SCHEDULE 1

Articles 5, 22 and 24

PART 1

TOWN AND COUNTRY PLANNING ACT 1990

Letter to be sent by a local planning authority when they receive an application for planning permission or for a certificate of lawful use or development.

Thank you for your application dated
which I received on
am still examining your application form and the accompanying plans and documents to see whether they comply with the law.*
If I find that your application is invalid because it does not comply with the statutory requirements then I shall write to you again as soon as I can.*
lt, by (insert date at end of period of eight weeks beginning with the date when the application was
received)
• you have not been told that your application is invalid; or

- you have not been told that your fee cheque has been dishonoured; or
- · you have not been given a decision in writing; or
- · you have not agreed in writing to extend the period in which the decision may be given,

then you can appeal to the Secretary of State for the Environment/Wales* under section 78/ section 195° of the Town and Country Planning Act 1990. You should appeal within six months and you must use a form which you can get from the Planning Inspectorate at Tollgate House, Houlton Street, Bristol BS2 9DJ/Cathays Park, Cardiff CFI 3NQ*. This does not apply if your application has already been referred to the Secretary of State for the Environment/Wales*.

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

Notification to be sent to an applicant when a local planning authority refuse planning **permission or grant it subject to conditions**(To be endorsed on notices of decision)

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment/Waies* under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice, using a
 form which you can get from the Planning Inspectorate at Tollgate House, Houlton Street,
 Bristol BS2 9DJ/Cathays Park, Cardiff CFI 3NQ*.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not
 normally be prepared to use this power unless there are special circumstances which excuse
 the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices

- If either the local planning authority or the Secretary of State for the Environment/Wales* refuses permission to develop land or grants it subject to conditions, the owner may claim that be can neither put the land to a reasonably beneficial use in its existing state nor reader the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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SCHEDULE 2

Articles 6, 7 and 9

PART 1

Town and Country Planning (General Development Procedure) Order 1995NOTICE UNDER ARTICLE 6 OF APPLICATION FOR PLANNING PERMISSION

(to be published in a newspaper or to be served on an owner* or a tenant**)
Proposed development at (a)
I give notice that (b)
is applying to the (c)
for planning permission to (d)
Any owner* of the land or tenant** who wishes to make representations about this application
should write to the Council at (e)
by (f)
* "owner" means a person having a freehold interest or a leasehold interest the anexpired term of which is not less than seven years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).
** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.
Signed
†On behalf of
Date
Statement of owners' rights
The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.
Statement of agricultural tenants' rights
The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.
†delete where inappropriate
lusert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of Council
- (d) description of the proposed development
- (e) address of the Council
- (f) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)

Town and Country Planning (General Development Procedure) Order 1995NOTICE UNDER ARTICLE 6 OF APPLICATION FOR PLANNING PERMISSION

Insert:

- (a) address or location of the proposed development
- (b) applicant's name
- (c) name of Council
- (d) description of the proposed development
- (e) address at which the application may be inspected (the applicant is responsible for making the application available for inspection within the area of the local planning authority)
- (f) date giving a period of 21 days, beginning with the date when the notice is posted
- (g) address of Council

Town and Country Planning (General Development Procedure) Order 1995NOTICE UNDER ARTICLES 6 AND 9(1) OF APPEAL

(to be published in a newspaper or to be served on an owner" or a tenant"*)
Proposed development at (a)
I give notice that (b)
having applied to the (c)
to (d)
is appealing to the Secretary of State for the Environment/Secretary of State for Wales?
against the decision of the Council†
on the failure of the Council to give notice of a decision†
Any owner* of the land or tenant** who wishes to make representations about this appeal should write to the Secretary of State for the Environment/Wales* at the Department of the Environment at Tollgate House, Houlton Street, Bristol BS2 9DJ/Welsh Office at Planning Division, Cathays Park, Cardiff CF1 3NQ+, by (e)
* "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning or working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).
** "tenant" means a tenant of an agricultural holding any part of which is comprised in the land.
Signed
†On behalf of
Date
Statement of owners' rights
The grant of planning permission does not affect owners' rights to retain or dispose of their property, unless there is some provision to the contrary in an agreement or in a lease.
Statement of agricultural tenants' rights
The grant of planning permission for non-agricultural development may affect agricultural tenants' security of tenure.
†delete where inappropriate
Insert: (a) address or location of the proposed development. (b) applicant's name (c) name of Council (d) description of the proposed development (e) date giving a period of 21 days beginning with the date of service, or 14 days beginning with the date of publication, of the notice (as the case may be)

