
STATUTORY INSTRUMENTS

1992 No. 1493

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES**

**The Town and Country Planning General
Development (Amendment) (No. 4) Order 1992**

<i>Made</i>	- - - -	<i>24th June 1992</i>
<i>Laid before Parliament</i>		<i>26th June 1992</i>
<i>Coming into force</i>	- -	<i>17th July 1992</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 59, 60, 61(1), 65, 71, 77(4), 79(4) and 333(7) of the Town and Country Planning Act 1990(1) and all other powers enabling them in that behalf, hereby make the following Order:

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Town and Country Planning General Development (Amendment) (No. 4) Order 1992 and shall come into force on 17th July 1992.

(2) In this Order—

“the 1988 Order” means the Town and Country Planning General Development Order 1988(2).

Amendment of interpretation article

2. In article 1(2) of the 1988 Order (interpretation)—

(a) after the definition of “landscaping” insert—

““by local advertisement” means by publication of the notice in a newspaper circulating in the locality in which the land to which the application relates is situated;”

(b) after the definition of “satellite antenna” insert—

(1) 1990 c. 8; section 65 is substituted and section 71 amended by section 16 of the Planning and Compensation Act 1991 (c. 34); see section 71(4) for the definition of “prescribed”; sections 71(4), 77(4) and 79(4) are amended by paragraphs 15, 18 and 19 of Schedule 7 to the 1991 Act.

(2) S.I.1988/1813; relevant amendments are made by S.I. 1991/1536, 1991/2268 and 1991/2805.

““by site display” means by the posting of the notice by firm affixture to some object, sited and displayed in such a way as to be easily visible and legible by members of the public;”

Notice of applications for planning permission

3.—(1) For article 12 of the 1988 Order substitute—

“Notice of application for planning permission

12.—(1) Subject to paragraph (2), an applicant for planning permission shall give requisite notice of the application to any person (other than the applicant) who on the prescribed date is an owner of the land to which the application relates, or a tenant,—

- (a) by serving the notice on every such person whose name and address is known to him; and
- (b) where he has taken reasonable steps to ascertain the names and addresses of every such person, but has been unable to do so, by local advertisement after the prescribed date.

(2) In the case of a minerals application by underground working, instead of giving notice in the manner provided for by paragraph (1), the applicant shall give requisite notice of the application to any person (other than the applicant) who on the prescribed date is an owner of any of the land to which the application relates, or a tenant,—

- (a) by serving the notice on every such person who the applicant knows to be such a person and whose name and address is known to him;
- (b) by local advertisement after the prescribed date; and
- (c) by site display in at least one place in every parish or community within which there is situated any part of the land to which the application relates, leaving the notice in position for not less than seven days in the period of 21 days immediately preceding the making of the application to the local planning authority.

(3) The notice required by paragraph (2)(c) shall (in addition to any other matters required to be contained in it) name a place within the area of the local planning authority to whom the application is made where a copy of the application for planning permission, and of all plans and other documents submitted with it, will be open to inspection by the public at all reasonable hours during such period as may be specified in the notice.

(4) The applicant shall not be treated as having failed to satisfy the requirements of paragraph (2)(c) if the notice is, without any fault or intention of his, removed, obscured or defaced before the period of seven days referred to in that paragraph has elapsed, if he has taken reasonable steps for its protection and, if need be, replacement.

- (a) (5) The date prescribed for the purposes of section 65(2) of the Act, and the “prescribed date” for the purposes of this article, is the day 21 days before the date of the application;
- (b) The applications prescribed for the purposes of paragraph (c) of the definition of “owner” in section 65(8) of the Act are minerals applications, and the minerals prescribed for the purposes of that paragraph are any minerals other than oil, gas, coal, gold or silver.

(6) In this article—

“minerals applications” mean applications for planning permission for development consisting of the winning and working of minerals;

“requisite notice” means notice in the appropriate form set out in Part 1 of Schedule 4 to this Order; and

“tenant” means the tenant of an agricultural holding any part of which is comprised in the land to which an application relates.

