular, to the nature and scale of the proposed development; and
  - (b) may require particulars of, or evidence about, a matter only if it is reasonable to think that the matter will be a material consideration in the determination of the application.]
- (5) A development order must require that an application for planning permission of such description as is specified in the order must be accompanied by such of the following as is so specified—
- (a) a statement about the design principles and concepts that have been applied to the development;
  - (b) a statement about how issues relating to access to the development have been dealt with.
- (6) The form and content of a statement mentioned in subsection (5) is such as is required by the development order.]
- [<sup>F11</sup>(7) In subsection (8) “a relevant application” means the application for planning permission [<sup>F12</sup>or permission in principle] in a case where a person—
- (a) has been required by section 61W(1) to carry out consultation on a proposed application for planning permission [<sup>F13</sup>or permission in principle], and
  - (b) is going ahead with making an application for planning permission [<sup>F13</sup>or permission in principle] (whether or not in the same terms as the proposed application).
- (8) A development order must require that a relevant application be accompanied by particulars of—
- (a) how the person complied with section 61W(1),
  - (b) any responses to the consultation that were received by the person, and
  - (c) the account taken of those responses.]

[<sup>F14</sup>(9) In subsection (10), a “relevant Welsh application” means an application for planning permission, in a case where a person—

    - (a) has been required by section 61Z to carry out consultation on a proposed application for planning permission for the development of land, and
    - (b) is going ahead with making an application for planning permission for the development (whether or not in the same terms as the proposed application).

(10) A development order must require a relevant Welsh application to be accompanied by a report (the “pre-application consultation report”) giving particulars of—

    - (a) how the applicant complied with section 61Z;
    - (b) any responses to the consultation received from persons consulted under section 61Z(3) or (4);
    - (c) the account taken of those responses.

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- (11) A development order may make provision about the form and content of the pre-application consultation report.]

#### Textual Amendments

- F2** Words in s. 62 heading inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 8\(2\)](#); S.I. 2016/733, reg. 3(d)