Town and Country Planning (General Development Procedure) Order 1995NOTICE UNDER ARTICLES 6 AND 9(1) OF APPEAL

(to be posted in the case of an application for planning permission for development consisting of the winning and working of minerals by underground operations (in addition to the service or publication of any other requisite notices in this Schedule))
Proposed development at (a)
I give notice that (b)
having applied to the (c)
to (d)
is appealing to the Secretary of State for the Environment/Secretary of State for Wales*
against the decision of the Council*
on the failure of the Council to give notice of a decision*
Members of the public may inspect copies of: • the application
• the plans
• and other documents submitted with it
at (e) during
all reasonable hours until (f)
Anyone who wishes to make representations about this appeal should write to the Secretary of State for the Environment/Wales* at the Department of the Environment at Tollgate House, Houlton Street, Bristol BS2 9DJ/Welsh Office at Planning Division, Cathays Park, Cardiff CF1 3NQ* by (f)
Signed
*On behalf of
Date
*delete where inappropriate
Insert: (a) address or location of the proposed development (b) applicant's name (c) name of Conneil (d) description of the proposed development (e) address of Council (f) date giving a period of 21 days, beginning with the date when the notice is posted

PART 2

Certificate	Δ	(a)
C.C. HILLOUGE		ונכו

I certify that:

on the day 21 days before the date of the accompanying application/appeal* nobody, except the applicant/appellant*, was the owner(\hbar) of any part of the land to which the application/appeal* relates.

Signe	i
*On be	half of
Date	***************************************

*delete where inappropriate

⁽a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.

⁽b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

Cer	tiΠ	icate	В	(a)

I certify that:

I have/The applicant has/The appellant has* given the requisite notice to everyone else who, on the day 21 days before the date of the accompanying application/appeal*, was the owner(b) of any part of the land to which the application/appeal* relates, as listed below.

Owner's (b) Address at which notice was served

Signed

On behalf of

Date

*delete where inappropriate

⁽a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.

⁽b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

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Owner's (b)

name

I certify that:

- If The applicant/The appellant* cannot issue a Certificate A or B in respect of the accompanying application/appeal*.
- I have/The applicant has/The appellant has* given the requisite notice to the persons specified below, being persons who on the day 21 days before the date of the application/appeal*, were owners(b) of any part of the land to which the application/appeal* relates.

Date on which

notice was served

Address at which

notice was served

•	I have/The applicant has/The appellant has' taken all reasonable steps open to me/him hot' to find out the names and addresses of the other owners(b) of the land, or of a part of it, but have/has' been unable to do so. These steps were as follows:
	(c)
•	Notice of the application/appeal*, as attached to this Certificate, has been published in
	the(d)
	on(e)
	Signed
	"On behalf of
	Date
*del	lete where inappropriate

- (a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.
- (b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

Insert:

- (c) description of steps taken
- (d) name of newspaper circulating in the area where the land is situated
- (e) date of publication (which must be not earlier than the day 21 days before the date of the application or appeal)

*On behalf of

Date

Town and Country Planning (Ceneral Development Procedure) Order 1995CERTIFICATE

NDER ARTICLE 7
Certificate D(a)
Lecrtify that:
If The applicant/The appellant* cannot issue a Certificate A in respect of the accompanying

	application/appeal*.
•	I/The applicant/The appellant* have/has* taken all reasonable steps open to me/him/her* to find out the names and addresses of everyone else who, on the day 21 days before the date of the application/appeal*, was the owner(b) of any part of the land to which the application/appeal* relates, but have/has* been unable to do so. These steps were as follows:
	(c)
•	Notice of the application/appeal*, as attached to this certificate, has been published in the
	(d)
	on (e)
	on [e)
	Signed

*delete where inappropriate

- (c) description of steps taken
- (d) name of newspaper circulating in the area where the land is situated
- (e) date of publication (which must be not earlier than the day 21 days before the date of the application or appeal)

⁽a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A, B, C or D (or the appropriate certificate in the case of certain minerals applications) must be completed, together with the Agricultural Holdings Certificate.

⁽b) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years, or, in the case of development consisting of the winning and working of minerals, a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

Agricultural Holdings Certificate (a)

Whichever is appropriate of the following alternatives must form part of Certificates A, B, C or D. If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

None of the land to which the application/appeal® relates is, or is part of, an agricultural holding.

