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## EXPLANATORY NOTE

*(This note is not part of the Rules)*

These Rules regulate the procedure to be followed in connection with local inquiries in England held by inspectors appointed by the Secretary of State to determine appeals made to him in relation to planning permission, listed building consent and consent for the demolition of unlisted buildings in conservation areas (known as “conservation area consent”). Provision is also made for the participation of the Mayor of London.

They replace, with amendments, the Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) Rules 1992, which are revoked, subject to the transitional provisions contained in rule 25.

The principal changes made by these Rules are as follows—

Rule 4(4) requires local planning authorities to return their completed questionnaires to the Secretary of State within 2 weeks of the starting date.

Rule 6 requires the local planning authority and the appellant to ensure that 2 copies of their statements of case have been received by the Secretary of State within 6 weeks of the starting date. It provides for the documents to be copied by the Secretary of State to the parties and to be sent to the inspector.

Rule 7(2) requires that pre-inquiry meetings are to be held for all inquiries that the inspector expects to last for more than 8 days, unless he considers it is unnecessary.

Rule 8 provides that the inspector will, in respect of inquiries that the Secretary of State expects to last for 8 days or more, and may in respect of other inquiries, prepare a timetable for the proceedings at the inquiry and may vary the timetable.

Rule 14(4) provides for the proofs of evidence to be sent by the Secretary of State to the inspector.

Rule 15 requires the local planning authority and the appellant to prepare a statement of common ground and send it to the Secretary of State and any statutory party 4 weeks before the inquiry.

Rule 16(2) provides that at the start of the inquiry the inspector will state what he considers to be the main issues to be considered at the inquiry.

Rule 16(4) provides that the local planning authority are to present their case first.

Rule 16(14) provides that in respect of any inquiry that the Secretary of State expects to last 8 days or more, any party who appears shall provide a copy of their final submissions in writing.

Rule 18(2) enables the inspector to disregard any evidence, submissions etc received after the close of the inquiry.

Rule 22 enables the Secretary of State to request additional copies of documents.

Rule 24 provides for modification of the Rules in respect of—

- (a) appeals where the Mayor of London has directed the local planning authority, in relation to the application occasioning the inquiry, to refuse the application; and
- (b) appeals, not falling within paragraph (a), where the local planning authority was required to notify the Mayor of London of the application occasioning the inquiry.

There are also minor and drafting amendments.

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

A Regulatory Impact Appraisal has been prepared in relation to the Rules. It has been placed in the Library of each House of Parliament and copies may be obtained from PD3B Division, Department of the Environment, Transport and the Regions, Eland House, Bressenden Place, London SW1E 5DU (Telephone 020 7944 3945).