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STATUTORY INSTRUMENTS

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**1995 No. 419**

**The Town and Country Planning (General  
Development Procedure) Order 1995**

**Register of applications**

**25.**—(1) In this article and in article 26, “the local planning register authority” means—

- (a) in Greater London or a metropolitan county, the local planning authority (and references to the area of the local planning register authority are, in this case, to the area of the local planning authority);
- (b) in relation to land in a National Park (except in a metropolitan county), the county planning authority (and references to the area of the local planning register authority are, in this case, to the area of the county planning authority within a National Park);
- (c) in relation to any other land, the district planning authority (and references to the area of the local planning register authority are, in this case, to the area of the district planning authority, other than any part of their area falling within a National Park)(1).

(2) Each local planning register authority shall keep, in two parts, a register of every application for planning permission relating to their area.

(3) Part I of the register shall contain a copy of each such application, and a copy of any application for approval of reserved matters made in respect of an outline planning permission granted on such an application, made or sent to the local planning register authority and not finally disposed of, together with any accompanying plans and drawings.

(4) Part II of the register shall contain, in respect of every application for planning permission relating to the local planning register authority’s area—

- (a) a copy (which may be photographic) of the application and of plans and drawings submitted in relation thereto;
- (b) particulars of any direction given under the Act or this Order in respect of the application;
- (c) the decision, if any, of the local planning authority in respect of the application, including details of any conditions subject to which permission was granted, the date of such decision and the name of the local planning authority;
- (d) the reference number, the date and effect of any decision of the Secretary of State in respect of the application, whether on appeal or on a reference under section 77 of the Act (reference of applications to Secretary of State);
- (e) the date of any subsequent approval (whether approval of reserved matters or any other approval required) given in relation to the application.

(5) Where, on any appeal to the Secretary of State under section 174 of the Act(2) (appeal against enforcement notices), the appellant is deemed to have made an application for planning permission and the Secretary of State has granted permission, the local planning register authority shall, on

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(1) For cases where functions have been transferred from the county council to the district council or vice versa see regulation 5 of the Local Government Changes for England Regulations 1994 (S.I.1994/867) and section 1 of the Act.

(2) Section 174 was amended by section 6(1) of, and paragraph 22 of Schedule 7 to, the Planning and Compensation Act 1991 (c. 34).

receipt of notification of the Secretary of State's decision, enter into Part II of the register referred to in paragraph (2) particulars of the development concerned, the land on which it was carried out, and the date and effect of the Secretary of State's decision.

(6) The register kept by the local planning register authority shall also contain the following information in respect of every application for a certificate under section 191 or 192 of the Act (certificates of lawfulness of existing or proposed use or development) relating to the authority's area—

- (a) the name and address of the applicant;
- (b) the date of the application;
- (c) the address or location of the land to which the application relates;
- (d) the description of the use, operations or other matter included in the application;
- (e) the decision, if any, of the local planning authority in respect of the application and the date of such decision; and
- (f) the reference number, date and effect of any decision of the Secretary of State on an appeal in respect of the application.

(7) The register shall contain the following information about simplified planning zone schemes in the area of the authority—

- (a) brief particulars of any action taken by the authority or the Secretary of State in accordance with section 83 of or Schedule 7 to the Act<sup>(3)</sup> (making of simplified planning zone schemes etc.) to establish or approve any simplified planning zone scheme, including the date of adoption or approval, the date on which the scheme or alteration becomes operative and the date on which it ceases to be operative;
- (b) a copy of any simplified planning zone scheme, or alteration to an existing scheme, including any diagrams, illustrations, descriptive matter or any other prescribed material which has been made available for inspection under Schedule 7 to the Act;
- (c) an index map showing the boundary of any operative or proposed simplified planning zone schemes, including alterations to existing schemes where appropriate, together with a reference to the entries in the register under sub- paragraph (a) and (b) above.

(8) To enable any person to trace any entry in the register, every register shall include an index together with a separate index of applications for development involving mining operations or the creation of mineral working deposits.

(9) Every entry in the register shall be made within 14 days of the receipt of an application, or of the giving or making of the relevant direction, decision or approval as the case may be.

(10) The register shall either be kept at the principal office of the local planning register authority or that part of the register which relates to land in part of that authority's area shall be kept at a place within or convenient to that part.

(11) For the purposes of paragraph (3) of this article, an application shall not be treated as finally disposed of unless—

- (a) it has been decided by the authority (or the appropriate period allowed under article 20(2) of this Order has expired without their giving a decision) and the period of six months specified in article 23 of this Order has expired without any appeal having been made to the Secretary of State;
- (b) if it has been referred to the Secretary of State under section 77 of the Act<sup>(4)</sup> (reference of applications to Secretary of State) or an appeal has been made to the Secretary of State

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(3) Schedule 7 was amended by Schedule 5 to the Planning and Compensation Act 1991 (c. 34).

(4) Section 77 was amended by paragraph 18 of Schedule 7 to the Planning and Compensation Act 1991 (c. 34).

under section 78 of the Act<sup>(5)</sup> (right to appeal against planning decisions and failure to take such decisions), the Secretary of State has issued his decision and the period of six weeks specified in section 288 of the Act<sup>(6)</sup> (proceedings for questioning the validity of certain orders, decisions and directions) has expired without any application having been made to the High Court under that section;

- (c) an application has been made to the High Court under section 288 of the Act and the matter has been finally determined, either by final dismissal of the application by a court or by the quashing of the Secretary of State's decision and the issue of a fresh decision (without a further application under the said section 288); or
- (d) it has been withdrawn before being decided by the authority or the Secretary of State, as the case may be, or an appeal has been withdrawn before the Secretary of State has issued his decision.

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<sup>(5)</sup> Section 78 was amended by section 17(2) of the Planning and Compensation Act 1991 (c. 34).

<sup>(6)</sup> Section 288 was amended by paragraph 25 of Schedule 3 to the Tribunals and Inquiries Act 1992 (c. 53).