
STATUTORY INSTRUMENTS

2009 No. 452

The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009

PART 3

Miscellaneous

Allowing further time

17. The Secretary of State may in a particular case give directions setting later time limits than those prescribed by these Regulations.

Mayor of London

18.—(1) In this regulation “the Mayor” means the Mayor of London.

(2) Where an appeal arises from an application in respect of which the Mayor has directed the local planning authority to refuse the application and where the Secretary of State has determined under section 319A of the Act that it is a matter which is to be determined on the basis of representations in writing these Regulations shall apply subject to the following modifications—

- (a) in regulations 4 and 11, after “advise the appellant” insert “, the Mayor”;
- (b) in regulations 5 and 12, after “and copy to the appellant” insert “and the Mayor”;
- (c) in regulation 8, after “local planning authority” insert “, the Mayor”;
- (d) in regulation 9(2), after “the appellant” insert “, the Mayor”;
- (e) in regulations 10(1), after “the appellant” insert “, the Mayor”;
- (f) in regulation 14—
 - (i) for “2 copies” substitute “3 copies” where ever it occurs;
 - (ii) in paragraph (2), after “Secretary of State” insert “, the Mayor”;
 - (iii) after paragraph (4) insert—

“(4A) If the Mayor wishes to make any representations in relation to the appeal, the Mayor shall submit 3 copies of those representations to the Secretary of State within 6 weeks of the starting date.”
 - (iv) in paragraph (5), after the first reference to “the appellant”, insert “and the Mayor” and after the second reference to “the local planning authority”, insert “and the Mayor, and shall send a copy of any representations made to him by the Mayor to the appellant and to the local planning authority”;
 - (v) in paragraph (6), after “the appellant” insert “, the Mayor” and for “other party” substitute “other parties”;
 - (vi) in paragraph (7), after “the appellant” insert “, the Mayor”;
 - (vii) in paragraph (8), after “(4)” insert “(4A)”.

- (g) in regulation 15, in paragraph (2)(a), after “the appellant” insert “, the Mayor”;
- (h) in regulation 16, in paragraph (2), after “the appellant” insert “, the Mayor”.

Withdrawal of consent to use of electronic communications

19. Where a person is no longer willing to accept the use of electronic communications for any purpose of these Regulations which is capable of being effected electronically, the person shall give notice in writing—

- (a) withdrawing any address notified to the Secretary of State or to a local planning authority for that purpose, or
- (b) revoking any agreement entered into with the Secretary of State or with a local planning authority for that purpose,

and such withdrawal or revocation shall be final and shall take effect on a date specified by the person in the notice but not less than 1 week after the date on which the notice is given.

Revocation transitional and saving provision

20.—(1) Subject to paragraphs (2), the Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2000⁽¹⁾ (“the 2000 Regulations”) are revoked.

(2) Subject to paragraph (3), where an appeal in relation to an application made before the 6th April 2009 is to be considered on the basis of representations in writing, the appeal shall be continued under the 2000 Regulations.

(3) Where a decision of the Secretary of State on an appeal to which the 2000 Regulations applied is subsequently quashed in proceedings before any court, the decision shall be redetermined in accordance with Part 2 of these Regulations.

⁽¹⁾ [S.I. 2000/1628](#). Amended by [S.I. 2003/956](#).