

SCHEDULE

Articles 2 and 7

PSI APPLICATIONS AND CATEGORIES OF DEVELOPMENT

Definition of PSI application

1.—(1) Subject to sub-paragraph (2), “PSI application” means any application for planning permission for development which the local planning authority consider falls within a category set out below.

(2) For the purposes of the power of the Mayor to make a direction under section 2A of the 1990 Act, “PSI application” means any application for planning permission for development which the local planning authority consider falls within a category set out in Parts 1 or 2 below.

2. If the local planning authority receive an application for planning permission for development, which they consider forms part of more substantial proposed development, on the same land or adjoining land, they must for the purposes of this Schedule treat that application as an application for planning permission for the more substantial development.

3. In deciding whether to treat an application for planning permission (referred to in this paragraph as “the relevant application”) as an application for planning permission for more substantial development, a local planning authority must take into account other development of the same land or adjoining land—

- (a) in respect of which an application for planning permission has been made but not finally determined on the date the relevant application is received by the local planning authority;
- (b) in respect of which planning permission has been granted within the period of five years immediately preceding that date;
- (c) substantially completed within the period of five years immediately preceding that date.

4. For the purposes of this Schedule—

- (a) development occupies that area in respect of which the application for planning permission for the development seeks planning permission;
- (b) “floorspace” means the total floor space in a building or buildings, including the width of external walls;
- (c) “hazardous substances” has the meaning given in regulation 6 of the Hazardous Waste (England and Wales) Regulations 2005(1); and
- (d) “waste development” means any development designed to be used wholly or mainly for the purpose of, or a material change of use to, treating keeping, storing, processing, recovering or disposing of waste.

PART 1

LARGE SCALE DEVELOPMENT

Category 1A

1. Development which comprises or includes the provision of more than 150 houses, flats, or houses and flats.

(1) [S.I. 2005/1640](#).

Status: This is the original version (as it was originally made).

Category 1B

1. Development (other than development which only comprises the provision of houses, flats, or houses and flats) which comprises or includes the erection of a building or buildings—

- (a) in the City of London and with a total floorspace of more than 100,000 square metres;
- (b) in Central London (other than the City of London) and with a total floorspace of more than 20,000 square metres; or
- (c) outside Central London and with a total floorspace of more than 15,000 square metres.

2. In paragraph 1, “Central London” means the area bounded by the outer edge of the red line on a map entitled “Map of Central London referred to in the Town and Country Planning (Mayor of London) Order 2008” , of which prints, dated 28th February 2008 and signed by a Deputy Director in the Department for Communities and Local Government, are deposited and available for inspection⁽²⁾ at—

- (a) the principal office of the Secretary of State for Communities and Local Government;
- (b) the Government Office for London;
- (c) the principal office of the Mayor; and
- (d) the principal office of the local planning authority for each London borough.

Category 1C

1. Development which comprises or includes the erection of a building of one or more of the following descriptions—

- (a) the building is more than 25 metres high and is adjacent to the River Thames;
- (b) the building is more than 150 metres high and is in the City of London;
- (c) the building is more than 30 metres high and is outside the City of London.

2. A building is adjacent to the River Thames for the purposes of paragraph 1(a)—

- (a) if the building is wholly or partly on a site which falls within an area identified as a Thames Policy Area in the development plan in force in the area in which the application site is situated; or
- (b) where no such area is so identified in respect of the relevant part of the River Thames, if the building is wholly or partly on a site which falls within the Thames Policy Area being the area bounded by the outer edge of the red line on the set of maps numbered 1 to 3 entitled “Maps of the Thames Policy Area referred to in the Town and Country Planning (Mayor of London) Order 2008”, of which prints, dated 28th February 2008 and signed by a Deputy Director in the Department for Communities and Local Government, are deposited and available for inspection at the offices referred to in paragraph 2 of Category 1B⁽³⁾.

3. Any part of a building below ground level shall be ignored for the purposes of paragraph 1.

Category 1D

1. Development which comprises or includes the alteration of an existing building where—

- (a) the development would increase the height of the building by more than 15 metres; and
- (b) the building would, on completion of the development, fall within a description set out in paragraph 1 of Category 1C.

(2) Also available at www.communities.gov.uk and www.gos.gov.uk/gol.

(3) Also available at www.communities.gov.uk and www.gos.gov.uk/gol.

PART 2

MAJOR INFRASTRUCTURE

Category 2A

1. Development which comprises or includes mining operations where the development occupies more than 10 hectares.

2. In paragraph 1, “mining operations” means the winning and working of minerals in, on or under land, whether by surface or underground working.

Category 2B

1. Waste development to provide an installation with capacity for a throughput of more than—
- (a) 5,000 tonnes per annum of hazardous waste; or
 - (b) 50,000 tonnes per annum of waste;

produced outside the land in respect of which planning permission is sought.

2. Waste development where the development occupies more than one hectare.

Category 2C

1. Development to provide—

- (a) an aircraft runway;
- (b) a heliport (including a floating heliport or a helipad on a building);
- (c) an air passenger terminal at an airport;
- (d) a railway station or a tram station;
- (e) a tramway, an underground, surface or elevated railway, or a cable car;
- (f) a bus or coach station;
- (g) an installation for a use within Class B8 (storage or distribution) of the Schedule to the Use Classes Order where the development occupies more than 4 hectares;
- (h) a crossing over or under the River Thames; or
- (i) a passenger pier on the River Thames.

