
STATUTORY INSTRUMENTS

2002 No. 2684

**The Town and Country Planning (Enforcement)
(Hearings Procedure) (England) Rules 2002**

Site inspections

12.—(1) Where it appears to the inspector that one or more matters would be more satisfactorily resolved by adjourning the hearing to the appeal site he may adjourn the hearing to that site and conclude the hearing there provided he is satisfied that—

- (a) the hearing would proceed satisfactorily and that no party would be placed at a disadvantage;
- (b) all parties present at the hearing would have the opportunity to attend the adjourned hearing;
- (c) the local planning authority and the appellant have not raised reasonable objections to it being continued at the appeal site.

(2) Unless the hearing is to be adjourned to the appeal site pursuant to paragraph (1), the inspector—

- (a) may inspect the land during the hearing or after its close; and
- (b) shall inspect the land if requested to do so by the appellant or the local planning authority before or during the hearing.

(3) Where the inspector intends to make an inspection under paragraph (2), he shall ask the appellant and the local planning authority whether they wish to be present.

(4) Where the appellant or the local planning authority have indicated that they wish to be present the inspector shall announce the date and time at which he proposes to make the inspection during the hearing and shall make the inspection in the company of—

- (a) the appellant, the local planning authority and any other person who has an interest in the land; and
- (b) at the inspector's discretion, any other person entitled or permitted to appear at the hearing who is appearing or did appear at it.

(5) The inspector shall not be bound to defer an inspection of the kind referred to in paragraph (2) where any person mentioned in paragraph (4) is not present at the time appointed.