OT

• I have/The applicant has/The appellant has given the requisite notice to every person other than my/him/her* self who, on the day 21 days before the date of the application/appeal*, was a tenant of an agricultural holding on all or part of the land to which the application/appeal* relates, as follows:

Tenant's Address at which notice was served

Signed

On behalf of

Date

*delete where inappropriate

⁽a) This Certificate is for use with applications and appeals for planning permission (articles 7 and 9(1) of the Order). One of Certificates A. B. C or D (or the appropriate certificate in the case of certain minerals applications) must be completed together with the Agricultural Holdings Certificate.

								development	consisting	of th	۷
winning	and	working	of mi	inerals by	unde	rground	operations)	_	_	-	

I eei	rtify that:						
•	I have/The applicant has/The appellant has given the requisite notice to the persons specified below being persons who, on the day 21 days before the date of the accompanying application/appeal, were owners (a) of any part of the land to which the application/appeal* relates.						
	Owner's (a) name	Address at which notice was served	Date on which notice was served				
•	before the date of the act the land to which this a know/s* to be such a pers	companying application/appe pplication/appeal* relates, v con and whose name and add:	appellant*) who, on the day 21 days at*, was the owner (a) of any part of the appellant* ress is known to me/the applicant/the pellant has* not given the requisite				
•	I have/The applicant/The appellant has* posted the requisite notice, sited and displayed in such a way as to be easily visible and legible by members of the public, in at least one place in every parish or community within which there is situated any part of the land to which the accompanying application/appeal* relates, as listed below.						
	Parish/Community	Location of notice	Date posted				
•			are' left in position for not less than eding the making of the application/				
*•			sition for less than seven days in the ding the making of the application/				
	Parish/Community	Location of notice	Date posted				
	This happened because it/they* was/were* removed/obscured/defaced* before seven days had passed during the period of 21 days mentioned above. This was not my/the applicant's/ the appellant's* fault or intent.						
	I/The applicant/The appellant* took the following steps to protect and replace the notice:						
	(b)						
•	Notice of the application	appeal*, as attached to this o	certificate, has been published in the				
	(c)						

on (d)

Agricultural Holdings Certificate

Whichever is appropriate of the following alternatives must form part of this certificate. If the applicant is the sole agricultural tenant he or she must delete the first alternative and insert "not applicable" as the information required by the second alternative.

• None of the land to which the application/appeal relates is, or is part of, an agricultural holding.

UF

• I have/The applicant has/The appellant has given the requisite notice to every person other than my/him/her* self who, on the day 21 days before the date of the application/appeal*, was a tenant of an agricultural holding on all or part of the land to which the application/appeal* relates, as follows:

Tenant's name	Address at which notice was served	Date on which notice was served
	:	Signed
		On behalf of
	1	Date
'delete where inappropr	iate	

Insert

- (b) description of steps taken
- (c) name of newspaper circulating in the area where the land is situated
- (d) date of publication (which must be not earlier than the day 21 days before the date of the application or appeal)

SCHEDULE 3

Article 8

NOTICE OF APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (General Development Procedure) Order 1995NOTICE UNDER

ARTICLE 8

⁽a) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than seven years or a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

(to be published in a newspaper, displayed on or nee occupiers of adjoining land)	ir the site, or served on owners undfor
Proposed development at (a)	
I give notice that (b)	
is applying to the (c)	Council
for planning permission to (d)	
The proposed development does not accord with the proin the area in which the land to which the application	ovisions of the development plan in force relates is situated*
Members of the public may inspect copies of:	
• the application	
• the plans	
 and other documents submitted with it 	
at (e)	during
all reasonable hours until (f)	
Anyone who wishes to make representations about this	application should write to the Council
at (g)	
by (f)	
	Signed
	(Council's authorised officer)
	On behalf of Council
	Date
*delete where inappropriate	
Insert: (a) address or location of the proposed development (b) applicant's name (c) name of Council (d) description of the proposed development (e) address at which the application may be inspected (f) date giving a period of 21 days, beginning with the cornear the site or served on an owner and/or occur days, beginning with the date when the notice is pu	pier of adjoining land, or a period of 14

NOTICE OF APPLICATION FOR PLANNING PERMISSION

(g) address of Council

Town and Country Planning (General Development Procedure) Order 1995NOTICE UNDER ARTICLE 8 OF APPLICATION FOR PLANNING PERMISSION ACCOMPANIED BY AN ENVIRONMENTAL STATEMENT