2. Development to alter an air passenger terminal to increase its capacity by more than 500,000 passengers per year.

3. Development for a use which includes the keeping or storage of buses or coaches where—

- (a) it is proposed to store 70 or more buses or coaches or buses and coaches; or
- (b) the part of the development that is to be used for keeping or storing buses or coaches or buses and coaches occupies more than 0.7 hectares.

4. For the purpose of paragraph 3(b), the area used for keeping or storing includes the area occupied by maintenance, administrative and staff facilities connected with such use.

Category 2D

1. Waste development which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated and which falls into one or more of these sub-categories—

Status: This is the original version (as it was originally made).

- (a) it occupies more than 0.5 hectares;
- (b) it is development to provide an installation with a capacity for a throughput of more than—
 - (i) 2,000 tonnes per annum of hazardous waste; or
 - (ii) 20,000 tonnes per annum of waste.

PART 3

DEVELOPMENT WHICH MAY AFFECT STRATEGIC POLICIES

Interpretation

1. In this Part, land shall be treated as used for a particular use if—
 - (a) it was last used for that use; or
 - (b) it is allocated for that use in—
 - (i) the development plan in force in the area in which the application site is situated;
 - (ii) proposals for such a plan; or
 - (iii) proposals for the alteration or replacement of such a plan.

Category 3A

1. Development which is likely to—
 - (a) result in the loss of more than 200 houses, flats, or houses and flats (irrespective of whether the development would entail also the provision of new houses or flats); or
 - (b) prejudice the residential use of land which exceeds 4 hectares and is used for residential use.

Category 3B

1. Development—
 - (a) which occupies more than 4 hectares of land which is used for a use within Class B1 (business), B2 (general industrial) or B8 (storage or distribution) of the Use Classes Order; and
 - (b) which is likely to prejudice the use of that land for any such use.

Category 3C

1. Development which is likely to prejudice the use as a playing field of more than 2 hectares of land which—
 - (a) is used as a playing field at the time the relevant application for planning permission is made; or
 - (b) has at any time in the five years before the making of the application been used as a playing field.
2. In paragraph 1 “playing field” has the same meaning as in article 10(2)(l) of the GDPO (consultation before the grant of permission).

Category 3D

1. Development—

- (a) on land allocated as Green Belt or Metropolitan Open Land in the development plan, in proposals for such a plan, or in proposals for the alteration or replacement of such a plan; and
- (b) which would involve the construction of a building with a floorspace of more than 1,000 square metres or a material change in the use of such a building.

Category 3E

1. Development —

- (a) which does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and
- (b) comprises or includes the provision of more than 2,500 square metres of floorspace for a use falling within any of the following classes in the Use Classes Order—
 - (i) class A1 (retail);
 - (ii) class A2 (financial and professional);
 - (iii) class A3 (food and drink);
 - (iv) class A4 (drinking establishments);
 - (v) class A5 (hot food takeaways);
 - (vi) class B1 (business);
 - (vii) class B2 (general industrial);
 - (viii) class B8 (storage and distribution);
 - (ix) class C1 (hotels);
 - (x) class C2 (residential institutions);
 - (xi) class D1 (non-residential institutions);
 - (xii) class D2 (assembly and leisure).

Category 3F

- 1. Development for a use, other than residential use, which includes the provision of more than 200 car parking spaces in connection with that use.**

Category 3G

1. Development which—

- (a) involves a material change of use;
- (b) does not accord with one or more provisions of the development plan in force in the area in which the application site is situated,
- (c) where the application site is used or designed to be used wholly or mainly for the purpose of treating, keeping, processing, recovering or disposing of refuse or waste materials; and
- (d) the application site —
 - (i) occupies more than 0.5 hectares; or
 - (ii) contains an installation with a capacity for a throughput of more than 2,000 tonnes per annum of hazardous waste; or

Status: This is the original version (as it was originally made).

- (iii) contains an installation with a capacity for a throughput of more than 20,000 tonnes per annum of waste.

Category 3H

1. Development which—
 - (a) comprises or includes the provision of houses, flats or houses and flats;
 - (b) does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and
 - (c) is on a site that is adjacent to land used for treating, keeping, processing, recovering or disposing of refuse or waste materials with a capacity for a throughput of more than—
 - (i) 2,000 tonnes per annum of hazardous waste; or
 - (ii) 20,000 tonnes per annum of waste.

Category 3I

1. Development which—
 - (a) involves a material change of use;
 - (b) does not accord with one or more provisions of the development plan in force in the area in which the application site is situated; and
 - (c) is either—
 - (i) on a site that is used for keeping or storing 70 or more buses or coaches or buses and coaches; or
 - (ii) on a site on which an area of over 0.7 hectares is used for keeping or storing buses or coaches or buses and coaches.
2. For the purpose of paragraph 1 (c) (ii), the area used for keeping or storing includes the area occupied by maintenance, administrative and staff facilities connected with such use.

PART 4

DEVELOPMENT ON WHICH THE MAYOR MUST BE CONSULTED BY VIRTUE OF A DIRECTION OF THE SECRETARY OF STATE

Category 4

1. Development in respect of which the local planning authority is required to consult the Mayor by virtue of a direction given by the Secretary of State under article 10(3) of the GDPO.