
STATUTORY INSTRUMENTS

2013 No. 2114

The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013

Transitional provision

5.—(1) Paragraph (3) applies in relation to any appeal relating to an advertisement application or minor commercial application made before these Regulations come into force, but determined on or after that date.

(2) For the purposes of paragraph (1) an application is deemed to be determined if—

- (a) a determination has not been made; and
- (b) the period after which an appeal can be made has expired⁽¹⁾.

(3) Regulation 2(3)(b) applies in relation to the relevant appeals as if in the substituted subparagraph (a) “, advertisement consent or minor commercial” was omitted.

(4) Regulation 3 does not apply in relation to—

- (a) an application for express consent under Part 3 of the 2007 Regulations if—
 - (i) it was determined before these Regulations come into force, or
 - (ii) the date after which an appeal can be made expired before these Regulations come into force⁽²⁾; or
- (b) a discontinuance notice served under regulation 8 of the 2007 Regulations before these Regulations come into force.

(5) In this regulation—

“the 2007 Regulations” means the Town and Country Planning (Control of Advertisements) (England) Regulations 2007;

“advertisement application” has the same meaning as in regulation 2(2)(a); and

“minor commercial application” has the same meaning as in regulation 2(2)(c).

(1) See the modified section 78(2) in Parts 3 and 4 of Schedule 4 to [S.I. 2007/783](#) in relation to advertisement applications, and articles 29(2) and 30 of [S.I. 2010/2184](#) in relation to minor commercial applications.

(2) See the modified section 78(2) in Parts 3 and 4 of Schedule 4 to [S.I. 2007/783](#).