
STATUTORY INSTRUMENTS

2015 No. 595

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

Part 3

Applications

General requirements: applications for planning permission including outline planning permission

- 7.—(1) Subject to paragraphs (3) to (5), an application for planning permission must—
- (a) be made in writing to the local planning authority on a form published by the Secretary of State (or a form to substantially the same effect);
 - (b) include the particulars specified or referred to in the form;
 - (c) except where the application is made pursuant to section 73 (determination of applications to develop land without conditions previously attached) or section 73A(2)(c) (planning permission for development already carried out) of the 1990 Act ^{MI} or is an application of a kind referred to in article 20(1)(b) or (c), be accompanied, whether electronically or otherwise, by—
 - (i) a plan which identifies the land to which the application relates;
 - (ii) any other plans, drawings and information necessary to describe the development which is the subject of the application;
 - [^{F1}(*iiia*) the information relating to the condition under paragraph 13 of Schedule 7A to the 1990 Act (“the biodiversity gain condition”) specified in paragraph (1A);]
 - (iii) except where the application is made by electronic communications or the local planning authority indicate that a lesser number is required, 3 copies of the form; and
 - (iv) except where they are submitted by electronic communications or the local planning authority indicate that a lesser number is required, 3 copies of any plans, drawings and information accompanying the application.

[^{F2}(1A) Subject to paragraph (1B), an application for planning permission must be accompanied by the following information relating to the biodiversity gain condition—

- (a) a statement as to whether the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition;
- (b) where the applicant believes that planning permission, if granted, would not be subject to the biodiversity gain condition, the reasons for that belief;
- (c) in cases where the applicant believes that planning permission, if granted, would be subject to the biodiversity gain condition—
 - (i) the completed biodiversity metric calculation tool or tools (as the case may be) showing the calculation of the biodiversity value of the onsite habitat, for the

purpose of the biodiversity gain plan required to be submitted under paragraph 13 of Schedule 7A to the 1990 Act if permission is granted, on—

- (aa) the date of the application, or
- (bb) an earlier date proposed by the applicant, and
- (cc) in either case, the date immediately before any activities of the type mentioned in paragraph 6 or 6A of Schedule 7A to the 1990 Act have been carried out on the land;
- (ii) the biodiversity value or values (as the case may be) referred to in paragraph (i);
- (iii) the publication date of the biodiversity metric calculation tool or tools (as the case may be) used to calculate the values referred to in paragraph (i);
- (iv) if an earlier date is proposed by the applicant under paragraph (i)(bb), the reasons why that earlier date is proposed;
- (v) if any activities of the type mentioned in paragraph 6 or 6A of Schedule 7A to the 1990 Act have been carried out on the land—
 - (aa) a statement that such activities have been carried out,
 - (bb) confirmation of the date immediately before those activities were so carried out, and
 - (cc) any available supporting evidence for the date referred to in sub-paragraph (bb) and for the value referred to in paragraph (i)(cc).
- (vi) a description of any irreplaceable habitat, corresponding to the descriptions in Table 1 or in column 1 of Table 2 of the Schedule to the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024, that—
 - (aa) is on the land to which the application relates, and
 - (bb) exists on the date referred to in paragraph (i)(aa) or (bb) (as applicable);
- (vii) a plan showing the location, on the date referred to in paragraph (i)(aa) or (bb) (as applicable), of—
 - (aa) the onsite habitat included in the calculations referred to in paragraph (i), and
 - (bb) any irreplaceable habitat.

(1B) Paragraph (1A) does not apply to an application for permission to develop land without compliance with conditions previously attached made under section 73 of the 1990 Act.]

(2) Any plans or drawings required to be provided by paragraph [F3(1) or (1A)] must be drawn to an identified scale and, in the case of plans, must show the direction of North.

(3) Except where article 5(3) applies, an application for outline planning permission does not need to give details of any reserved matters.

(4) Subject to paragraph (5), an application for planning permission for development consisting of mining operations or the use of land for mineral-working deposits must—

- (a) be made on a form provided by the local planning authority (or on a form to substantially the same effect);
- (b) include the particulars specified or referred to in the form; and
- (c) comply with the requirements of paragraph (1)(c).

(5) In the case of an application for planning permission for development consisting of mining operations for the winning and working of oil or natural gas by underground operations (including exploratory drilling)—

- (a) where the application is made pursuant to section 73 or 73A(2)(c) of the 1990 Act or is an application of a kind referred to in article 20(1)(b) or (c), the application must be made in accordance with paragraph (4);
 - (b) in any other case, the application must be made in accordance with paragraph (1).
- (6) Where an application is made using electronic communications to transmit a form to the local planning authority, the applicant is taken to have agreed—
- (a) to the use of such communications by the local planning authority for the purposes of the application;
 - (b) that the applicant's address for those purposes is the address incorporated into, or otherwise logically associated with, the application; and
 - (c) that the applicant's deemed agreement under this paragraph subsists until the applicant gives notice in writing of the withdrawal of consent to the use of electronic communications under article 46.

Textual Amendments

- F1** Art. 7(1)(c)(iia) inserted (12.2.2024) by [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024 \(S.I. 2024/50\)](#), regs. 1(2), **15(a)**
- F2** Art. 7(1A)(1B) inserted (12.2.2024) by [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024 \(S.I. 2024/50\)](#), regs. 1(2), **15(b)**
- F3** Words in art. 7(2) substituted (12.2.2024) by [The Biodiversity Gain \(Town and Country Planning\) \(Modifications and Amendments\) \(England\) Regulations 2024 \(S.I. 2024/50\)](#), regs. 1(2), **15(c)**

Marginal Citations

- M1** Section 73 was amended by sections 42(2), 51(3) and 120 of, and Schedule 9 to, the 2004 Act and section 73A was inserted by section 32 of, and paragraph 16 of Schedule 7 to, the [Planning and Compensation Act 1991 \(c. 34\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (England) Order 2015, Section 7.