STATUTORY INSTRUMENTS

2025 No. 409

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025

Made - - - -	*2nd April 2025*
Laid before Parliament	*3rd April 2025*
Coming into force - -	*1st May 2025*

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The Secretary of State makes this Order in exercise of the powers conferred by sections 59, 69, 293H(2) and (5) to (7), 319A(3), 323(1A) and (3), 327ZA and 333(8) of the Town and Country Planning Act 1990(**a**), and section 54 of the Planning and Compulsory Purchase Act 2004(**b**).

PART 1

Preliminary

Citation, commencement, application and extent

1.—(1) This Order may be cited as the Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025 and comes into force on 1st May 2025.

(2) This Order extends to England and Wales, and applies in relation to England only.

(3) This Order applies to all land in England, but where land is the subject of a special development order this Order applies to that land only to such extent and subject to such modifications as may be specified in the special development order.

(4) In this article, a "special development order" means a development order made under section 59 of the 1990 Act(**c**) which is a special order applicable only to such land or descriptions of land as may be specified in the order.

Interpretation

2. In this Order—

"the 1990 Act" means the Town and Country Planning Act 1990(**d**);

"the 2004 Act"means the Planning and Compulsory Purchase Act 2004(**e**);

(**a**) 1990 c. 8. Section 59 was amended by paragraph 4 of Schedule 1 to the Growth and Infrastructure Act 2013 (c. 27). Section 69 was substituted by paragraph 3 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (c. 5). Section 293H was inserted by section 109(2) of the Levelling-up and Regeneration Act 2023 (c. 55). Section 319A was inserted by section 196(1) of the Planning Act 2008 (c. 29). Section 319A was amended by paragraph 9(b) of Schedule 10 to the Levelling-up and Regeneration Act 2023 (c. 55). Section 323(1A) was inserted by paragraph 12 of Schedule 10 to the Planning Act 2008. Section 327ZA was inserted by section 124(1) of the Levelling-up and Regeneration Act 2023. Section 333(8) was inserted by section 130(1)(b) of the Levelling-up and Regeneration Act 2023. There are other amendments to these provisions that are not relevant to this Order.
(**b**) 2004 c. 5.
(**c**) Amendments have been made to section 59 which are not relevant to this Order.
(**d**) 1990 c. 8.
(**e**) 2004 c. 5

"the 2015 Order" means the Town and Country Planning (Development Management Procedure) (England) Order 2015(**a**);

"access", in relation to reserved matters, means the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network; where "site" means the site or part of the site in respect of which outline planning permission is granted or, as the case may be, in respect of which an application for such a permission has been made;

"appearance" means the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture;

"applicable representation period" means the representation period which applies to a person making representations pursuant to any notice of, or information about, or consultation in relation to the application, and where more than one representation period applies, the last of those periods;

"building" includes any structure or erection, and any part of a building, as defined in this article, but does not include plant or machinery or any structure in the nature of plant or machinery;

"CIL" means the community infrastructure levy as provided for in Part 11 of the Planning Act 2008(**b**);

"connected listed building application" means an application made to the Secretary of State for listed building consent under the Listed Buildings Act which satisfies the requirements of section 293E(3) of the 1990 Act(**c**);

"Crown development application" means an application made under section 293D of the 1990 Act(**d**);

"document" includes a photograph, map or plan;

"dwellinghouse" does not include a building containing one or more flats, or a flat contained within such a building;

"EIA application", "EIA development" and "environmental statement" have the same meanings given in regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017(**e**);

"electronic communication" has the meaning given in section 15(1) of the Electronic Communications Act 2000(**f**);

"erection", in relation to a building as defined in this article, includes extension, alteration or re-erection;

"infrastructure manager" means any person who in relation to relevant railway land—

(a) is responsible for developing or maintaining the land, or

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(**a**) S.I. 2015/595.
(**b**) 2008 c. 29.
(**c**) Section 293E was inserted by section 109(2) of the Levelling-up and Regeneration Act 2023.
(**d**) Section 293D was inserted by section 109(2) of the Levelling-up and Regeneration Act 2023.
(**e**) S.I. 2017/571. Amendments have been made to regulation 2(1) that are not relevant to this Order.
(**f**) 2000 c. 7. Section 15(1) was amended by paragraph 158 of Schedule 17 of the Communications Act 2013.

(b) manages or uses the land, or permits the land to be used for the operation of a railway;

"irreplaceable habitat" has the meaning given by regulation 2 of the Biodiversity Gain Requirements (Irreplaceable Habitat) Regulations 2024(**a**);

"landscaping", in relation to a site or any part of a site for which outline planning permission has been granted or, as the case may be, in respect of which an application for such permission has been made, means the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes—

(a) screening by fences, walls or other means,

(b) the planting of trees, hedges, shrubs or grass,

(c) the formation of banks, terraces or other earthworks,

(d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art, and

(e) the provision of other amenity features;

"last representation period" means, of the representation periods which apply in relation to an application, the period which has the latest end date.

"layout" means the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development;

"listed building" has the meaning given in section 1(5) of the Listed Buildings Act(**b**);

"listed building consent" has the meaning given in section 8(7) of the Listed Buildings Act;

"Listed Buildings Act" means the Planning (Listed Buildings and Conservation Areas) Act 1990(**c**);

"local planning register authority" has the meaning given in article 40 of the 2015 Order(**d**);

"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 hectares or more and it is not known whether the development falls within sub-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;

(e) development carried out on a site having an area of 1 hectare or more;

(**a**) S.I. 2024/48.
(**b**) 2013 c. 24. Section 1(5) was amended by paragraph 8(2) of Schedule 17 to the Enterprise and Regulatory Reform Act 2013.
(**c**) 1990 c. 9.
(**d**) There are amendments to article 40 that are not relevant to this Order.

"non-major development" means development which is not major development;

"onsite habitat" has the meaning given in paragraph 12 of Schedule 7A to the 1990 Act(**a**);

"outline planning permission" means a planning permission for the erection of a building, which is granted subject to a condition requiring subsequent approval with respect to one or more reserved matters;

"public holiday" means Christmas Day, Good Friday or a day which under the Banking and Financial Dealings Act 1971(**b**) is a bank holiday in England;

"relevant local planning authority" means the local planning authority to which an application would otherwise have been made had the applicant not chosen to make the application to the Secretary of State under section 293D, or as the case may be, section 293E of the 1990 Act;

"relevant railway land" means land—

(a) forming part of any operational railway, or

(b) which is authorised to be used for the purposes of an operational railway under—

(i) a planning permission granted or deemed to be granted,

(ii) a development consent granted by an order made under the Planning Act 2008(**c**), or

(iii) an Act of Parliament,

including any viaduct, tunnel, retaining wall, siding, shaft, bridge or other structure to be used for the purpose of an operational railway but excluding any car park, office, shop, hotel or other land which, by its nature or situation, is comparable with land in general rather than land which is used for the purpose of an operational railway;

"representation period" means—

(a) in relation to a Crown development application, each of the periods within which representations can be made about the application referred to in articles 20(4), article 21(1)(b), and 22(2) or referred to in the requisite notice required to be served on or given to a person, published or displayed (as the case may be) in accordance with articles 9, 16, 17 and 18;

(b) in relation to connected listed building application, each of the periods within which representations can be made about the application referred to in articles 36(2)(c), 39(2)(a), and 40(1) or referred to in the requisite notice required to be served on a person, published or displayed (as the case may be) in accordance with articles 30, 36 and 37;

"reserved matters" in relation to an outline planning permission, or an application for such permission, means any of the following matters in respect of which details have not been given in the application—

(a) access;

(b) appearance;

(c) landscaping;

(**a**) Schedule 7A was inserted by section 147(3) of, and paragraph 2 of Schedule 14 to, the Environment Act 2021 (c. 30). Paragraph 12(1) of Schedule 7A was amended by section 135(d) of the Levelling-up Regeneration Act 2023.
(**b**) 1971 c. 80.
(**c**) 2008 c. 29.

(d) layout;

(e) scale;

"scale" means the height, width and length of each building proposed within the development in relation to its surroundings;

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

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

"working day" means a day which is not a Saturday, Sunday or public holiday;

"written representations" includes supporting documents.

Electronic communications and service of documents

3.—(1) In this Order, and in relation to the use of electronic communications for any purpose of this Order which is capable of being carried out electronically—

(a) the expression "address" includes any number or address used for the purpose of such communications, and

(b) references to applications, notices, documents, drawings, certificates or other documents, or to copies of such things, include references to such documents or copies of them in electronic form.

(2) Paragraphs (3) to (9) apply where an electronic communication is used by a person for the purpose of fulfilling any requirement in this Order to give or send any application, notice, other document or information to any other person ("the recipient").

(3) A requirement is taken to be fulfilled where the application, notice or other document transmitted by the electronic communication is—

(a) capable of being accessed by the recipient,

(b) legible in all material respects, and

(c) sufficiently permanent to be used for subsequent reference.

(4) In paragraph (3), "legible in all material respects" means that the information contained in the application, notice or document is available to the recipient to no lesser extent than it would be if sent or given by means of a document in printed form.

(5) Where the electronic communication is received by the recipient outside the recipient's business hours, it is taken to have been received on the next working day.