Certificates in relation to notice of applications for planning permission

12A.—(1) Where an application for planning permission is made, the applicant shall certify, in the appropriate form prescribed in Part 2 of Schedule 4 hereto, that the requirements of article 12 have been satisfied.

(2) If an applicant has cause to rely on paragraph (4) of article 12, the certificate must state the relevant circumstances.”.

(2) In article 10 of the 1988 Order (general provisions relating to applications)—

(a) in paragraph (2)(a) for “section 27 (notification to owners and agricultural tenants) of the Act” substitute “article 12A”;

(b) in paragraph (2)(b) for “section 27 of the Act” substitute “article 12A”.

(3) In article 26 of the 1988 Order (appeals)—

(a) omit paragraph (3)(d);

(b) in paragraph (3)(e) for “section 26 or 27 of the Act” substitute “article 12A”.

Publicity for applications for planning permission

4. After article 12A of the 1988 Order (inserted by article 3 of this Order) insert—

“Publicity for applications for planning permission

12B.—(1) An application for planning permission shall be publicised by the local planning authority to which the application is made in the manner prescribed by this article.

(2) In the case of an application for planning permission for development which—

(a) is the subject of an E.A. Schedule 1 or E.A. Schedule 2 application accompanied by an environmental statement;

(b) does not accord with the provisions of the development plan in force in the area in which the land to which the application relates is situated; or

(c) would affect a right of way to which Part III of the Wildlife and Countryside Act 1981(3) applies,

the application shall be publicised in the manner specified in paragraph (3).

(3) An application falling within paragraph (2) (“a paragraph (2) application”) shall be publicised by giving requisite notice by—

(a) site display in at least one place on or near the land to which the application relates for not less than 21 days, and

(b) local advertisement.

(4) In the case of an application for planning permission which is not a paragraph (2) application, if the development proposed is major development the application shall be publicised by giving requisite notice by—

(3) 1981 c. 69, to which there are amendments not relevant to this Order.

- (a) (i) site display in at least one place on or near the land to which the application relates for not less than 21 days, or
- (ii) serving the notice on any adjoining owner or occupier,
- and
- (b) local advertisement.

(5) In a case to which neither paragraph (2) nor paragraph (4) applies, the application shall be publicised by giving requisite notice by—

- (a) site display in at least one place on or near the land to which the application relates for not less than 21 days, or
- (b) serving the notice on any adjoining owner or occupier.

(6) The local planning authority shall not be treated as having failed to satisfy the requirements of paragraph (3)(a), (4)(a)(i) or (5)(a) if the notice is, without fault or intention of the authority, removed, obscured or defaced before the period of 21 days referred to in each of those paragraphs has elapsed, if they have taken reasonable steps for its protection and, if need be, replacement.

(7) In this article—

“adjoining owner or occupier” means any owner or occupier of any land adjoining the land to which the application relates;

“E.A. Schedule 1 application” and “E.A. Schedule 2 application” have the same meanings as “Schedule 1 application” and “Schedule 2 application” respectively in the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988(4);

“environmental statement” has the same meaning as in the Town and Country Planning (Assessment of Environmental Effects) Regulations 1988;

“major development” means development involving any one or more of the following—

- (a) the winning and working of minerals or the use of land for mineral-working deposits;
- (b) waste development;
- (c) the provision of dwellinghouses where—
 - (i) the number of dwellinghouses to be provided is 10 or more; or
 - (ii) the development is to be carried out on a site having an area of 0.5 hectare or more and it is not known whether the development falls within paragraph (c)(i);
- (d) the provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more; or
- (e) development carried out on a site having an area of 1 hectare or more;

“requisite notice” means notice in the appropriate form set out in Schedule 5 hereto;

“waste development” means any operational development designed to be used wholly or mainly for the purpose of, or a material change of use to, treating, storing, processing or disposing of refuse or waste materials.”.

Applications for planning permission referred to the Secretary of State and appeals to the Secretary of State

5. After article 12B of the 1988 Order (inserted by article 4 of this Order) insert—

“Applications for planning permission referred to the Secretary of State and appeals to the Secretary of State

12C.—(1) Articles 12 and 12A apply to any appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990 as they apply to applications for planning permission.

