
STATUTORY INSTRUMENTS

2002 No. 1710

The Access to the Countryside (Provisional and
Conclusive Maps) (England) Regulations 2002

PART III

APPEALS AGAINST PROVISIONAL MAPS

CHAPTER II

Appeals determined on the basis of written representations

Site inspections

25.—(1) Where it appears to the Secretary of State necessary or expedient to do so, she may arrange for an inspection of the appeal land to be made by an inspector; and the Secretary of State shall arrange for such an inspection to be made if so requested by the appellant or the Agency in relation to an appeal against the showing of any land as open country on a provisional map.

(2) Where the inspector intends to make an inspection under paragraph (1), the Secretary of State shall ask the appellant and the Agency whether they wish to be present or be represented.

(3) Where the appellant or the Agency has indicated that they wish to be present or be represented, the inspector shall give the appellant and the Agency reasonable notice of the date and time of the inspection and shall afford the appellant and the Agency, or their representatives, the opportunity of being present during the inspection.

(4) The inspector shall not be bound to defer an inspection if the appellant or the Agency, or their representative, is not present at the appointed time.

Decision on appeal

26. The Secretary of State or, as the case may be, the inspector may proceed to a decision on an appeal taking into account only such statements of case, representations and comments as have been provided within the time limits prescribed by or under these Regulations.

Notification of decision

27. The Secretary of State, or as the case may be, the inspector shall notify their decision on an appeal, and their reasons for it, in writing to—

- (a) the appellant;
- (b) the Agency; and
- (c) any person who has made representations to the Secretary of State in respect of the appeal under regulation 21(c);

and the Secretary of State shall also arrange for a copy of the decision to be made available for inspection on a website maintained by the Planning Inspectorate Executive Agency for the period during which the provisional map covering the appeal land remains current.