
STATUTORY INSTRUMENTS

2013 No. 2142

The Town and Country Planning (Section 62A Applications) (Written Representations and Miscellaneous Provisions) Regulations 2013

PART 3

Written representations procedure

Application

5.—(1) This Part applies where the Secretary of State has determined under section 319A of the 1990 Act that a relevant application is to be determined on the basis of representations in writing.

(2) Where this Part applies in relation to a relevant application which previously fell to be considered in accordance with the Town and Country Planning (Section 62A Applications) (Hearings) Rules 2013, any step taken or thing done under those Rules which could have been done under any corresponding provision of these Regulations has effect as if it had been taken or done under the corresponding provision.

Determining the application: standard applications

6.—(1) This regulation applies where a relevant application is a standard application.

(2) When making his determination, the inspector—

(a) must take into account any representations made to the Secretary of State pursuant to any notice of, or information about, or consultation in relation to, the application, under articles 9, 13, 14, 16, 17 or 18 of the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013 which are received within the representation period; and

(b) may disregard any representations or information received after the end of the representation period.

(3) If, after the end of the representation period, the inspector takes into consideration any new information (not being a matter of government policy), he must not determine the application without first—

(a) notifying in writing the applicant and any interested person of the new information; and

(b) affording them an opportunity of making written representations to him.

Determining the application: recovered applications

7.—(1) This regulation applies where a relevant application is a recovered application.

(2) When making his determination, the Secretary of State—

(a) must take into account any representations made to the Secretary of State pursuant to any notice of, or information about, or consultation in relation to, the application, under articles

Status: This is the original version (as it was originally made).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

9, 13, 14, 16, 17 or 18 of the Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) Order 2013 which are received within the representation period; and

(b) may disregard any representations or information received after the end of the representation period.

(3) If, after the end of the representation period, the Secretary of State takes into consideration any new information (not being a matter of government policy), he must not determine the application without first—

(a) notifying in writing the applicant and any interested person of the new information; and

(b) affording them an opportunity of making written representations to him.