(to be published in a newspaper and displayed on or near	the site)
Proposed development at (a)	
I give notice that (b)	
is applying to the (c)	Council
for planning permission to (d)	
and that the application is accompanied by an environment	ntal statement
The proposed development does not accord with the provisin the area in which the land to which the application relationship.	sions of the development plan in force ites is situated*
Members of the public may inspect copies of:	
• the application	
• the plans	
• the environmental statement	
• and other documents submitted with the application	
at (e)	during
all reasonable hours until (f)	
Members of the public may obtain copies of the environmen	ntal statement from (g)
so long as stocks last, at a charge of (h)	
Anyone who wishes to make representations about this ap-	plication should write to the Council
at (i)	······································
by (f)	
S	Signed
	(Council's authorised officer)
•	On behalf of Council
I	Date
*delete where inappropriate	
Insert:	

- (a) address or location of the proposed development(b) applicant's name
- (c) name of Council
- (d) description of the proposed development
- (e) address at which the application may be inspected
 (f) date giving a period of 21 days, beginning with the date when the notice is first displayed on or near the site, or a period of 44 days, beginning with the date when the notice is published in a newspaper (as the case may be)
- (g) address from where copies of the environmental statement may be obtained (whether or not the same as
- (h) amount of charge, if any(i) address of Council

SCHEDULE 4

Article 24

TOWN AND COUNTRY PLANNING ACT 1990: SECTIONS 191 AND 192 (as amended by section 10 of the Planning and Compensation Act 1991)TOWN AND COUNTRY PLANNING (GENERAL DEVELOPMENT PROCEDURE) ORDER 1995: ARTICLE 24CERTIFICATE OF LAWFUL USE OR DEVELOPMENT

The (a) Council thereby certify that on (b) the
ise*/operations*/matter* described in the First Schedule to this certificate in respect of the tand pecified in the Second Schedule to this certificate and edged*/hatched*/coloured* on the plan attached to this certificate, was*/were*/would have
been lawful within the meaning of section 191 of the Town and Country Planning Act 1990 (as mended), for the following reason(s):
Signed (Council's authorised officer)
On behalf of (a)
Onte
first Schedule (d)
Second Schedule

Notes

- 1 This certificate is issued solely for the purpose of section 191*/192* of the Town and Country Planning Act 1990 (as amended).
- 2 It certifies that the use*/operations*/matter* specified in the First Schedule taking place on the land described in the Second Schedule was*/were*/would have been* lawful, on the specified date and, thus, was not*/were not*/would not have been* liable to enforcement action under section 172 of the 1990 Act on that date.
- 3 This certificate applies only to the extent of the use*/operations*/matter* described in the First Schedule and to the land specified in the Second Schedule and identified on the attached plan. Any use*/operations*/matter* which is*/are* materially different from that*/those* described or which relate/s* to other land may render the owner or occupier liable to enforcement action.
- *4 The effect of the certificate is also qualified by the proviso in section 192(4) of the 1990 Act, as amended, which states that the lawfulness of a described use or operation is only conclusively presumed where there has been no material change, before the use is instituted or the operations begun, in any of the matters relevant to determining such lawfulness.

*delete where inappropriate

Insert:

- (a) name of Council
- (b) date of application to the Council
- (c) colour used on the plan
- (d) full description of use, operations or other matter, if necessary, by reference to details in the application or submitted plans, including a reference to the use class, if any, specified in an order under section 55(2)(f) of the 1990 Act, within which the certificated use falls
- (e) address or location of the site

SCHEDULE 5 Article 28

STATUTORY INSTRUMENTS REVOKED

1	2
Title of Instrument	Reference
The Town and Country Planning General Development Order 1988	S.I.1988/1813
The Town and Country Planning General Development (Amendment) Order 1989	S.I. 1989/603
The Town and Country Planning General Development (Amendment) (No. 2) Order 1989	S.I. 1989/1590
The Town and Country Planning General Development (Amendment) (No. 3) Order 1991	S.I. 1991/2805
The Town and Country Planning General Development (Amendment) (No. 2) Order 1992	S.I. 1992/658
The Town and Country Planning General Development (Amendment) (No. 4) Order 1992	S.I. 1992/1493
The Town and Country Planning General Development (Amendment) (No. 5) Order 1992	S.I. 1992/1563
The Town and Country Planning General Development (Amendment) (No. 6) Order 1992	S.I. 1992/2450
The Town and Country Planning General Development (Amendment) Order 1994	S.I. 1994/678
The Town and Country Planning General Development (Amendment) (No. 2) Order 1994	S.I. 1994/2595
The Town and Country Planning General Development (Amendment) Order 1995	S.I. 1995/298