(2) Subject to paragraph (3), if the local planning authority have failed to satisfy the requirements of article 12B in respect of an application for the planning permission at the time the application is referred to the Secretary of State under section 77 of that Act, or any appeal to the Secretary of State is made under section 78 of that Act, article 12B shall continue to apply, as if such referral or appeal to the Secretary of State had not been made.

(3) Where paragraph (2) applies, when the local planning authority have satisfied the requirements of article 12B, they shall inform the Secretary of State that they have done so.”.

Representations to be taken into account

6. After article 22 of the 1988 Order insert—

“Representations to be taken into account

22A.—(1) A local planning authority shall, in determining an application for planning permission, take into account any representations made, where any notice of the application has been—

- (a) given by site display under article 12 or 12B, within 21 days beginning with the date when the notice was first displayed by site display;
- (b) served on—
 - (i) an owner of the land or a tenant of an agricultural holding under article 12, or
 - (ii) an adjoining owner or occupier under article 12B,
within 21 days beginning with the date when the notice was served on that person, provided that the representations are made by any person who satisfies them he is such an owner, tenant or occupier; or
- (c) given by local advertisement under article 12 or 12B, within 14 days beginning with the date on which the notice was published,

and the representations and periods in this article are representations and periods prescribed for the purposes of section 71(2)(a) of the Act.

(2) A local planning authority shall give notice of their decision to every person who has made representations which they were required to take into account in accordance with paragraph (1)(b)(i), and such notice is notice prescribed for the purposes of section 71(2)(b) of the Act.

(3) Paragraphs (1) and (2) of this article apply to applications referred to the Secretary of State under section 77 of the Act and paragraphs (1)(b) and (2) apply to appeals to the Secretary of State made under section 78 of the Act, as if the references to—

- (a) a local planning authority were to the Secretary of State, and

- (b) determining an application for planning permission were to determining such application or appeal, as the case may be.”.

Time periods for decision

7. Article 23 of the 1988 Order (time periods for decision) is amended as follows—

- (a) at the beginning of paragraph (1) insert the words “Subject to paragraph (5),”;
- (b) in paragraph (3)(b) after “by the Act” insert “or this Order”;
- (c) at the end insert—

“(5) Subject to paragraph (6), a local planning authority shall not determine an application for planning permission, where any notice of the application has been—

- (a) given by site display under article 12 or 12B, before the end of the period of 21 days beginning with the date when the notice was first displayed by site display;
- (b) served on—
- (i) an owner of the land or a tenant of an agricultural holding under article 12, or
- (ii) an adjoining owner or occupier under article 12B,
- before the end of the period of 21 days beginning with the date when the notice was served on that person;

- (c) given by local advertisement under article 12 or 12B, before the end of the period of 14 days beginning with the date on which the notice was published,

and the periods in this paragraph are periods prescribed for the purposes of section 71(1) of the Act.

(6) Where, under paragraph (5), more than one of the prescribed periods applies, the local planning authority shall not determine the application before the end of the later or latest of such periods.”.

Agricultural buildings and operations

8. In Part 6 of Schedule 2 to the 1988 Order(5)—

- (a) after paragraph A.2 (2)(c) insert—

- “(cc) (i) where the local planning authority gives the applicant notice that such prior approval is required the applicant shall display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant;
- (ii) the applicant shall not be treated as not having complied with the requirements of sub-paragraph (i) if the site notice is, without any fault or intention of his, removed, obscured or defaced before the period of 21 days referred to in that sub-paragraph has elapsed, if he has taken reasonable steps for its protection and, if need be, replacement;”.

- (b) after paragraph D.4, insert—

“**D.4A** In paragraph A.2(2)(cc), “site notice” means a notice containing—

- (a) the name of the applicant,

(5) A relevant amendment is made by S.I. [1991/2805](#).

- (b) the address or location of the proposed development,
- (c) a description of the proposed development and of the materials to be used,
- (d) a statement that the prior approval of the authority will be required to the siting, design and external appearance of the building, the siting and means of construction of the private way, the siting of the excavation or deposit or the siting and appearance of the tank, as the case may be,
- (e) the name and address of the local planning authority.”.