- F3** S. 62 substituted (6.8.2004 for certain purposes, 10.8.2006 for E. and 30.6.2007 for W.) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), [ss. 42\(1\)](#), 121 (with s. 111); S.I. 2004/2097, [art. 2](#); S.I. 2006/1061, [art. 3](#) (with [art. 4](#)) (as amended by S.I. 2010/321, [art. 3](#)); S.I. 2007/1369, [art. 2](#) (with [art. 3](#)) (as amended by S.I. 2010/321, [art. 4](#))
- F4** Words in s. 62(1) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 8\(2\)](#); S.I. 2016/733, reg. 3(d)
- F5** S. 62(2A) inserted (15.11.2011 for specified purposes, 15.1.2012 for specified purposes, 6.4.2012 for specified purposes) by [Localism Act 2011 \(c. 20\)](#), s. 240(2)(5)(j), [Sch. 12 para. 5](#); S.I. 2012/57, [art. 4\(1\)\(h\)](#) (with [arts. 6, 7, 9-11](#)); S.I. 2012/628, [art. 8\(a\)](#) (with [arts. 9, 12, 13, 16, 18-20](#)) (as amended (3.8.2012) by S.I. 2012/2029, [arts. 2, 4](#))
- F6** Words in s. 62(2A) inserted (12.2.2015 for specified purposes, otherwise prosp.) by [Infrastructure Act 2015 \(c. 7\)](#), s. 57(5)(d), [Sch. 4 para. 6](#)
- F7** Word in s. 62(2A)(a) omitted (31.1.2024 for specified purposes) by virtue of [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(3)(b), [Sch. 9 para. 1\(6\)\(a\)](#) (with s. 247); S.I. 2024/92, reg. 2(q)
- F8** S. 62(2A)(c) and word inserted (31.1.2024 for specified purposes) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), s. 255(3)(b), [Sch. 9 para. 1\(6\)\(b\)](#) (with s. 247); S.I. 2024/92, reg. 2(q)
- F9** S. 62(4A) inserted (25.6.2013) by [Growth and Infrastructure Act 2013 \(c. 27\)](#), [ss. 6, 35\(1\)](#); S.I. 2013/1488, [art. 3\(c\)](#)
- F10** Words in s. 62(4A) omitted (6.9.2015 for specified purposes, 16.3.2016 in so far as not already in force) by virtue of [Planning \(Wales\) Act 2015 \(anaw 4\)](#), [ss. 28, 58\(2\)\(b\)\(4\)\(b\)](#); S.I. 2016/52, [art. 5\(a\)](#) (with [art. 8](#))
- F11** S. 62(7)(8) inserted (temp.) (15.11.2011 for specified purposes, 17.12.2013 in so far as not already in force) by [Localism Act 2011 \(c. 20\)](#), [ss. 122\(2\)](#), 240(5)(l) (with [ss. 122\(3\), 144](#)); S.I. 2013/2931, [art. 2](#) (This amendment is extended (21.10.2020) and now ceases to have effect on 15.12.2025 by virtue of [The Town and Country Planning \(Pre-application Consultation\) Order 2020 \(S.I. 2020/1051\)](#), [arts. 1, 2](#))
- F12** Words in s. 62(7) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 8\(3\)\(a\)](#); S.I. 2016/733, reg. 3(d)
- F13** Words in s. 62(7)(a)(b) inserted (13.7.2016) by [Housing and Planning Act 2016 \(c. 22\)](#), s. 216(3), [Sch. 12 para. 8\(3\)\(b\)](#); S.I. 2016/733, reg. 3(d)
- F14** S. 62(9)-(11) inserted (6.9.2015 for specified purposes, 1.3.2016 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), [ss. 17\(3\)](#), 58(2)(b)(4)(b); S.I. 2016/52, [art. 2\(a\)](#) (with [art. 6](#))

