
STATUTORY INSTRUMENTS

2000 No. 1626

The Town and Country Planning (Hearings Procedure) (England) Rules 2000

Interpretation

2. In these Rules—

“document” includes a photograph, map or plan;

“hearing” means a hearing in relation to which these Rules apply;

“hearing statement” means, and is comprised of, a written statement which contains full particulars of the case which a person proposes to put forward at a hearing and copies of any documents which that person intends to refer to or put in evidence;

“inquiry” means a local inquiry in relation to which the Town and Country Planning (Inquiries Procedure) (England) Rules 2000(1) or the Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000(2) apply;

“inspector” means—

(a) in relation to a transferred appeal, a person appointed by the Secretary of State to determine an appeal;

(b) in relation to a non-transferred appeal, a person appointed by the Secretary of State to hold a hearing or a re-opened hearing;

“land” means the land or building to which a hearing relates;

“the Listed Buildings Act” means the Planning (Listed Buildings and Conservation Areas) Act 1990(3);

“local planning authority” means the body who were responsible for dealing with the application occasioning the appeal;

“non-transferred appeal” means an appeal which falls to be determined by the Secretary of State, including an appeal which falls to be so determined by virtue of a direction under paragraph 3(1) of Schedule 6 to the Planning Act or paragraph 3(1) of Schedule 3 to the Listed Buildings Act;

“the Planning Act” means the Town and Country Planning Act 1990(4);

“questionnaire” means a document in the form supplied by the Secretary of State to local planning authorities for the purpose of proceedings under these Rules;

(1) S.I.2000/1624.

(2) S.I. 2000/1625.

(3) 1990 c. 9, Schedule 3 was amended by the Planning and Compensation Act 1991 (c. 34), section 25 and Schedule 3, part II, para 28 and by S.I. 1997/2971; there are also amendments not relevant to these Rules.

(4) 1990 c. 8, section 78 was amended by the Planning and Compensation Act 1991 (c. 34), section 17(2). Schedule 6 was amended by the Planning and Compensation Act 1991 (c. 34), Sections 32 and 84(6) and Schedule 7, paras 8 and 54 and Schedule 19, Part I, the Tribunals and Inquiries Act 1992 (c. 53), section 18 and Schedule 3, para 28, the Environment Act 1995 (c. 25), Schedule 22, para 44, S.I. 1992/1630, S.I. 1992/1491 and S.I. 1997/2971. There are also amendments to the Act not relevant to these Rules.

“the relevant notice” means the Secretary of State’s written notice informing the appellant and the local planning authority that a hearing is to be held;

“starting date” means the date of the—

- (a) Secretary of State’s written notice to the appellant and the local planning authority that he has received all the documents required to enable him to entertain the appeal; or
- (b) relevant notice,

whichever is the later;

“statutory party” means—

- (a) a person mentioned in paragraph (1)(b)(i) of article 19 of the Town and Country Planning (General Development Procedure) Order 1995⁽⁵⁾ whose representations the Secretary of State is required by paragraph (3) of that article to take into account in determining the appeal to which a hearing relates; and such a person whose representations the local planning authority were required by paragraph (1) of that article to take into account in determining the application occasioning the appeal; and
- (b) a person whose representations the Secretary of State is required by paragraphs (3) (b) and (5) of regulation 6 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990⁽⁶⁾ to take into account in determining the appeal to which a hearing relates; and a person whose representations the local planning authority were required by paragraph (3)(b) of that regulation to take into account in determining the application occasioning the appeal; and

“transferred appeal” means an appeal which falls to be determined by a person appointed by the Secretary of State under Schedule 6 to the Planning Act or Schedule 3 to the Listed Buildings Act⁽⁷⁾.

(5) S.I. 1995/419, to which there are amendments not relevant to these Rules.

(6) S.I. 1990/1519; regulation 6 is modified where listed building consent or conservation area consent is required for the purposes of certain proposals included in an application under s.6 of the Transport and Works Act 1992 (c. 42) by S.I. 1992/3138; there are also amendments not relevant to these Rules.

(7) S.I. 1997/420 prescribes the classes of appeal which are to be determined by persons appointed by the Secretary of State in accordance with these provisions.