
STATUTORY INSTRUMENTS

2002 No. 2685

The Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2002

Application of the Rules

3.—(1) These Rules apply in relation to any local inquiry held in England by an inspector before he determines an appeal made on or after 23rd December 2002 under—

- (a) section 174 of the Planning Act (appeal against enforcement notice);
- (b) section 195 of the Planning Act (appeal against refusal or non-determination of an application for a certificate of lawful use or development);
- (c) section 39 of the Listed Buildings Act (appeal against listed building enforcement notice) or under that section as applied by section 74(3) of that Act (appeal against conservation area enforcement notice),

but do not apply to any local inquiry by reason of the application of any provision mentioned in this rule by or under any other enactment.

(2) Where these Rules apply in relation to an appeal which at some time fell to be disposed of in accordance with—

- (a) the Town and Country Planning (Enforcement) (Inquiries Procedure) (England) Rules 2002(1); or
- (b) the Town and Country Planning (Enforcement)(Inquiries Procedure) Rules 1992(2),

any step taken or thing done under those Rules which could have been done under any corresponding provision of these Rules shall have effect as if it had been taken or done under that corresponding provision.

(1) S.I. 2002/2686.
(2) S.I. 1992/1903.