(6) A requirement in this Order that any application, notice or other document is in writing is fulfilled where the document transmitted by the electronic communication satisfies the criteria in paragraph (3).

(7) Where a Crown development application or a connected listed building application is made using electronic communications to transmit a form to the Secretary of State, the applicant is taken to have agreed—

(a) to the use of such communications by the Secretary of State 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 paragraph (8).

(8) Where a person is no longer willing to accept the use of electronic communications for any purpose of this Order which is capable of being effected electronically, the person must give notice in writing—

(a) withdrawing any address notified to the Secretary of State for that purpose, or

(b) revoking any agreement entered into (or deemed to have been entered into) with the Secretary of State for that purpose,

and such withdrawal or revocation takes effect on a date specified by the person in the notice but not less than 7 days after the date on which the notice is given.

(9) A requirement in this Order to send more than one copy of an application or other document may be complied with when using electronic communications by sending a single copy of the application or other document.

PART 2

Crown development applications

Chapter 1

Applications and publicity

General requirements: applications for planning permission including outline planning permission

4.—(1) A Crown development application for planning permission must—

(a) be made in writing to the Secretary of State on a form published by the Secretary of State (or a form substantially to the same effect),

(b) include the particulars specified or referred to in the form, and

(c) be accompanied by 3 copies of—

(i) the application,

(ii) a plan which identifies the land to which the application relates,

(iii) a statement setting out the reasons the appropriate authority considers that the development to which the application relates is of national importance,

(iv) where the application is made by a person authorised in writing by the appropriate authority, a copy of that authorisation,

(v) the information relating to the condition under paragraph 13 of Schedule 7A to the 1990 Act ("the biodiversity gain condition") specified in paragraph (2), and

(vi) such other documents and information as may be necessary to describe the development which is the subject of the application.

(2) A Crown development 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, and

(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 paragraphs 6 or 6A of Schedule 7A to the 1990 Act(**a**) 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(**b**), 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.

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

(4) In an area where, on the date a Crown development application is made, a charging schedule is in effect for the charging of CIL, a Crown development application for planning permission must be accompanied by the following information relating to CIL—

(a) a statement as to whether the applicant considers that the development, if granted planning permission, would be liable for CIL,

(b) where the applicant does not consider the development, if granted planning permission, would be liable for CIL, the reasons for that view, and

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(**a**) Paragraph 6A was inserted by section 135(b) of the Levelling-up and Regeneration Act 2023 (c. 55)
(**b**) S.I. 2024/48.

(c) subject to paragraph (5), in cases where the applicant considers the development, if granted planning permission would be liable for CIL, details of—

(i) the gross internal area to be created by the development,

(ii) the existing buildings to be retained, demolished or partially demolished under the development, and

(iii) any relief or exemption from CIL which may be applicable to the development.

(5) For the purposes of paragraph (4)(c), where details of—

(a) the gross internal area to be created by the development are not specified in, or determinable by reference to, the application, the applicant must provide an estimate of the gross internal area to be created by the development;

(b) the existing buildings to be retained, demolished or partially demolished under the development are not specified in, or determinable by reference to, the application, the applicant must provide a statement as to which existing buildings are likely to be retained, demolished or partially demolished;

(c) any relief or exemption from CIL which may be applicable to the development are not specified in, or determinable by reference to, the application, the applicant must provide a statement as to which relief or exemption from CIL they consider may be applicable.

Applications for outline planning permission

5.—(1) Where an application is made for outline planning permission, the Secretary of State may grant permission subject to a condition specifying the reserved matters which are to be subject to subsequent approval.

(2) Where the Secretary of State is of the opinion that, in the circumstances of the case, the application ought not to be considered separately from all or any of the reserved matters, the Secretary of State must, within the period of 1 month beginning with the day the application is received, notify the applicant that the Secretary of State is unable to determine the application unless further details are submitted, specifying the further details that are required.

(3) Subject to paragraph (4), in the case of an application for outline planning permission, details need not be given of any reserved matters.

(4) Where access is a reserved matter, the application for outline planning permission must state the area or areas where access points to the development proposed will be situated.

Applications for approval of reserved matters

6.—(1) A Crown development application for approval of reserved matters must—

(a) be made in writing to the Secretary of State and give sufficient information to enable the Secretary of State to identify the outline planning permission in respect of which it is made,

(b) include such particulars and be accompanied by such plans and drawings as are necessary to deal with the reserved matters in the outline planning permission,

(c) include a statement setting out the reasons the appropriate authority considers that the development to which the application relates is of national importance, and

(d) where the application is made by a person authorised in writing by the appropriate authority, be accompanied by a copy of that authorisation.

(2) In an area where, on the date a Crown development application is made, a charging schedule is in effect for the charging of CIL, a Crown development application for approval of reserved matters must be accompanied by the following information relating to CIL—

(a) a statement as to whether the applicant considers that the development, if approval is given, would be liable for CIL,

(b) where the applicant does not consider the development, if approval is given, would be liable for CIL, the reasons for that view, and

(c) subject to paragraph (3), in cases where the applicant considers the development, if approval is given, would be liable for CIL, details of—

(i) the gross internal area to be created by the development,

(ii) the existing buildings to be retained, demolished or partially demolished under the development, and

(iii) any relief or exemption from CIL which may be applicable to the development.

(3) For the purposes of paragraph (2), where details of—

(a) the gross internal area to be created by the development are not specified in, or determinable by reference to, the application, the applicant must provide an estimate of the gross internal area to be created by the development;

(b) the existing buildings to be retained, demolished or partially demolished under the development are not specified in, or determinable by reference to, the application, the applicant must provide a statement as to which existing buildings are likely to be retained, demolished or partially demolished;

(c) any relief or exemption from CIL which may be applicable to the development is not specified in, or determinable by reference to, the application, the applicant must provide a statement as to which relief or exemption from CIL they consider may be applicable.

Design and access statements

7.—(1) Subject to paragraph (3), a design and access statement must accompany a Crown development application for planning permission in respect of—

(a) major development, or

(b) non-major development any part of which is in a designated area and which consists of—

(i) the provision of one or more dwellinghouses, or

(ii) the provision of a building or buildings where the floor space created by the development is 100 square metres or more.

(2) A design and access statement must—

(a) explain the design principles and concepts that have been applied to the development,

(b) demonstrate the steps taken to appraise the context of the development and how the design of the development takes that context into account,

(c) explain the approach adopted as to access, and how policies relating to access in relevant local development documents have been taken into account,

(d) state what, if any, consultation has been undertaken on issues relating to access to the development and what account has been taken of the outcome of any such consultation, and

(e) explain how any specific issues which might affect access to the development have been addressed.

(3) This article does not apply to a Crown development application for planning permission which is for—

(a) engineering or mining operations,

(b) a material change in use of the land or buildings, or

(c) development which is waste development.

(4) In this article—

"design and access statement" means a statement about—

(a) the design principles and concepts that have been applied to the development concerned, and

(b) how issues relating to access to the development have been dealt with;

"designated area" means—

(a) a conservation area, or

(b) a World Heritage Site, that being a property appearing on the World Heritage List kept under article 11(2) of the 1972 UNESCO Convention Concerning the Protection of the World Cultural and National Heritage(**a**);

"mining operations" means the winning and working of minerals in, on or under land, whether by surface or underground working.

Fire statements

8.—(1) Paragraph (4) applies to a Crown development application for planning permission for—

(a) development which involves the provision of one or more buildings to which paragraph (2) applies ("a relevant building"),

(b) development of an existing relevant building, or

(c) development within the curtilage of a relevant building.

(2) This paragraph applies to a building which satisfies the height condition in paragraph (3) and contains—

(a) two or more dwellings, or

(b) educational accommodation.

(3) The height condition is that—

(a) the building is 18 metres or more in height, or

(b) the building contains 7 or more storeys.

(4) An application for planning permission to which this paragraph applies must, except where paragraph (6) applies, be accompanied by a statement ("a fire statement") about the fire safety design principles, concepts and standards that have been applied to the development.

(5) A fire statement must—

(a) be on a form published by the Secretary of State (or a form substantially to the same effect), and

(b) include the particulars specified or referred to in the form.

(6) This paragraph applies—

(a) where the application is—

(i) for a material change in use of a relevant building, and

(**a**) The World Heritage List can be found at https://whc.unesco.org/en/list/ and the text of the Convention can be found at https://whc.unesco.org/en/conventiontext/.

(ii) the material change of use would result in the building no longer being a relevant building;

(b) where the application is—

(i) for a material change in use of land or buildings within the curtilage of a relevant building, and

(ii) the material change of use would not result in the provision of one or more relevant buildings;

(c) to an application for outline planning permission.

(7) For the purposes of paragraph (3)—

(a) the height of a building is to be measured from ground level to the top floor surface of the top storey of the building (ignoring any storey which is a roof-top machinery or plant area or consists exclusively of machinery or plant rooms);

(b) when determining the number of storeys a building has—

(i) any storey which is below ground level is to be ignored, and

(ii) any mezzanine floor is a storey if its internal floor area is at least 50% of the internal floor area of the largest storey in the building which is not below ground level.