Forestry buildings and operations

9. In Part 7 of Schedule 2 to the 1988 Order⁽⁶⁾—

(a) after paragraph A.2 (1)(c) insert—

- “(cc) (i) where the local planning authority gives the applicant notice that such prior approval is required the applicant shall display a site notice by site display on or near the land on which the proposed development is to be carried out, leaving the notice in position for not less than 21 days in the period of 28 days from the date on which the local planning authority gave the notice to the applicant;
- (ii) the applicant shall not be treated as not having complied with the requirements of sub-paragraph (i) if the site notice is, without any fault or intention of his, removed, obscured or defaced before the period of 21 days referred to in that sub-paragraph has elapsed, if he has taken reasonable steps for its protection and, if need be, replacement;”.

(b) at the end of paragraph A.3, insert—

““site notice” means a notice containing—

- (a) the name of the applicant,
- (b) the address or location of the proposed development,
- (c) a description of the proposed development and of the materials to be used,
- (d) a statement that the prior approval of the authority will be required to the siting, design and external appearance of the building or, as the case may be, the siting and means of construction of the private way,
- (e) the name and address of the local planning authority;”.

Appropriate forms

10. Subject to article 11 of this Order, for Schedule 5 to the 1988 Order substitute Schedules 4 and 5 set out in the Schedule to this Order.

Saving

11. The amendments made to the 1988 Order by article 10 shall not apply with respect to certificates for the purposes of article 29(15) of the 1988 Order (established use certificates).

Transitionals

12.—(1) The amendments made to the 1988 Order by article 4 shall not apply to applications for planning permission made before the date of coming into force of this Order.

(6) A relevant amendment is made by S.I. [1991/2268](#).

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(2) The amendments made to the 1988 Order by articles 8 and 9 shall not apply where the local planning authority has given the applicant notice before the date of coming into force of this Order.

Revocation

13. Article 11 of, and Schedule 4 to, the 1988 Order, and article 10 of the Town and Country Planning General Development (Amendment) Order 1991(7) are hereby revoked.

22nd June 1992

Michael Howard
Secretary of State for the Environment

24th June 1992

David Hunt
Secretary of State for Wales

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SCHEDULE

Article 10

“SCHEDULE 4

Articles 12, 12A and 12C(1)

PART 1

Article 10

SCHEDULE

“SCHEDULE 4

Articles 12, 12A and 12C(1)

PART 1

Town and Country Planning General Development Order 1988

**NOTICE UNDER ARTICLE 12 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)..... Council

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 unexpired term of which is not less than 7 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) 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)

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Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLE 12

(to be posted in the case of an application for the winning and working of minerals by underground working (in addition to the service or publication of any other requisite notices in this Schedule))

Proposed development at (a)

I give notice that (b)

is applying to the (c)..... Council

for planning permission to (d)

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

*On behalf of

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 (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

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Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLES 12 AND 12C(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) Council

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, Department of the Environment/Welsh Office† at Tollgate House, Houlton Street, Bristol BS2 9DJ/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 7 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) appellant’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)

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Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLES 12 AND 12C(1) OF APPEAL

(to be posted in the case of an application for the winning and working of minerals by underground working (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) Council

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, Department of the Environment/Welsh Office* at Tollgate House, Houlton Street, Bristol BS2 9DJ/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 Council
- (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

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PART 2

Town and Country Planning General Development Order 1988

CERTIFICATE UNDER ARTICLE 12A

Certificate A(a)

I certify that:

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

Signed

*On behalf of

Date

*delete where inappropriate

(a) This Certificate is for use with applications and appeals for planning permission (articles 12A and 12C(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 7 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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Town and Country Planning General Development Order 1988

CERTIFICATE UNDER ARTICLE 12A

Certificate B(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) name	Address at which notice was served	Date on 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 12A and 12C(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 7 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).

Town and Country Planning General Development Order 1988

CERTIFICATE UNDER ARTICLE 12A

Certificate C(a)

I certify that:

- I/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.

