
STATUTORY INSTRUMENTS

2000 No. 1625

The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

Interpretation

2. In these Rules, unless the context otherwise requires—

“assessor” means a person appointed by the Secretary of State to sit with an inspector at an inquiry or re-opened inquiry to advise the inspector on such matters arising as the Secretary of State may specify;

“the Commission” means the Historic Buildings and Monuments Commission for England;

“conservation area consent” has the meaning given in section 74(1) of the Listed Buildings Act;

“development order” has the meaning given in section 59 of the Planning Act;

“document” includes a photograph, map or plan;

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

“inspector” means a person appointed by the Secretary of State under Schedule 6 to the Planning Act or, as the case may be, Schedule 3 to the Listed Buildings Act to determine an appeal;

“land” means the land or building to which an inquiry relates;

“the Listed Buildings Act” means the Planning (Listed Buildings and Conservation Areas) Act 1990(1);

“listed building consent” has the meaning given in section 8(7) of the Listed Buildings Act;

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

“the Planning Act” means the Town and Country Planning Act 1990(2);

“pre-inquiry meeting” means a meeting held before an inquiry to consider what may be done with a view to securing that the inquiry is conducted efficiently and expeditiously, and where two or more such meetings are held references to the conclusion of a pre-inquiry meeting are references to the conclusion of the final meeting;

“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;

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

(1) 1990 c. 9, Schedule 3 was amended by the Planning and Compensation Act 1991 (c. 34), section 25 and Schedule 3, part II, paragraph 28 and S.I. 1997/2971. Section 12 was amended by section 17 of the Transport and Works Act 1992 (c. 42). There are other amendments not relevant to these Rules.

(2) 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, paragraphs 8 and 54 and Schedule 19, Part I, the Tribunals and Inquiries Act 1992 (c. 53), section 18 and Schedule 3, paragraph 28, the Environment Act 1995 (c. 25), Schedule 22, paragraph 44, S.I. 1992/1630, S.I. 1992/1491 and S.I. 1997/2971. There are also amendments not relevant to these Rules.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

“the 1992 Rules” means the Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) Rules 1992(3);

“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;

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

“statement of common ground” means a written statement prepared jointly by the local planning authority and the appellant and which contains agreed factual information about the proposal which is the subject of the appeal;

“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(4) whose representations the inspector is required by paragraph (3) of that article to take into account in determining the appeal to which an inquiry 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 inspector is required by paragraphs (3)(b) and (5) of regulation 6 of the Planning (Listed Buildings and Conservation Areas) Regulations 1990(5) to take into account in determining the appeal to which an inquiry 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.

(3) S.I. 1992/2039, to which there are amendments not relevant to these Rules.

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

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