(8) For the purpose of this article a storey is treated as below ground level if any part of the finished surface of the ceiling of the storey is below the ground level immediately adjacent to that part of the building.

(9) In this article—

"16 to 19 Academy" has the meaning given by section 1B of the Academies Act 2010(**a**);

"boarder" includes a student who boards during the week but not at weekends;

"dwelling" includes a flat;

"educational accommodation" means—

(a) residential accommodation for the use of students who are boarders at school in connection with them attending a school, or

(b) residential accommodation for the use of students attending higher education courses, further education courses or courses at 16 to 19 Academies;

"further education" has the meaning given by section 2 of the Education Act 1996(**b**);

"ground level", in relation to a building, means the level of the surface of the ground immediately adjacent to the building or, where the level of the surface of the ground on which the building is situated or is to be situated is not uniform, the level of the lowest part of the surface of the ground adjacent to it;

"higher education course" means a course of any description mentioned in Schedule 6 to the Education Reform Act 1988(**c**) or an equivalent course outside England;

(**a**) 2010 c. 32. Section 1B was inserted by section 53(7) of the Education Act 2011 (c. 21). Paragraphs (4) to (7) of section 1B were inserted by section 164(1) of the Police, Crime, Sentencing and Courts Act 2022.

(**b**) 1996 c. 56. Section 2(1) was substituted by section 156(2) of the Education Act 2002 (c. 32). Section 2 was amended by section 110(1) of the Learning and Skills Act 2000 (c. 21), section 177 of, and paragraph 6 of Schedule 7 and paragraph 33 of Schedule 21 to the Education Act 2002 and S.I. 2010/1158. Section 2(3)(a) was amened by Part 3 of Schedule 22 to the Education Act 2002 (c. 32). There are further amendments to this provision that are not relevant to this Order.

(**c**) 1988 c. 40.

"school" has the meaning given by section 4 of the Education Act 1996(**a**).

Notice of application to be given by the applicant

9.—(1) Subject to paragraph (2), where a Crown development application for planning permission is to be made, the applicant must give requisite notice of the application to any person (other than the applicant) who on the relevant date is an owner of the land to which the application relates, or an agricultural tenant—

(a) by serving the notice on every such person whose name and address is known to the applicant, and

(b) where the applicant has taken reasonable steps to ascertain the names and addresses of every such person, but has been unable to do so, by publication of the notice after the relevant date in a newspaper circulating in the locality in which the land to which the application relates is situated.

(2) Subject to paragraph (3), in the case of an application for planning permission for development consisting of the winning and working of minerals by underground operations, instead of giving notice in the manner provided for by paragraph (1), the applicant must give requisite notice of the application to any person (other than the applicant) who on the relevant date is an owner of any of the land to which the application relates, or an agricultural tenant—

(a) by serving the notice on every such person whose name and address is known to the applicant,

(b) by publication of the notice after the relevant date in a newspaper circulating in the locality in which the land to which the application relates is situated, and

(c) by site display in at least one place in every parish within which there is situated any part of the land to which the application relates, leaving the notice in position for not less than 7 days in the period of 21 days immediately preceding the making of the application to the Secretary of State.

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

(a) the applicant is not required to serve a notice under paragraph (2)(a) in relation to any land which is to be used solely for underground operations,

(b) where any part of the land to which the application relates is in an unparished area, the applicant must give notice under paragraph (2)(c) in relation to that part of the land as if for "parish" there were substituted "ward", and

(c) where sub-paragraph (b) applies, references in this article to notices required by paragraph (2)(c) include notices required by paragraph (2)(c) as modified by sub-paragraph (b).

(4) The notice required by paragraph (2)(c) must (in addition to any other matters required to be contained in it) state—

(a) the place within the area of the relevant local planning authority where a copy of the application for planning permission, and any document accompanying it, will be open to inspection by the public at all reasonable hours during such period as may be specified in the notice, and

(b) the address of the website where a copy of the application, and any document accompanying it, will be published.

(**a**) Section 4 has been amended by section 51 of, and paragraph 10 of Schedule 7, and Schedule 8 to, the Education Act 1997 (c. 44), Part 3 of Schedule 22 to the Education Act 2002 (c. 32), section 95 of the Childcare Act 2006 (c. 21), S.I. 2010/1080, paragraph 9(2) of Schedule 13 to the Education Act 2011 (c. 21) and S.I. 2019/1027.

(5) Where the notice is, without any fault or intention of the applicant, removed, obscured or defaced before the period of 7 days referred to in paragraph (2)(c) has elapsed, the applicant is treated as having complied with the requirements of that paragraph if the applicant has taken reasonable steps for protection of the notice and, if need be, its replacement.

(6) In this article—

"agricultural tenant" has the meaning given in section 65(8) of the 1990 Act;

"owner" in relation to any land, means any person who—

(a) is the freehold owner,

(b) is entitled to a tenancy granted or extended for a terms of years certain of which not less than seven years remain unexpired, or

(c) in the case of an application for planning permission for development consisting of the winning and working of minerals, is entitled to an interest in any minerals other than oil, gas, coal, gold or silver;

"relevant date" means the first day in a period of 21 days which ends with the date of the application;

"requisite notice" means a notice in the appropriate form set out in Schedule 1 or a form substantially to the same effect.

Certificates in relation to notice of applications

10.—(1) Where a Crown development application for planning permission is made, the applicant must certify in a form published by the Secretary of State (or a form substantially to the same effect) that the requirements of article 9 have been satisfied.

(2) If an applicant has cause to rely on article 9(5), the certificate must state the relevant circumstances.

Assessment of application by Secretary of State

11.—(1) Where the Secretary of State receives a Crown development application, the Secretary of State must consider whether the development which is the subject of the application is of national importance, and whether the application is complete.

(2) An application is complete if it complies with the requirements of articles 4, 5 or 6, as the case may be, and also includes—

(a) where the application is an application for planning permission, the certificate required by article 10,

(b) in a case to which article 7 applies, the design and access statement referred to in that article,

(c) in a case to which article 8 applies, the fire statement referred to in that article,

(d) subject to paragraph (3), the particulars or evidence which would be required by the relevant local planning authority under section 62(3) of the 1990 Act(**a**) had the application been made to that authority, and

(e) the fee required in respect of the application.

(3) Paragraph (2)(d) only applies if—

(**a**) Section 62 was substituted by section 42(1) of the 2004 Act.

(a) before the application is made to the Secretary of State, the relevant local planning authority publishes or republishes for the purposes of article 34(4) and (5) of the 2015 Order, a list of requirements on a website,

(b) the particulars or evidence that the authority require to be included in the application fall within that list, and

(c) the list mentioned in sub-paragraph (a) was published (or republished) during the 2 year period immediately before the date on which the application was made.

(4) The Secretary of State must notify the applicant in writing, as soon as reasonably practicable, whether the development that is the subject of the application is considered to be of national importance and whether the application is complete.

Development not considered to be nationally important

12.—(1) Where the Secretary of State considers that the development which is the subject of the Crown development application is not of national importance, the Secretary of State must, in the notice given in accordance with article 11(4), notify the applicant whether the Secretary of State intends to—

(a) refer the application to be determined by the relevant local planning authority in accordance with section 293D(7) of the 1990 Act, or

(b) direct that the application is treated as having been made to the Secretary of State under section 62A of the 1990 Act(**a**), in accordance with section 293D(9), if the applicant is content for the application to be so treated.

(2) Where the Secretary of State intends to refer the application to the relevant local planning authority for determination in accordance with section 293D(7) of the 1990 Act, the Secretary of State must, as soon as reasonably practicable, send the application and any accompanying documents to that authority, and direct the authority to determine the application.

Information to be provided to the relevant local planning authority

13. Where the Secretary of State has informed the applicant that the development which is the subject of the application is considered to be of national importance, and that the application is complete (within the meaning of article 11(2)), the Secretary of State must, as soon as reasonably practicable, notify the relevant local planning authority of the application by sending a copy of the application and any document accompanying it to the authority.

Information to be provided by the relevant local planning authority

14.—(1) The relevant local planning authority must, within such period as the Secretary of State may specify in writing, being a period of not less than 5 working days beginning with the day the notification was sent under article 13, send the required information to the Secretary of State and send a copy of that information to the applicant.

(2) The Secretary of State may specify a different period for sending that part of the required information that relates to CIL to the Secretary of State and the applicant.

(3) The Secretary of State may specify that the required information be provided to the Secretary of State by electronic means through a website set up for that purpose.

(4) In this article, the "required information" means—

(**a**) Section 62A was inserted by section 1 of the Growth and Infrastructure Act 2013 (c. 27) and amended by section 153 of the Housing and Planning Act 2016 (c. 22) and section 129 of the Levelling-up and Regeneration Act 2023.