Owner's(b) name	Address at which notice was served	Date on which notice was served
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- I have/The applicant has/The appellant has* taken all reasonable steps open to me/him/her* 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

*delete where inappropriate

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

-
- (a) This Certificate is for use with applications and appeals for planning permission (articles 12A and 12C(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 7 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)

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Town and Country Planning General Development Order 1988

CERTIFICATE UNDER ARTICLE 12A

Certificate D (a)

I certify that:

- I/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)

Signed

*On behalf of

Date

* delete where inappropriate

(a) This Certificate is for use with applications and appeals for planning permission (articles 12A and 12C(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 7 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)

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Town and Country Planning General Development Order 1988

CERTIFICATE UNDER ARTICLE 12A

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.

or

- *• 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
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Signed.....

*On behalf of.....

Date

* delete where inappropriate

(a) This Certificate is for use with applications and appeals for planning permission (articles 12A and 12C(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.

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Town and Country Planning General Development Order 1988

CERTIFICATE UNDER ARTICLE 12A

(for use with applications and appeals for the winning and working of minerals by underground working)

I certify 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
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- There is no person (other than me/the applicant/the appellant*) who, on the day 21 days before the date of the accompanying application/appeal*, was the owner (a) of any part of the land to which this application/appeal* relates, whom I/the applicant/ the appellant* know/s* to be such a person and whose name and address is known to me/the applicant/the appellant* but to whom I have/the applicant/the appellant has* not given the requisite notice.
- 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
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- Save as specified below* this/these* notice/s* was/were* left in position for not less than 7 days in the period of 21 days immediately preceding the making of the application/appeal*.
- * The following notice(s)* was/were*, however, left in position for less than seven days in period of not more than 21 days immediately preceding the making of the application/appeal*.

Parish/Community	Location of Notice	Date posted
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Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 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.

or

- *• 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
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Signed.....

*On behalf of.....

Date

* delete where inappropriate

(a) "owner" means a person having a freehold interest or a leasehold interest the unexpired term of which is not less than 7 years or a person entitled to an interest in a mineral in the land (other than oil, gas, coal, gold or silver).

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)

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Article 12B

SCHEDULE 5

NOTICE OF APPLICATION FOR PLANNING PERMISSION

Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLE 12B

(to be published in a newspaper, displayed on or near the site, or served on owners and/or occupiers of adjoining land)

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 provisions of the development plan in force in the area in which the land to which the application 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

*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 date when the notice is first displayed on or near the site or served on an owner and/or occupier of adjoining land, or a period of 14 days, beginning with the date when the notice is published in a newspaper (as the case may be)
- (g) address of Council

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

NOTICE OF APPLICATION FOR PLANNING PERMISSION

Town and Country Planning General Development Order 1988

NOTICE UNDER ARTICLE 12B 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 environmental statement

The proposed development does not accord with the provisions of the development plan in force in the area in which the land to which the application relates 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 environmental statement from (g)

so long as stocks last, at a charge of (h)

Anyone who wishes to make representations about this application should write to the Council

at (i)

..... by (f)

Signed

*On behalf of Council

* delete where inappropriate

Date.....

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 14 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 (e))
- (h) amount of charge, if any
- (i) address of Council"

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning General Development Order 1988. The main changes are—

(1) an amendment to article 12 of the 1988 Order in connection with notices of applications for planning permission given by applicants prior to the applications being made, and (in article 12A of the 1988 Order) certification in the appropriate form that the requirements have been satisfied (article 3);

(2) the insertion of article 12B of the 1988 Order, providing for publicity for applications for planning permission to be given by a local planning authority (article 4);

(3) the insertion of article 22A of the 1988 Order, providing for representations to be taken into account by a local planning authority (article 6);

(4) the amendment of article 23 of the 1988 Order to prescribe periods within which a local planning authority shall not determine an application for planning permission (article 7);

(5) the amendment of Parts 6 and 7 of Schedule 2 to the 1988 Order (agricultural and forestry buildings and operations) to require notices to be displayed where the local planning authority determines that prior approval is required for siting, design etc. (articles 8 and 9).

The changes to the 1988 Order follow the amendment of sections 65 to 68 and 71 of the Town and Country Planning Act 1990 by section 16 of the Planning and Compensation Act 1991.