EXPLANATORY NOTE

(This note is not part of the Order)

This Order, in relation to England, consolidates with amendments provisions of the Town and Country Planning (Development Management Procedure) (England) Order 2010 ("the 2010 Order") and subsequent amending instruments and revokes the instruments or parts of the instruments set out in Schedule 9.

This Order prescribes procedures connected with planning applications, consultations in relation to planning applications, the determination of planning applications, appeals, local development orders, certificates of lawful use or development and the maintenance of registers of planning applications and related matters.

In addition to minor and drafting amendments, the main changes from the 2010 Order are—

(i) a requirement to notify an infrastructure manager, when the development to which the application relates is situated within 10 metres of relevant railway land, as defined in this Order (article 16);

(ii) to clarify the information requirements that must accompany an application made under a planning condition (article 27);

(iii) where a local planning authority fails to determine an application for approval under a planning condition within a prescribed period, the applicant is treated as having received that approval from the local planning authority (deemed discharge). This Order sets out the procedure to be followed by an applicant in order to be able to rely on the deemed discharge of such a condition. Deemed discharge is not available in relation to certain excluded types of conditions set out in the Order (articles 28, 29, 30 and Schedule 6);

(iv) where a local authority imposes a condition on a planning permission that requires a particular matter to be dealt with before the development starts, a requirement to provide reasons for the imposition of each condition must be given in the notice of decision (article 35); and

(v) amendments to the requirements for consultation before the grant of planning permission in Schedule 4 to this Order.

There are transitional provisions and savings in article 47 in relation to applications made to the local planning authority before this Order comes into force.

The documents referred to in this Order can be obtained as follows:-

	Document	***Address***
Article 7	Application for planning permission	www.gov.uk/government/publications/planning-application-forms-templates-for-local-planning-authorities or by writing to the address set out at (a) below
Article 8	World Heritage List	http://whc.unesco.org/en/list/ http://www.whc.unesco.org/ or by writing to:- World Heritage Centre, UNESCO 7, Place de Fontenoy 7532 Paris 07 SP, France
Article 37	Appeal Form	www.gov.uk/government/organisations/planning-inspectorate or by writing to (a) below

Article 39	Certificate of lawful use or development form	www.gov.uk/government/publications/planning-application-forms-templates-for-local-planning-authorities or by writing to the address set out at (a) below
Schedule 4, paragraph (y)	Agricultural land classification system	http://publications.naturalengland.org.uk/publication/35012 or by writing to Natural England, Block B, Government Buildings, Whittington Road, Worcester, WR5 2LQ
Schedule 4, paragraph (zc)	Flood Zone maps	www.environment-agency.gov.uk or by writing to Environment Agency National Customer Contact Centre, PO Box 544, Rotherham, S60 1BY

(a) The Planning Directorate, Department for Communities and Local Government, Fry Building, 2 Marsham Street, London SW1P 4DF.

An Impact Assessment in relation to the deemed discharge of conditions was prepared in relation the Infrastructure Act 2015 and can be found at www.parliament.uk/documents/impact-assessments/IA15-003.pdf and an updated Impact Assessment is being prepared in relation to this Order. A separate impact assessment is being prepared in relation to the requirement to make water companies statutory consultees. The assessments will be placed in the library of each House of Parliament and will be available on www.legislation.gov.uk. Copies may be obtained from the Planning Directorate, Department for Communities and Local Government, Fry Building, 2 Marsham Street, London SW1P 4DF.

Changes to legislation:
There are currently no known outstanding effects for the The Town and Country Planning (Development Management Procedure) (England) Order 2015.