(a) a copy of any entry in the register required to be kept under article 40 of the 2015 Order which relates to the land, or part of the land, to which the application relates,

(b) details of any functions under the 1990 Act which the relevant local planning authority has exercised in relation to, or which affect, that land,

(c) a statement as to whether any advice has been given by the relevant local planning authority to the applicant in relation to development of the land,

(d) where the relevant local planning authority is not the county planning authority, a copy of any notice the county planning authority has given to the relevant local planning authority under paragraph 7(4) of Schedule 1 to the 1990 Act(**a**) in relation to an area which includes the land (or part of the land) to which the application relates,

(e) the name and contact details for any parish council which is entitled under section 293G of the 1990 Act(**b**) to be notified of the application,

(f) where the development proposed by the application falls within a category of development for which standing advice has been provided to the relevant local planning authority by any authority or person specified as a consultee in the Table in Schedule 4 to the 2015 Order, a copy of that standing advice,

(g) details of whether the development is liable to CIL and, where it is so liable, a calculation of the likely amount of CIL, and

(h) such other documents or information as the Secretary of State considers reasonably necessary to determine the Crown development application.

Publicity for applications: introductory

15. For the purposes of articles 16 and 17—

(a) a "special development application" means an application for planning permission which—

(i) is an EIA application which is accompanied by an environmental statement,

(ii) is in respect of development which 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

(iii) is in respect of development which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981(**c**) (public rights of way) applies,

(b) a "standard major development application" means an application for planning permission in respect of major development which is not a special development application,

(c) a "standard non-major development application" means an application in respect of non-major development which is not a special development application,

(d) references to a "Crown development application" do not include an application for approval of reserved matters, and

(e) the "requisite notice", in relation to an application, means a notice in the appropriate form set out in Schedule 2 or in a form substantially to the same effect.

(**a**) Paragraph 7 of Schedule 1 was substituted by paragraph 16(4) of Schedule 1 to the Planning and Compulsory Purchase Act 2004 (c. 5).
(**b**) Section 293G was inserted by section 109(2) of the Levelling-up and Regeneration Act 2023.
(**c**) 1981 c. 69.

Publicity for applications: Secretary of State

16.—(1) This article applies where the Secretary of State considers that the development which is the subject of a Crown development application is of national importance and that the application is complete (within the meaning of article 11(2)).

(2) Where the application is a special development application or a standard major development application, the Secretary of State must—

(a) before the end of the period of 5 working days beginning with the day the notice required by article 11(4) was sent, publish the required information about it on a website, and

(b) as soon as reasonably practicable after the notice required by article 11(4) was sent—

(i) make copies of the application and any document accompanying it available on the website, and

(ii) arrange for the publication of the requisite notice in relation to the application in a newspaper circulating in the locality in which the land to which the application relates is situated.

(3) Where the application is a standard non-major development application, the Secretary of State must—

(a) before the end of the period of 5 working days beginning with the day the notice required by article 11(4) was sent, publish the required information about it on a website, and

(b) as soon as reasonably practicable after the notice required by article 11(4) was sent make copies of the application and any document accompanying it available on the website.

(4) In this article, "the required information", in relation to an application, means—

(a) the address or location of the proposed development,

(b) a description of the proposed development,

(c) the date by which any representations about the application must be made, which must not be before the last day of the period of 21 days, or in the case of an EIA application accompanied by an environmental statement 30 days, beginning with the day on which the required information is published,

(d) details of where and when the application may be inspected, and

(e) the Secretary of State's address for receipt of representations about the application.

(5) When computing the number of days in paragraph (4)(c), any day which is a public holiday must be disregarded unless the application is an EIA application accompanied by an environmental statement.

Publicity for applications: relevant local planning authority

17.—(1) This article applies where the relevant local planning authority receives a notice under article 13 (information to be provided to the relevant local planning authority by the Secretary of State).

(2) Where the notice relates to a special development application, the relevant local planning authority must, before the end of the period of 5 working days beginning with the day the notice was sent—

(a) give the requisite notice by site display in at least one place on or near the land to which the application relates for not less than 21 days, or in the case of an EIA application accompanied by an environmental statement 30 days, and

(b) send a copy of the requisite notice to the Secretary of State.

(3) Where the notice relates to a standard major development application or a standard non-major development application, the relevant local planning authority must, before the end of the period of 5 working days beginning with the day the notice was sent—

(a) give the requisite notice—

(i) by 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) by sending to each adjoining owner or occupier, and

(b) send a copy of the requisite notice to the Secretary of State.

(4) Where a relevant local planning authority is required to give the requisite notice in relation to an application under this article by site display, but without any fault or intention on the part of the authority the notice is removed, obscured or defaced before the 21 or 30 day period, as appropriate, and as specified in paragraphs (2)(a) or (3)(a)(i) has elapsed, the authority is treated as having complied with the requirements of paragraphs (2)(a) or (3)(a)(i) if they have taken reasonable steps to—

(a) protect the notice, and

(b) if necessary, provide for its replacement.

(5) In this article "adjoining owner or occupier" means any owner or occupier of any land adjoining the land to which the application relates.

(6) When computing the number of days for the purposes of paragraphs (2)(a) and (3)(a)(i), any day which is a public holiday must be disregarded unless the application is an EIA application accompanied by an environmental statement.

Publicity for applications for planning permission within 10 metres of relevant railway land: relevant local planning authority

18.—(1) This article applies where—

(a) a Crown development application is an application for planning permission, and

(b) any part of the development to which that application relates is situated within 10 metres of relevant railway land.

(2) The relevant local planning authority must, except where paragraph (3) applies, give requisite notice on any infrastructure manager of the relevant railway land.

(3) Where an infrastructure manager has instructed the relevant local planning authority in writing that they do not require notification in relation to a particular description of development, type of building operation or in relation to specified sites or geographical areas ("the instruction"), the relevant local planning authority is not required to notify that infrastructure manager of an application which falls within the scope of the instruction.

(4) The infrastructure manager may withdraw the instruction at any time by notifying the relevant local planning authority in writing.

(5) In this article "requisite notice" means a notice in the appropriate form set out in Schedule 2 or a form substantially to the same effect.

Register of applications

19.—(1) Where the Secretary of State has informed the applicant that the development which is the subject of the application is considered to be of national importance, and that the application is complete, the Secretary of State must, as soon as reasonably practicable, send a copy of the application and any document accompanying it to the local planning register authority for the

land to which the application relates unless the Secretary of State has already sent a copy of those documents to the authority under article 13.

(2) Before the end of the period of 5 working days beginning with—

(a) the day a copy of the application given under paragraph (1) was received, or

(b) where the relevant local planning authority is the local planning register authority, the day the notice under article 13 was received,

the local planning register authority must place on the register required to be kept under article 40 of the 2015 Order a copy of the application together with any document accompanying it.

Chapter 2

Consultation

Consultations before determination of application

20.—(1) Before determining a Crown development application for planning permission for development which, in the Secretary of State's opinion, falls within a category set out in the Table in Schedule 4 to the 2015 Order, the Secretary of State must consult the authority or person mentioned in relation to that category, except where—

(a) the Secretary of State is specified as the consultee,

(b) the Secretary of State is required to consult the authority so mentioned under article 21 of this Order,

(c) the authority or person so mentioned has advised the Secretary of State that they do not wish to be consulted, or

(d) the development proposed by the application falls within a category of development for which standing advice has been issued to the Secretary of State by the authority or person so mentioned in relation to that category of development.

(2) The exception in paragraph (1)(c) does not apply where, in the opinion of the Secretary of State, the development falls within paragraph (zb) of the Table in Schedule 4 to the 2015 Order(**a**).

(3) The exception in paragraph (1)(d) does not apply where—

(a) the development is EIA development, or

(b) the standing advice was issued more than 2 years before the date of the application for planning permission for the development and the advice has not been amended or confirmed as being extant by the authority or person within that period.

(4) Where, under this article, the Secretary of State is required to consult any authority or person ("the consultee") before determining the application, the Secretary of State must send a copy of the application and any document accompanying it to the consultee, and inform them that they have a period of 21 days beginning with the day the application is sent to the consultee, or such other period as may be agreed in writing between the consultee and the Secretary of State, to make representations about the application.

Consultation with relevant authority

21.—(1) The Secretary of State must, before determining a Crown development application—

(a) send a copy of the application and any document accompanying it to each relevant authority, unless that authority has already received it in accordance with article 13, and

(**a**) Paragraph (zb)(ii) of Schedule 4 was amended by S.I. 2018/1234.

(b) inform the relevant authority that they have a period of 21 days beginning with the day the application is sent to the authority, or such other period as may be agreed in writing between the authority and the Secretary of State, to make representations about the application.

(2) In this article "relevant authority" means—

(a) the relevant local planning authority,

(b) where the relevant local planning authority is not the district planning authority, the district planning authority,

(c) where the relevant local planning authority is not the county planning authority, the county planning authority, and

(d) where the council of a parish are given information in relation to the Crown development application pursuant to section 293G of the 1990 Act, the parish council.

Consultation with the Mayor of London and relevant Combined Authorities

22.—(1) This article applies to a Crown development application which is a PSI application in relation to land in—

(a) Greater London which is not in an area of Greater London prescribed by an order under section 2A(3)(a) of the 1990 Act(**a**), or

(b) the area of a relevant combined authority.

(2) The Secretary of State must, before determining an application to which this article applies, send a copy of the application and any document accompanying it to the PSI authority and inform them that they have a period of 21 days beginning with the date the application is sent to the PSI authority, or such other period as may be agreed in writing between the PSI authority and the Secretary of State, to make representations about the application.

