



Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

PART III

PLANNING CONTROL

Supplementary provisions

44 Appeal to independent tribunal

- (1) Provision may be made by a development order for securing that, in the case of decisions of a local planning authority of such classes as may be prescribed by the order, being decisions relating to the design or external appearance of buildings or other similar matters, any appeal under section twenty-three of this Act shall lie to an independent tribunal constituted in accordance with the provisions of that order, instead of being an appeal to the Minister; and in relation to any such appeal the provisions of that section (except, in subsection (6) thereof, the references to section sixteen and to subsection (3) of section seventeen of this Act) and the provisions of section twenty-four of this Act shall apply, subject to such adaptations and modifications as may be specified in the order, as they apply in relation to appeals to the Minister under the said section twenty-three.
- (2) Without prejudice to the generality of the powers conferred by section thirty-four of this Act, regulations made for the purposes of that section may provide that any appeal from the decision of the local planning authority, on an application for their consent under the regulations, shall lie to an independent tribunal constituted in accordance with the regulations, instead of being an appeal to the Minister.
- (3) If any tribunal is constituted in accordance with the preceding provisions of this section, the Minister may pay to the chairman and members of the tribunal such remuneration, whether by way of salaries or by way of fees, and such reasonable allowances in respect of expenses properly incurred in the performance of their duties, as the Treasury may determine.