#### Modifications etc. (not altering text)

- C1** S. 62(1) applied (with modifications) (W.) (1.3.2016) by [The Developments of National Significance \(Wales\) Regulations 2016 \(S.I. 2016/56\)](#), reg. 1(2), [Sch. 7 para. 1\(1\)\(a\)](#) (with [regs. 1\(3\), 47](#))
- C2** S. 62(1) applied (with modifications) (W.) (1.3.2016) by [The Developments of National Significance \(Application of Enactments\) \(Wales\) Order 2016 \(S.I. 2016/54\)](#), [arts. 1, 3\(1\)\(a\)](#)
- C3** S. 62(3) applied (with modifications) (W.) (1.3.2016) by [The Developments of National Significance \(Wales\) Regulations 2016 \(S.I. 2016/56\)](#), reg. 1(2), [Sch. 7 para. 1\(1\)\(b\)](#) (with [regs. 1\(3\), 47](#))
- C4** S. 62(3) applied (with modifications) (W.) (1.3.2016) by [The Developments of National Significance \(Application of Enactments\) \(Wales\) Order 2016 \(S.I. 2016/54\)](#), [arts. 1, 3\(1\)\(b\)](#)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied by 2023 asc 3 s. 79(2)
- Act applied by 2023 asc 3 s. 83(4)
- Act excluded by 2023 asc 3 s. 140(4)(b)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 7(3) inserted by 2023 c. 55 Sch. 17 para. 2(2)
- s. 7A(6) inserted by 2023 c. 55 Sch. 17 para. 2(4)
- s. 7ZA inserted by 2023 c. 55 Sch. 17 para. 2(3)
- s. 58B and cross-heading inserted by 2023 c. 55 s. 102(1)
- s. 59A(3)(ba) inserted by 2023 c. 55 Sch. 8 para. 4(b)
- s. 62(2A)(za) inserted by 2023 c. 55 s. 124(2)
- s. 62B(5)(ca) inserted by 2023 c. 55 Sch. 17 para. 2(5)
- s. 70(2)(azb) inserted by 2023 c. 55 Sch. 6 para. 3(a)
- s. 70(3)(ca) inserted in earlier affecting provision 2016 c. 22, s. 5(8) by 2023 asc 3 Sch. 13 para. 194
- s. 70(3A) inserted by 2017 c. 20 Sch. 3 para. 2
- s. 70A(5A) inserted by 2023 c. 55 Sch. 6 para. 4(a)
- s. 70A(10)(11) inserted by 2023 c. 55 s. 110(4)(b)
- s. 70B(5A)(5B) inserted by 2023 c. 55 s. 110(5)(b)
- s. 73B inserted by 2023 c. 55 s. 110(2)
- s. 74(1C)(aa) inserted by 2023 c. 55 Sch. 6 para. 5(b)
- s. 75ZA and cross-heading inserted by 2016 c. 22 s. 155
- s. 83(1A)-(1C) amendment to earlier affecting provision 2004 c. 5, s. 45(2) by 2011 c. 20 Sch. 8 para. 14(4)(5)Sch. 25 Pt. 16
- s. 83(1A)-(1C) inserted by 2004 c. 5 s. 45(2)
- s. 83(2)-(2B) amendment to earlier affecting provision 2004 c. 5, s. 45(3) by 2011 c. 20 Sch. 8 para. 14(4)(5)Sch. 25 Pt. 16
- s. 83(2)-(2B) substituted for s. 83(2) by 2004 c. 5 s. 45(3)
- s. 83(4) inserted by 2004 c. 5 s. 45(4)
- s. 85(1A) inserted by 2004 c. 5 s. 45(6)
- s. 93(5)(6) inserted by 2017 c. 20 Sch. 3 para. 6
- s. 94(1)(e) and word inserted by 2023 c. 55 Sch. 9 para. 1(15)
- s. 102(1A) inserted by 2023 c. 55 Sch. 6 para. 9(b)
- s. 106A(9A) inserted by 2023 c. 55 s. 125
- s. 106ZA inserted by 2016 c. 22 s. 158(1)
- s. 106ZB inserted by 2016 c. 22 s. 159(1)
- s. 106ZB(2)(a) omitted by 2023 c. 55 s. 130(3)(b)
- s. 108(1A)(1B) inserted by 2015 c. 7 Sch. 4 para. 15(4)
- s. 108(3A) inserted by 2004 c. 5 Sch. 6 para. 6
- s. 108(3B)(ba) inserted by 2015 c. 7 Sch. 4 para. 15(6)
- s. 108(3B)(ba) word omitted by 2023 c. 55 Sch. 9 para. 1(16)(d)(i)
- s. 108(3B)(bb) inserted by 2023 c. 55 Sch. 9 para. 1(16)(d)(ii)
- s. 108(3DA) inserted by 2015 c. 7 Sch. 4 para. 15(7)
- s. 108(3DB) inserted by 2023 c. 55 Sch. 9 para. 1(16)(e)
- s. 141(6) inserted by 2017 c. 20 Sch. 3 para. 7
- s. 169(1)(a) words renumbered as s. 169(1)(a) by 2017 c. 20 s. 26(5)(a)
- s. 169(1)(b) inserted by 2017 c. 20 s. 26(5)(b)
- s. 170(8BA) inserted by 2017 c. 20 s. 26(6)