(3) In this article—

"combined authority" is a body corporate established by an order of the Secretary of State under section 103(1) of the Local Democracy, Economic Development and Construction Act 2009(**b**);

"Greater London" has the meaning given in section 2 of the Local Government Act 1963(**c**);

"PSI application" means—

(a) in relation to land in Greater London, an application for planning permission for development which the Secretary of State considers falls within a category set out in Parts 1 and 2 of the Schedule to the Town and Country Planning (Mayor of London) Order 2008(**d**);

(b) in relation to land within the area of a relevant combined authority, an application for planning permission for development which the Secretary of State considers falls within a category set out in Parts 1 and 2 of the Schedule to the Town and Country Planning Act (Mayor of London) Order 2008, as modified by the order conferring functions on that authority which correspond to the functions of the Mayor of London under section 2A of the 1990 Act;

"PSI authority" means—

(**a**) Section 2A of the 1990 Act was inserted by section 31(2) of the Greater London Authority Act 2007 (c. 24).
(**b**) 2009 c. 20. Section 103 is amended by sections 12 and 14 of the Cities and Local Government Devolution Act 2016 (c. 1). Section 103 is amended by paragraph 189 of Schedule 4 to the Levelling-up and Regeneration Act 2023 (c. 55).
(**c**) 1963 c. 33.
(**d**) S.I. 2008/580.

(a) the Mayor of London, where the land to which the application relates falls within paragraph (1)(a),

(b) the relevant combined authority within whose area the land to which the application relates is situated, where the land to which the application relates falls within paragraph (1)(b);

"relevant combined authority" means a combined authority which has functions which correspond to the functions of the Mayor of London under section 2A of the 1990 Act conferred on it by an order made under section 105A of the Local Democracy, Economic Development and Construction Act 2009(**a**).

Duty to respond to consultation

23.—(1) The requirements to consult which are prescribed for the purposes of section 54(2) of the 2004 Act (duty to respond to consultation) are those contained in articles 20, 21 and 22.

(2) For the purposes of section 54(4)(a) of the 2004 Act, an authority or person consulted ("the consultee") under articles 20, 21 or 22 must give a substantive response to that consultation before the end of—

(a) the period of 21 days beginning with the day on which—

(i) the document on which the consultee's views are sought is sent, or

(ii) where there is more than one such document and they are sent on different days, the last of those documents or notices is sent, or

(b) such other period as may be agreed in writing between the consultee and the Secretary of State.

(3) The Secretary of State must not determine the application before the end of the period within which the consultee must respond in accordance with paragraph (2), unless the Secretary of State has received a substantive response from the consultee before the end of that period.

(4) A substantive response—

(a) in relation to a consultee under articles 20 and 21 is one which—

(i) states that the consultee has no comment to make,

(ii) states that, on the basis of the information available, the consultee is content with the development proposed,

(iii) refers the Secretary of State to current standing advice by the consultee on the subject of the consultation, or

(iv) provides advice to the Secretary of State;

(b) in relation to a consultee under article 22 is one which—

(i) states that the PSI authority has no comment to make, or

(ii) sets out whether the PSI authority considers that the application complies with the spatial development strategy of the authority and the authority's reasons for taking that view.

(5) In this article, "PSI authority" has the same meaning as in article 22.

Notification of mineral applications

24.—(1) This article applies where—

(**a**) 2009 c. 20. Section 105A was inserted by section 7 of the Cities and Local Government Devolution Act 2016.

(a) the Coal Authority or the Crown Estate Commissioners have given notice to the Secretary of State identifying an area of land and specifying in the notice—

(i) by the Coal Authority that the land contains coal; or

(ii) by the Crown Estate Commissioners that it contains silver or gold, and

(b) the land falls within the area of the relevant local planning authority.

(2) The Secretary of State must not determine any Crown development application for planning permission to win and work any mineral on that land, without first notifying the body or person who gave the notice that an application has been made.

(3) In this article—

"coal" means coal other than that—

(a) won or worked during the course of operations which are carried on exclusively for the purpose of exploring for coal; or

(b) which it is necessary to dig or carry away in the course of activities carried on for purposes which do not include the getting of coal or any product of coal;

"Coal Authority" has the meaning given in section 1 of the Coal Industry Act 1994(**a**).

Representations received by the relevant local planning authority

25. Where representations in relation to a Crown development application are received by the relevant local planning authority they must, as soon as reasonably practicable, forward the representations to the Secretary of State at the address notified to the relevant local planning authority by the Secretary of State for that purpose.

Information to be published following the last representation period

26. Before the end of the period of 5 working days beginning with the day after the end of the last representation period, or as soon as reasonably practicable thereafter, the Secretary of State must make copies of the following documents available on the website referred to in article 16—

(a) the required information provided by the relevant local planning authority in accordance with article 14, and

(b) any written representations made by a person in relation to the application which were received within the applicable representation period.

PART 3

Connected listed building applications

Chapter 1

Applications and publicity

Modifications of the Listed Buildings Act

27. Schedule 3 sets out modifications to the Listed Buildings Act for the purposes of a connected listed building application.

Applications for listed building consent

28.—(1) A connected listed building application must—

(**a**) 1994 c. 21.

(a) identify the Crown development application to which the listed building application is connected,

(b) be made in writing to the Secretary of State on a form published by the Secretary of State (or a form substantially to the same effect) before the end of the period of 5 working days beginning with the day the Secretary of State informed the applicant in accordance with article 11(4) that the development which is the subject of the related Crown development application is considered to be of national importance,

(c) include the particulars specified or referred to in the form, and

(d) be accompanied by 3 copies of—

(i) the application,

(ii) a plan which identifies the listed building to which the application relates,

(iii) where the application is made by a person authorised in writing by the appropriate authority, a copy of that authorisation, and

(iv) such other documents and information necessary to describe the works which are the subject of the application.

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

Design and access statements

29.—(1) A connected listed building application must be accompanied by a statement ("a design and access statement") which explains—

(a) the design principles and concepts that have been applied to the works which are the subject of the application,

(b) how the design principles and concepts that have been applied to the works take account of—

(i) the special architectural or historic importance of the building,

(ii) the particular physical features of the building that justify its designation as a listed building, and

(iii) the building's setting, and

(c) subject to paragraph (3), how issues relating to access to the building have been dealt with.

(2) Subject to paragraph (3), a design and access statement must also—

(a) explain the approach adopted as to access to the building, including what alternative means of access have been considered, and how policies relating to access in relevant local development documents have been taken into account,

(b) explain how the approach to access takes account of—

(i) the special architectural or historic importance of the building,

(ii) the particular physical features of the building that justify its designation as a listed building, and

(iii) the building's setting,

(c) state what, if any, consultation has been undertaken on access to the building and what account has been taken of the outcome of any such consultation, and

(d) explain how any specific issues which might affect access to the building have been addressed.

(3) Paragraphs (1)(c) and (2) do not apply in relation to a connected listed building application for consent to carry out work affecting only the interior of the building.

Notice of application to be given by the applicant

30.—(1) An applicant for a connected listed building application must give requisite notice of the application to any person (other than the applicant) who on the relevant date is an owner of any building to which the application relates—

(a) by serving the notice on every such person whose name and address is known to the applicant, and

(b) where the applicant has taken reasonable steps to ascertain the names and addresses of every such person, but has been unable to do so, by publication of the notice after the relevant date in a newspaper circulating in the locality in which the listed building to which the application relates is situated.

(2) In this article—

"owner" means a person who is the freehold owner or is entitled to a tenancy granted or extended for a term of years certain of which not less than 7 years remain unexpired;

"relevant date" means the first day of a period of 21 days which ends with the date of the application, and

"requisite notice" means a notice in the form set out in Schedule 4 or a form substantially to the same effect.

Certification in relation to notice of application

31. Where a connected listed buildings application is made, the applicant must certify, in a form published by the Secretary of State (or a form substantially to the same effect) that the requirements of article 30 have been satisfied.

Assessment of application by Secretary of State

32.—(1) Where the Secretary of State receives a connected listed buildings application, the Secretary of State must consider whether it is connected to the Crown development application identified in the application, and whether the application is complete and valid.

(2) An application is complete if it complies with the requirements of article 28 and also includes—

(a) the certificate required under article 31,

(b) the design and access statement required under article 29, and

(c) subject to paragraph (3), the particulars which would be required by the relevant local planning authority under section 10(2)(c) of the Listed Buildings Act(**a**), had the application been made to that authority.

(3) Paragraph (2)(c) only applies where—

(a) before the application is made to the Secretary of State the relevant planning authority publishes or republishes, for the purposes of regulation 3(8)(a) of the Planning (Listed Buildings and Conservation Areas) Regulations 1990(**b**), a list of requirements on a website, and

(**a**) Amendments have been made to section 10 that are not relevant to this Order.
(**b**) S.I. 1990/1519.

(b) the particulars that the authority require to be included in the application fall within that list.

(4) Where the Secretary of State considers that the connected listed building application is not complete, the Secretary of State must, as soon as reasonably practicable, notify the applicant of that fact.

(5) A connected listed building application is a valid application if it satisfies the requirements of a complete application before the end of the period of 10 working days beginning with the day the notice required by article 11(4) was sent.

