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STATUTORY INSTRUMENTS

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**2002 No. 2683**

**The Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002**

**Representations**

7.—(1) The notice of appeal, the documents accompanying it and any statement submitted under regulation 6 of the Enforcement Notices and Appeals Regulations shall comprise the appellant's representations in relation to the appeal.

(2) The local planning authority may elect to treat the questionnaire, the documents submitted with it and the statement submitted under regulation 9 of the Enforcement Notices and Appeals Regulations as their representations in relation to the appeal; and, where they do so, they shall notify the Secretary of State and the appellant accordingly when submitting the questionnaire or sending the copy in accordance with regulation 6.

(3) If the appellant wishes to make any further representations to those in paragraph (1), he shall submit 2 copies of those further representations to the Secretary of State within 6 weeks of the starting date.

(4) Where the local planning authority does not elect as described in paragraph (2), they shall submit 2 copies of their written representations to the Secretary of State within 6 weeks of the starting date and these shall include—

- (a) a summary of the local planning authority's response to each of the grounds on which the appeal is brought; and
- (b) a statement as to whether they would be prepared to grant planning permission for the matters alleged in the enforcement notice to constitute a breach of planning control, or to grant listed building consent or conservation area consent for the works to which the listed building enforcement notice or conservation area enforcement notice relates, as the case may be, and, if so, particulars of the conditions, if any, which they would wish to impose on the permission or consent.

(5) Any representations made to the Secretary of State under paragraphs (3) or (4) should be dated and submitted to the Secretary of State on the date they bear.

(6) The Secretary of State shall, as soon as practicable after receipt, send a copy of any representations made to him by the local planning authority to the appellant and shall send a copy of any representations made to him by the appellant to the local planning authority.

(7) The appellant and the local planning authority shall submit 2 copies of any comments they have on each other's representations to the Secretary of State within 9 weeks of the starting date; and the Secretary of State shall, as soon as practicable after receipt, send a copy of these further comments to the other party.

(8) The Secretary of State may disregard further information from the appellant and the local planning authority which was not submitted within 9 weeks of the starting date unless that further information has been requested by him.