

---

## EXPLANATORY NOTE

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

These Rules regulate the procedure to be followed for hearings in England caused by the Secretary of State to be held before he or an inspector determines appeals made to him in relation to planning permission, listed building consent and consent for the demolition of unlisted buildings in conservation areas (“conservation area consent”) on or after 1st August 2000. The Rules come into force on 1st August 2000.

Rule 4 provides for the preliminary procedure to be followed, in particular the information to be provided by a local planning authority, on receipt by it of a notice that a hearing is to be held.

Rule 5 provides for notification of the name of the inspector where an appeal is to be determined by an inspector (“transferred appeal”).

Rule 6 provides for the documents to be copied to the Secretary of State before a hearing and for the documents to be copied by him to the parties and to the inspector. It provides for the local planning authority to make documents available for public inspection. It also provides a discretion for the Secretary of State to disregard documents received after the required time periods.

Rule 7 provides for the date to be fixed for the hearing and notification of that date and rule 8 provides for an inquiry to be held instead of a hearing.

Rule 9 prescribes those entitled to appear at a hearing and rule 10 provides for an inspector, in a transferred appeal, to take steps in place of the Secretary of State.

Rule 11 provides for the procedure at a hearing and rule 12 makes provision for the hearing to be adjourned to the site or for site inspections.

Rules 13 and 14 provide, respectively, for the procedure after a hearing in respect of appeals to be determined by the Secretary of State (non-transferred appeals) and transferred appeals. They include a discretion for the Secretary of State or an inspector to disregard documents received after the close of a hearing.

Rules 15 and 16 provide, respectively, for the notification of decisions for non-transferred and transferred appeals.

Rule 17 provides for the procedure following quashing of a decision.

Rule 18 gives the Secretary of State a discretion to allow further time for the taking of any step and to request additional copies of documents or information sent to him before or during a hearing.

Rule 19 makes provision for service by post.

Rule 20 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 appeal, 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 appeal.

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