(6) The Secretary of State must, as soon as reasonably practicable, inform the applicant in writing as to whether the application is considered to be connected to the Crown development application, and whether it is a valid application.

Applications not considered to be connected to the Crown development application

33.—(1) Where the Secretary of State does not consider the connected listed building application to be connected to the Crown development application, the Secretary of State must, in the notice provided in accordance with article 32(6), notify the applicant whether the Secretary of State intends to refer the application to be determined by the relevant local planning authority in accordance with section 293E(4) of the 1990 Act.

(2) Where the Secretary of State intends to refer the application to the relevant local planning authority for determination in accordance with section 293E(4) of the 1990 Act, the Secretary of State must, as soon as reasonably practicable, send the application and any accompanying document to that authority, and direct the authority to determine the application.

Information to be provided to the relevant local planning authority

34. Where the Secretary of State has informed the applicant that the connected listed building application is considered to be connected to the Crown development application, and that it is a valid application (within the meaning of article 32(5)), the Secretary of State must, as soon as reasonably practicable, notify the relevant local planning authority of the application by sending a copy of the application and any accompanying document to the authority.

Information to be provided by the relevant local planning authority

35.—(1) The relevant local planning authority must, within such period as the Secretary of State may specify in writing, being a period of not less than 5 working days beginning with the date the notification under article 34 was sent, send the required information to the Secretary of State and send a copy to the applicant.

(2) The Secretary of State may specify that the required information be provided to the Secretary of State by electronic means through a website set up for that purpose.

(3) In this article, the "required information" means—

(a) details of any functions under the Listed Buildings Act which the relevant local planning authority has exercised in relation to, or which may affect, the listed building,

(b) a statement as to whether any advice has been given by the relevant local planning authority to the applicant in relation to works to the listed building, and

(c) such other documents or information as the Secretary of State considers reasonably necessary to determine the connected listed building application.

Publicity for applications: Secretary of State

36.—(1) This article applies where the Secretary of State considers that the connected listed building application is connected to the Crown development application and that the application is valid (within the meaning of article 32(5)).

(2) Before the end of the period of 5 working days beginning with the day the notice required by article 32(6) was sent, the Secretary of State must publish the following information on a website—

(a) the address or location of the listed building,

(b) a description of the proposed works,

(c) the date by which any representations about the connected listed building application must be made, which must not be before the last day of the period of 21 days beginning with the day on which the information is published,

(d) details of where and when the application may be inspected, and

(e) the Secretary of State's address for receipt of representations about the application.

(3) As soon as reasonably practicable after publishing the information required by paragraph (2), the Secretary of State must—

(a) publicise the connected listed building application by publication of the requisite notice in a newspaper circulating in the locality in which the listed building to which the application relates is situated, and

(b) make copies of the application and any documents accompanying it available on the website referred to in paragraph (2).

(4) In this article, "requisite notice" means a notice in the form set out in Schedule 5 or in a form substantially to the same effect.

(5) When computing the number of days in paragraph (2)(c), any day which is a public holiday must be disregarded.

Publicity for applications: relevant local planning authority

37.—(1) Before the end of the period of 5 working days beginning with the day the notice under article 34 was received, the relevant local planning authority must—

(a) give requisite notice of the connected listed building application by site display in at least one place on or near the building to which the application relates for not less than 21 days, and

(b) send a copy of the notice to the Secretary of State.

(2) Where the requisite notice is, without any fault or intention of the relevant local planning authority, removed, obscured or defaced before the period of 21 days has elapsed, the authority is treated as having complied with the requirements of paragraph (1)(a) if they have taken reasonable steps for protection of the notice, and if necessary, its replacement.

(3) In this article, "requisite notice" means a notice in the form set out in Schedule 5 or in a form substantially to the same effect.

(4) When computing the number of days in paragraphs (1) and (2), any day which is a public holiday must be disregarded.

Information to be provided to the local planning register authority

38. Where the Secretary of State considers that the connected listed building application is connected to a Crown development application, and that the application is valid (within the

meaning of article 32(5)), the Secretary of State must, as soon as reasonably practicable, send a copy of the connected listed building application and any document accompanying it to the local planning register authority for the land to which the application relates, unless the Secretary of State has already sent a copy of those documents to that authority in accordance with article 34.

Chapter 2

Consultation

Consultation before determining connected listed building application

39.—(1) Before determining a connected listed building application the Secretary of State must consult—

(a) the Historic Buildings and Monuments Commission for England(**a**), and

(b) in relation to any application proposing the demolition of the whole or part of a listed building,—

(i) the Ancient Monuments Society,

(ii) the Council for British Archaeology,

(iii) the Georgian Group,

(iv) the Society for the Protection of Ancient Buildings,

(v) the Victorian Society, and

(vi) the Twentieth Century Society.

(2) Where the Secretary of State is required to consult any person under paragraph (1) ("the consultee") before determining a connected listed building application—

(a) the Secretary of State must send a copy of the connected listed building application to the consultee, and inform them that they have a period of 28 days beginning with the day on which a copy of the application was sent to them to make representations about the application, and

(b) subject to paragraph (3), the Secretary of State must not determine the application before the end of the period of 28 days beginning with the day on which a copy of the application was sent to the consultee.

(3) Paragraph (2)(b) does not apply if before the end of the period referred to in that paragraph the Secretary of State has received a substantive response concerning the application from the consultee.

(4) For the purposes of this article, a substantive response is one which—

(a) states that the consultee has no comment to make,

(b) states that, on the basis of the information available, the consultee is content with the proposed works,

(c) refers the Secretary of State to current standing advice given by the consultee on the subject of the consultation, or

(d) provides advice to the Secretary of State.

Consultation with relevant local planning authority

40.—(1) Before determining a connected listed building application, the Secretary of State must notify the relevant local planning authority giving the authority a period of at least 21 days,

(**a**) Known as Historic England.

beginning no earlier than the day the Secretary of State sends the notice under article 34 in relation to the application, within which to make representations about the application.

(2) The Secretary of State must not determine the application until the period specified in the notice under paragraph (1) has elapsed, unless the Secretary of State has received a substantive response (within the meaning of article 39(4)) concerning the application from the authority.

Representations received by the relevant local planning authority

41. Where representations in relation to a connected listed building application are received by the relevant local planning authority, it must, as soon as reasonably practicable, forward the representations to the Secretary of State at the address notified to the relevant local planning authority by the Secretary of State for that purpose.

Information to be published following the last representation period

42. Before the end of the period of 5 working days beginning with the day after the end of the last representation period or as soon as reasonably practicable thereafter, the Secretary of State must make copies of the following documents available on the website referred to in article 36—

(a) the required information provided by the relevant local planning authority in accordance with article 35, and

(b) any written representations made in relation to the application which were received within the applicable representation period.

PART 4

Determination of Crown development and connected listed building applications

Chapter 1

Determination of procedure

Prescribed period for determination of procedure

43. For the purposes of section 319A(3) of the 1990 Act the prescribed period within which the Secretary of State must decide the procedure to be followed for the determination of a Crown development application with, where applicable, a connected listed building application, is 5 working days beginning with the day after the end of the last representation period.

Notice of procedure

44.—(1) As soon as practicable after a determination has been made under section 319A of the 1990 Act of the procedure to be followed to determine the application, the Secretary of State must send a notice to—

(a) the applicant,

(b) the relevant local planning authority, and

(c) all persons who made representations to the Secretary of State within the applicable representation period.

(2) The notice in paragraph (1) must state—

(a) the procedure to be followed to determine the application,

(b) where a hearing or local inquiry is to be held, that persons may request in writing to participate in the hearing or inquiry, and

(c) the address of the Secretary of State to which they may make a such a request.

(3) The Secretary of State must publish the notice on the website referred to in article 16 at the same time as the notice is sent to the persons specified in paragraph (1).

Chapter 2

Written representations procedure

Written representations procedure

45.—(1) This Chapter applies where the Secretary of State has determined under section 319A of the 1990 Act that a Crown development application with, where applicable, a connected listed building application, is to be determined on the basis of representations in writing.

(2) In this Chapter, the "decision maker" is—

(a) in the case of a standard application, the person appointed in accordance with section 293I of the 1990 Act, or

(b) in the case of a recovered application, the Secretary of State.

(3) In this article—

"recovered application" means an application which falls to be determined by the Secretary of State as a consequence of a direction made under section 293J(1) of the 1990 Act(**a**);

"standard application" means means an application which falls to be determined by a person appointed by the Secretary of State under section 293I of the 1990 Act(**b**).

Determining the application

46.—(1) When making their determination, the decision maker—

(a) must take into account any representations made to the Secretary of State by a person pursuant to any notice of, or information about, or consultation in relation to, the application, under—

(i) in relation to the Crown development application, articles 9, 16, 17, 18, 20, 21, or 22, and

(ii) in relation to the connected listed building application, articles 30, 36, 37, 39, or 40,

which have been received within the applicable representation period, and

(b) may disregard any representations or information received by the Secretary of State after the end of the applicable representation period.

