13. MAKING OF APPLICATIONS

The Town and Country Planning (Making of Applications) Regulations, 1948

1948 No. 711

Made - - - - -	*8th April*, 1948
Laid before Parliament	*8th April*, 1948
Coming into Operation	*1st July*, 1948*

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The Minister of Town and Country Planning in exercise of the powers conferred on him by Section 102 (1) and Section 73 (1) of the Town and Country Planning Act, 1947(a), and all other powers enabling him in that behalf hereby makes the following Regulations:—

Interpretation.

1.—(1) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

(2) In these Regulations—

(*a*) " the Act " means the Town and Country Planning Act, 1947(a);

(*b*) " the Board " means the Central Land Board;

(*c*) the expression " determination of development charge " means a determination of the Board whether any and, if so, what development charge is to be paid under the provisions of Part VII of the Act in respect of the carrying out of any operations or in respect of any use of land to which that Part of the Act applies.

Planning permission.

2.—(1) An application to a local planning authority for planning permission under Part III of the Act shall be made on a form issued by the local planning authority and obtainable from that authority or from the Council with whom the application is to be lodged, and shall include such particulars and shall be accompanied by such plans and drawings, together with such additional number of copies (not exceeding three) of the form and plans and drawings, as may be required by the directions of the local planning authority printed on the form:

Provided that it shall not be necessary to furnish plans and drawings other than a plan sufficient to identify the land to which the application relates, in any case where the proposed development is, for the purposes of the local planning authority, sufficiently described by the particulars together with that plan.

(2) The application shall be lodged—

(i) Where the land in respect of which the application is made is in the administrative County of London—

(*a*) in the case of land in the City of London, with the Common Council of that City;

(a) 10 & 11 Geo. 6. c. 51. (b) 52 & 53 Vict. c. 63.

* *See* S.I. 1948 No. 213, p. 4087 above.

(*b*) in the case of any other land in the said County, with the London County Council.

(ii) Where the land is not in the administrative County of London, with the County Borough Council or the County District Council for the area in which the land is situate

and the authority with whom the application is lodged shall, where necessary, transmit it to the local planning authority to whom it is made.

Development charge.

*3.—(1) An application to the Board to determine whether any and, if so, what development charge is to be paid in respect of any operations or use of land shall be made on a form issued by the Board for the purpose and obtainable either from the Board or from any authority with whom an application for planning permission may be lodged under the preceding Regulation.

(2) Such application to the Board shall contain such particulars and shall be accompanied by such plans, drawings and other documents as may be required by any directions of the Board to enable them to determine whether any and, if so, what development charge is to be paid:

Provided that it shall not be necessary to furnish plans and drawings other than a plan sufficient to identify the land to which the application relates, in any case where the proposed development is, for the purposes of the Board, sufficiently described by the particulars together with that plan.

(3) Such application to the Board shall (save as hereinafter provided) be sent to the Board at such address as is indicated in any directions of the Board, or, in the absence of any such indication, to any office of the Board:

Provided that where application for planning permission is required under Part III of the Act, application to the Board may be sent to the authority with whom the application for planning permission is to be lodged under Regulation 2 of these Regulations accompanied by the application for planning permission.

Confirmation of development charge.

4. An application to the Board for the confirmation of a determination of development charge shall be made by letter addressed to the Board at the office from which the determination of development charge was issued giving particulars of the determination in respect of which the application is made and of the circumstances in which confirmation of the determination is required.

Variation of development charge.

5. An application made to the Board to vary the determination of a development charge shall be made on a form issued by the Board for the purpose and obtainable from any office of the Board and shall include full particulars in relation to the following matters:—

(*a*) The development charge in respect of which the application is made.

(*b*) The grounds on which the application is made.

(*c*) Where the application is made by the person entitled to an interest in land to which a determination of development charge relates on the ground that a change of circumstance has taken place since the determination, particulars of such change of circumstance.

* *See* also S.I. 1948 No. 1189, p. 4164 above.

(*d*) Where an application is made on the ground that, after the determination of the amount of the development charge and before that amount has been fully discharged:—

(i) planning permission for the carrying out of the operations, or for the institution or continuance of the use, to which the determination relates, has been modified by an order made under Section 21 of the Act, particulars of such order;

(ii) an order has been made under Section 26 of the Act requiring the alteration of any buildings or works erected or constructed in the carrying out of those operations, or imposing conditions on the continuance of that use, particulars of such order;

(iii) any part of the land to which the determination relates has been compulsorily acquired under the Act or any other enactment, particulars of such compulsory acquisition.

(*e*) The manner in which the applicant desires that the determination to which the application relates should be varied.

(*f*) The manner in which the applicant desires any covenants or charges made or given in respect of the determination should be amended, discharged or released.

(*g*) Such other material particulars as are requisite for considering the application.

Power to call for information and production of evidence.

6. A local planning authority or the Board may by a direction in writing addressed to the applicant require such further information, in addition to that given in the application made to them, as may be requisite to enable them to determine the matter in respect of which the application is made to be given to them or such evidence as they may reasonably call for to verify any particulars of information given to them to be produced to an officer of the authority or Board as the case may be.

Citation and commencement.

7. These Regulations may be cited as the Town and Country Planning (Making of Applications) Regulations, 1948, and shall come into operation on the appointed day.*

Dated this eighth day of April, 1948.

Given under the Official Seal of the Minister of Town and Country Planning.

Lewis Silkin,
Minister of Town and Country Planning.

EXPLANATORY NOTE

(*This Note is not part of these Regulations, but is intended to indicate their general purport.*)

These regulations, which are made under Sections 73 and 102 of the Town and Country Planning Act, 1947, prescribe the manner in which application may be made—

(*a*) to a local planning authority for permission to develop land;

(*b*) to the Central Land Board to determine, confirm or vary a development charge.

* *See* S.I. 1948 No. 213, p. 4087 above.