- s. 171A(2)(za) inserted by 2023 c. 55 s. 117(2)(a)
- s. 171B(1)(a)(b) substituted for words by 2023 c. 55 s. 115(1)
- s. 171B(2)(a)(b) substituted for words by 2023 c. 55 s. 115(2)
- s. 171E(8) inserted by 2023 c. 55 s. 116(3)
- s. 172ZA inserted by 2023 c. 55 s. 117(3)
- s. 174(2AA)(b) words substituted by 2023 c. 55 s. 113(6)
- s. 176(6) inserted by 2023 c. 55 s. 119(2)
- s. 188(1)(zb) inserted by 2023 c. 55 s. 117(4)(a)
- s. 195(3A) inserted by 2023 c. 55 s. 119(3)
- s. 196(1A) inserted by 2008 c. 29 Sch. 10 para. 8(2)
- s. 208(5A) inserted by 2008 c. 29 Sch. 10 para. 9(2)
- s. 216(2)(a)(b) substituted for words by 2023 c. 55 s. 120(2)(a)
- s. 216(6A) inserted by 2023 c. 55 s. 120(2)(c)
- s. 303(1ZZA) inserted by 2023 asc 3 Sch. 13 para. 87
- s. 303(10A) inserted by 2015 c. 7 Sch. 4 para. 19(3)
- s. 303(12) inserted by 2015 c. 7 Sch. 4 para. 19(4)
- s. 303A(1A)(za) inserted by 2023 c. 55 Sch. 8 para. 7(2)(a)
- s. 303A(9B) inserted by 2023 c. 55 Sch. 8 para. 7(4)
- s. 303A(10)(za) inserted by 2023 c. 55 Sch. 8 para. 7(5)
- s. 303A(12) inserted by 2023 c. 55 Sch. 8 para. 7(6)
- s. 303ZB inserted by 2023 c. 55 s. 134
- s. 314A inserted by 2023 asc 3 Sch. 13 para. 90
- s. 324(1A)(a) words in s. 324(1A) renumbered as s. 324(1A)(a) by 2023 c. 55 Sch. 9 para. 1(20)(a)
- s. 324(1A)(b) and word inserted by 2023 c. 55 Sch. 9 para. 1(20)(b)
- s. 327ZA applied (with modifications) by 1990 c. 10, s. 37 (as amended) by 2023 c. 55 s. 124(7)(a)
- s. 327ZA applied by 1990 c. 9, s. 89(1) (as amended) by 2023 c. 55 s. 124(5)(a)
- s. 327ZA inserted by 2023 c. 55 s. 124(1)
- s. 327ZA modified by 1990 c. 9, s. 89(1ZC) (as inserted) by 2023 c. 55 s. 124(5)(b)
- s. 333(3ZZAA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(b)
- s. 333(3ZB) inserted by 2016 c. 22 s. 159(2)
- s. 333(3ZZA) inserted by 2023 c. 55 Sch. 9 para. 1(21)(a)
- Sch. 1 para. 5(4) inserted by 2023 c. 55 Sch. 17 para. 2(7)(c)
- Sch. 1 para. 7(10)(10A) substituted for Sch. 1 para. 7(10) by 2023 c. 55 Sch. 8 para. 11(2)
- Sch. 4B para. 11(3)-(5) inserted by 2017 c. 20 s. 7
- Sch. 4B para. 8(2)(fa) inserted by 2023 c. 55 s. 99(1)(b)
- Sch. 4B para. 8(2)(ca) inserted by 2023 c. 55 s. 102(2)(a)(ii)
- Sch. 4B para. 8(4A)(4B) inserted by 2023 c. 55 s. 102(2)(b)
- Sch. 4B para. 5(5)(za) inserted by 2023 c. 55 Sch. 6 para. 12(a)
- Sch. 4B para. 8(2)(da) inserted by 2023 c. 55 Sch. 6 para. 12(b)
- Sch. 4B para. 8(2)(ea) substituted for Sch. 4B para. 8(2)(e) by 2023 c. 55 s. 99(1)(a)
- Sch. 7 para. 12(1)-(1C) amendment to earlier affecting provision 2004 c. 5 s. 45(9) by 2011 c. 20 Sch. 8 para. 14(7)
- Sch. 7 para. 12(1)-(1C) substituted for Sch. 7 para. 12(1) by 2004 c. 5 s. 45(9)
- Sch. 7A para. 14(4) inserted by 2023 c. 55 s. 124(3)
- Sch. 9 para. 1(1A) inserted by 2023 c. 55 Sch. 6 para. 13(b)
- Sch. 9A inserted by 2016 c. 22 Sch. 13
- Sch. 13 para. 24A inserted by 2017 c. 20 s. 26(7)