(2) If, after the end of the last representation period, the decision maker takes into consideration any new information (not being a matter of government policy), the decision maker must not determine the application without first—

(a) notifying in writing the applicant and any interested person of the new information, and

(b) affording them an opportunity of making written representations to the decision maker.

(3) In this article, "interested person" means, in relation to an application, a person who made representations to the Secretary of State in relation to the application within the applicable representation period.

(**a**) Section 293J was inserted by section 109(2) of the Levelling-up and Regeneration Act 2023 (c. 55).
(**b**) Section 293I was inserted by section 109(2) of the Levelling-up and Regeneration Act 2023.

Chapter 3

Time periods for decision and decision notice

Time periods for decision: Crown development application

47.—(1) The Secretary of State must not determine a Crown development application, where any notice of, or information about, the application has been—

(a) published in a newspaper under article 9, before the end of the period of 14 days beginning with the date on which the notice was published;

(b) served on an owner of the land or agricultural tenant under article 9, before the end of the period of 21 days beginning with the date on which the notice was served on that person;

(c) given by site display under article 9, before the end of the period of 21 days beginning with the date on which the notice was first displayed by site display;

(d) published in a newspaper under article 16, before the end of the period of 14 days beginning with the date on which the notice was published;

(e) published on a website under article 16, before the end of the period of 21 days beginning with the date on which the information was published;

(f) served on an adjoining owner or occupier under article 17, before the end of the period of 21 days beginning with the date on which the notice was served on that person;

(g) given by site display under article 17, before the end of the period of 21 days beginning with the date on which the notice was first displayed by site display;

(h) given to an infrastructure manager under article 18, before the end of the period of 21 days beginning with the date on which the notice was first given to that person.

(2) When computing the number of days in sub-paragraphs (d) to (g) of paragraph (1), any day which is a public holiday must be disregarded.

(3) In the case of an EIA application accompanied by an environmental statement, the Secretary of State must not determine a Crown development application, where any notice of, or information about, the application has been—

(a) published on a website under article 16, before the end of the period of 30 days beginning with the date on which the information was published;

(b) published in a newspaper under article 16, before the end of the period of 30 days beginning with the date on which the information was published;

(c) given by site display under article 17, before the end of the period of 30 days beginning with the date when the notice was first displayed by site display.

Time periods for decision: connected listed building application

48.—(1) The Secretary of State must not determine a connected listed building application, where any notice of, or information about, the application has been—

(a) published in a newspaper under article 30, before the end of the period of 14 days beginning with the date on which the notice was published,

(b) served on an owner of the listed building under article 30, before the end of the period of 21 days beginning with the date on which the notice was served on that person,

(c) published in a newspaper under article 36, before the end of the period of 21 days beginning with the date on which the information was published,

(d) published on a website under article 36, before the end of the period of 21 days beginning with the date on which the notice was published, and

(e) given by site display under article 37, before the end of the period of 21 days beginning with the date on which the notice was first displayed by site display.

(2) When computing the number of days in sub-paragraphs (c) to (e) of paragraph (1), any day which is a public holiday must be disregarded.

Contents of the decision notice: Crown development application

49.—(1) When the Secretary of State gives notice of a decision on a Crown development application to the applicant—

(a) where planning permission is granted, the notice must include—

(i) information relating to the condition in paragraph 13 of Schedule 7A to the 1990 Act (biodiversity gain condition) including that there are exemptions, transitional provisions and requirements relating to irreplaceable habitat,

(ii) information to note the effect of section 73(2D) of the 1990 Act (earlier biodiversity gain plan in relation to a previous planning permission regarded as approved for purposes of paragraph 13 of Schedule 7A)(**a**),

(iii) details of the planning authority under paragraph 12(1) of Schedule 7A to the 1990 Act (biodiversity gain in England), and

(iv) where development is to proceed in phases and the modifications in Part 2 of the Biodiversity Gain (Town and Country Planning) (Modifications and Amendments) (England) Regulations 2024(**b**) apply, a statement to that effect and to the effect that biodiversity gain plans are required before development may be begun and required before each phase of development may be begun;

(b) where planning permission is granted subject to conditions, the notice must state clearly and precisely the full reasons for—

(i) each condition imposed, and

(ii) in the case of each pre-commencement condition, the condition being a pre-commencement condition;

(c) where planning permission is refused, the notice must state clearly and precisely the full reasons for the refusal, specifying all the policies and proposals in the development plan which are relevant to the decision.

(2) References in paragraph (1)(b) to a condition do not include a condition under paragraph 13 of Schedule 7A to the 1990 Act (the biodiversity gain condition).

(3) In paragraph (1)(b)(ii) "pre-commencement condition" means a condition imposed on the grant of planning permission which must be complied with—

(a) before any building or other operation comprised in the development is begun, or

(b) where the development consists of a material change in the use of any buildings or other land, before the change of use is begun.

Contents of the decision notice: connected listed building application

50. When the Secretary of State gives notice of a decision on a connected listed building application to the applicant—

(**a**) Section 73(2D) was inserted by paragraph 3(5) of Schedule 14 to the Environment Act 2021 (c. 30)
(**b**) S.I. 2024/50.

(a) where listed building consent is granted subject to conditions, the notice must state clearly and precisely the full reasons for each condition imposed, and

(b) where the listed building consent is refused, the notice must state clearly and precisely the full reasons for the refusal, specifying all the policies and proposals in the development plan which are relevant to the decision.

Publishing the decision: Crown development application

51. Before the end of the period of 5 working days beginning with the day the notice referred to in article 49(1) ("the decision notice") was sent to the applicant, the Secretary of State must—

(a) make copies of the following documents, in relation to the Crown development application, available on the website referred to in article 16—

(i) the decision notice, and

(ii) a copy of any statement explaining the decision prepared by the Secretary of State or a person appointed under section 293I of the 1990 Act, as the case may be,

(b) send a copy of the decision notice to—

(i) the relevant local planning authority, and

(ii) where the relevant local planning authority is not the local planning register authority for the land to which the application relates, the local planning register authority, and

(c) send, to every person who has asked to be notified of the decision in relation to the application, a notice explaining that the decision has been made and details of where on the website referred to in sub-paragraph (a) a copy of the decision notice can be found.

Publishing the decision: connected listed building application

52. Before the end of the period of 5 working days beginning with the day the notice referred to in article 49(1) ("the decision notice") was sent to the applicant, the Secretary of State must—

(a) make copies of the following documents, in relation to the connected listed building application, available on the website referred to in article 36—

(i) the decision notice, and

(ii) a copy of any statement explaining the decision prepared by the Secretary of State or a person appointed under section 293I of the 1990 Act as the case may be,

(b) send a copy of the decision notice to the relevant local planning authority, and

(c) send a notice explaining that the decision has been made and details of where on the website referred to in paragraph (a) a copy of the decision notice can be found to—

(i) each consultee consulted in relation to the application under article 39, and

(ii) every person who has asked to be notified of the decision in relation to the application.

Register of decisions

53. Where the local planning register authority is notified of a decision on a Crown development application made by the Secretary of State, the local planning register authority must, before the end of the period of 5 working days beginning with the day a copy of the decision notice was received by the authority, place a copy of the decision notice together with the application, accompanying documents, and information on the register required to be kept under article 40 of the 2015 Order.

PART 5

Prohibition on disclosure of sensitive information

Prohibition on disclosure of sensitive information

54.—(1) This article applies where the Secretary of State directs that information relating to, or contained within, a Crown development application is sensitive information in accordance with section 293H(7) of the 1990 Act.

(2) Where any information relating to, or contained within, an application is sensitive information any provision of this Order that would otherwise result in the public disclosure of such information does not apply in relation to that information.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Matthew Pennycook
Minister of State
2nd April 2025 Ministry of Housing, Communities and Local Government

SCHEDULES

SCHEDULE 1

Article 9

Notices under Article 9

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025

NOTICE UNDER ARTICLE 9(1) and (2)(a) and (b) OF APPLICATION FOR PLANNING PERMISSION

(to be served on an owner* or an agricultural tenant* or to be published in a newspaper)

Proposed development at (a)……..

I give notice that (b)……is applying to the Secretary of State for planning permission to (c)
……
……
……
……

Any owner* of the land or agricultural tenant*who wishes to make representations about this application should write to the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or via e-mail to crownapplications@planninginspectorate.gov.uk by (d)……..

"owner" means a person who is the freehold owner or who is entitled to a tenancy granted or extended for a term of years certain of which not less than 7 years remain unexpired, 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).

"agricultural tenant", in relation to any land, means any person who—

(a) is the tenant, under a tenancy in relation to which the Agricultural Holdings Act 1986 applies, of an agricultural holding within the meaning of that Act any part of which is comprised in that land; or
(b) is the tenant, under a farm business tenancy (within the meaning of the Agricultural Tenancies Act 1995), of land any part of which is comprised in that 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 appropriate

(a) Address or location of the proposed development.
(b) Applicants name
(c) Description of the proposed development
(d) Date giving a period of no less than 21 days beginning with the date of service or 14 days beginning with the date of publication of the notice (as the case might be).

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025

NOTICE UNDER ARTICLE 9(2)(c) OF APPLICATION FOR PLANNING PERMISSION FOR THE WINNING AND WORKING OF MINERALS BY UNDERGROUND OPERATIONS

(to be displayed 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)……is applying to the Secretary of State for planning permission to (c)
……
……
……
……

Members of the public may inspect copies of:

- the application
- the plans
- and documents submitted with it

at (d) .....

during reasonable hours until (e)…….

Once made, a copy of the application, and of all drawings, plans, and other accompanied documents submitted with it will be available to view on the Planning Inspectorate website https://find-crown-development.planninginspectorate.gov.uk/

Anyone who wishes to make representations about this application should write to the Secretary of State Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or via e-mail to crownapplications@planninginspectorate.gov.uk by (e)……..

Signed…….

+On behalf of…… Date……

(a) Address or location of the proposed development.
(b) Applicant's name
(c) Description of the proposed development
(d) Address at which the application maybe inspected
(e) Date giving a period of 21 days beginning with the date of the notice was first displayed

SCHEDULE 2

Articles 16,17 and 18

Notices under Articles 16, 17 and 18

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025

NOTICE UNDER ARTICLE 16, 17 OR ARTICLE 18 OF APPLICATION FOR PLANNING PERMISSION

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

Proposed development at (a)……..

I give notice that (b)……is applying to the Secretary of State for planning permission to

(c)……
……
……
……

The proposed development in which the application relates is situated within 10 metres of relevant railway land.*

Members of the public may obtain copies of

- the application
- the plans
- and other documents submitted with it.

at (d)……..

during all reasonable hours until (e) ……..

Anyone who wishes to make representations about the application should write to the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or via e-mail to crownapplications@planninginspectorate.gov.uk by
(e)……..

Signed…….

+On behalf of……

Date……

*delete where appropriate.

(a) Address or location of the proposed development.
(b) Applicants name.
(c) Description of the proposed development
(d) Address at which the application may be inspected.
(e) Date giving a period of 21 days, beginning with the date when the notice is first displayed in such a way as to be easily visible and legible by members of the public on or near the site, published in a newspaper or served on an owner and/or occupier of adjoining land or on an infrastructure manager.

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025

NOTICE UNDER ARTICLE 16, 17 OR ARTICLE 18 OF APPLICATION FOR PLANNING PERMISSION ACCOMPANIED BY AN ENVIRONMENTAL STATMENT

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

Proposed development at (a)……..

I give notice that (b)……is applying to the Secretary of State, for planning permission to

(c)……
……
……
……
……and the application is accompanied by an environmental statement.

The proposed development to which the application relates is situated within 10 meters of relevant railway land.*

Members of the public may inspect copies of

- the application
- the plans
- the environmental statement
- and other documents submitted with the application.

at (d)……..

during all reasonable hours until (e) ……..

Members of the public may obtain copies of the environmental statement from the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or by emailing crownapplications@planninginspectorate.gov.uk at a charge of (f) .....

Anyone who wishes to make representations about the application should write to the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or via e-mail crownapplications@planninginspectorate.gov.uk by (e)……..

Signed…….

+On behalf of……

Date……

*Delete where appropriate.

(a) Address or location of the proposed development.
(b) Applicants name.
(c) Description of the proposed development
(d) Address at which the application may be inspected.
(e) Date giving a period of 30 days, beginning with the date the notice is first displayed in such a way to be easily visible and legible by members of the public on or near the site, published in a newspaper or served on an owner and /or occupier of adjoining land or on an infrastructure manager.
(f) Amount of charge if any.

SCHEDULE 3

Article 27

Modifications to the Listed Buildings Act for connected listed buildings applications

1. The Listed Buildings Act is modified as follows for the purposes of a connected listed building application.

2. Section 10 is to be read as if—

(a) in subsection (1)—

(i) the words "Except as provided in sections 12 to 15," were omitted, and

(ii) the words "local planning authority" were replaced with "Secretary of State, in accordance with section 293E of the principal Act and any development order made under section 293H(5) of that Act",

(b) in subsection (2)(c) the word "authority" were replaced with "Secretary of State", and

(c) subsections (3) to (5) were omitted.

3. Section 11 is omitted.

4. Section 23(1) is to be read as if after "under this Act" there is inserted "but not including consent granted following an application made in accordance with section 293E of the principal Act".

5. Sections 81A(2) and 81B(3) are to be read as if after "section 12" there is inserted "or made to the Secretary of State in accordance with section 293E of the principal Act".

SCHEDULE 4

Article 30

Notice under Article 30

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2024

Notice under Article 30 of application for listed building consent

(to be served on an owner* or to be published in a newspaper)

Proposals for [demolishing] [altering] [extending] of (delete where appropriate)
(a)……..

I give notice that (b)……is applying to the Secretary of State for planning permission to (c)
……
……
……
……

Members of the public may inspect copies of

- the application
- the plans
- and other documents submitted with it.

at (d)……..
during all reasonable hours until (e) ……..

TAKE NOTICE that an application is being made to the Secretary of State by (b)…….. for listed building consent. If you wish to make representations about the application, you should make them in writing, not later than (e)…….to the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or via e-mail to crownapplications@planninginspectorate.gov.uk .

Signed…….

+On behalf of……

Date……

* "owner" means a person who is the freehold owner or is entitled to a tenancy granted or extended for a term of years certain of which not less than 7 years remains unexpired.

+delete where appropriate

(a) Insert name and address or location of the building to which the application relates with sufficient precision to enable identification of it.
(b) Insert name of applicant
(c) Description of the proposed development.
(d) Address where the planning application, the application for listed building consent, and accompanying drawings, plans and documents can be viewed
(e) Insert date, giving a period of not less than 21 days, or 14 days (as the case may be), beginning with the date on which the notice is served or published.

SCHEDULE 5

Articles 36 and 37

Notice under Articles 36 and 37

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025

Notice under Articles 36 and 37 of application for listed building consent.

(to be published in a newspaper or to be displayed on or near the building)

Proposals for [demolishing] [altering] [extending] of (delete where appropriate)
(a)……..

I give notice that (b)……is applying to the Secretary of State for listed building consent.

Members of the public may inspect copies of

- the application and connected application for listed building consent
- the plans
- and other documents submitted with it ……

by inspection at (c) ……

during all reasonable hours until (d)……

Anyone who wishes to make representations about the planning application and connected application for listed building consent should make them, in writing, not later than (d) …….. to the Secretary of State at the Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or via e-mail to crownapplications@planninginspectorate.gov.uk

Signed…….

+On behalf of the ……

Date……

+delete where appropriate

(a) Insert name and address or location of the building to which the application and connected application for listed building consent relates with sufficient precision to enable identification of it.
(b) Insert name of applicant
(c) Address where the planning application, the application for listed building consent, and accompanying drawings, plans and documents can be viewed
(d) Insert date, giving a period of not less than 21 days beginning with the date on which the notice is published or the date on which the notice is first displayed.

EXPLANATORY NOTE

(This note is not part of the Order)

The Town and Country Planning (Crown Development Applications) (Procedure and Written Representations) Order 2025 ("the Order") sets out the procedure to be followed where a Crown development application for planning permission or approval of reserved matters or a connected listed building application is made in accordance with sections 293D and 293E of the Town and Country Planning Act 1990 (c. 8) ("the 1990 Act").

Sections 293D to 293J of the 1990 Act were inserted by the Levelling-up and Regeneration Act 2023 (c. 55). They allow an application for planning permission to be made by an appropriate authority (as defined in section 293 of the 1990 Act) where the proposed development is considered to be of national importance.

This Order is part of a package of provisions in relation to nationally important Crown development applications made under the 1990 Act:

(a) the procedure to be followed in relation to applications made directly to the Secretary of State under sections 293D and 293E of the 1990 Act, and to be determined on the basis of written representations, are set out in this Order;

(b) the rules for hearings and inquiries carried out before determining applications made under sections 293D and 293E are set out in the Town and Country Planning (Crown Development Applications) (Hearings and Inquiries) Rules 2025.

In particular, this Order sets out:

- the procedure in relation to the making of an application for planning permission including the requirement for documents to accompany the application upon submission such as design and access statements, and fire statements,
- a requirement that the applicant serve notice of the application on specified the owners and agricultural tenants of the land to which the application relates, and produce a certificate in the prescribed form stating the notice requirements have been met,
- requirements for publicising the application, including requirements on the Secretary of State to make copies of the application available on a website, and to ensure the application is added onto the local planning register authority's register,
- requirements on the Secretary of State to consult the relevant planning authorities and specified consultees in relation to the application,
- that the Secretary of State must make copies of the representations available on a website after the representation period,
- a requirement on the Secretary of State to decide the procedure for the determination of an application, and to provide notice of this decision to the relevant persons,
- the minimum time periods before a Crown development application or a connected listed building application can be determined, and
- requirements on the Secretary of State to send copies of the decision notice to various persons and to publish it on a website.

A full Impact Assessment has not been prepared for this instrument because no, or no significant, impacts on the private, voluntary or public sector are foreseen. An impact assessment was prepared for the Levelling-up and Regeneration Act 2023 and copies of that assessment may be found at https://bills.parliament.uk/bills/3155/publications and can be inspected at the Planning Directorate, the Ministry of Housing, Communities and Local Government, 2 Marsham Street, London, SW1P 4DF.

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