
STATUTORY INSTRUMENTS

2010 No. 2184

The Town and Country Planning (Development Management Procedure) (England) Order 2010

PART 3

Consultation

Duty to respond to consultation

20.—(1) The requirements to consult which are prescribed for the purposes of section 54(2)(b) of the 2004 Act (duty to respond to consultation) are those contained in—

- (a) articles 16 and 17 and Schedule 5;
- (b) article 18;
- (c) article 22;
- (d) paragraph (5)(a) of condition A.3 in Part 24 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (development by electronic communications code operators)(**1**);
- (e) section 71(3) of the 1990 Act (consultations in connection with determinations under section 70);
- (f) paragraph 4(2) of Schedule 1 to the 1990 Act(**2**);
- (g) paragraph 7 of Schedule 1 to the 1990 Act; and
- (h) paragraph 3(b) of Schedule 4 to the Planning (Listed Buildings and Conservation Areas) Act 1990 (further provisions as to exercise of functions by different authorities)(**3**).

(2) The period prescribed for the purposes of section 54(4)(a) of the 2004 Act is the period of 21 days beginning with the day on which—

- (a) the document on which the views of consultees are sought; or
- (b) where there is more than one such document and they are sent on different days, the last of those documents,

is received by the consultee, or such other period as may be agreed in writing between the consultee and the consultor.

(3) The information to be provided to the consultee for the purposes of the consultation, pursuant to section 54(5)(b) of the 2004 Act, is such information as will enable that person to provide a substantive response.

(1) [S.I. 1995/418](#); Part 24 of Schedule 2 was substituted by [S.I. 2001/2718](#).

(2) Paragraph 4(2) of Schedule 1 was amended by sections 19(2) and 84 of, and paragraph 53 of Schedule 7 and Part I of Schedule 19 to, the Planning and Compensation Act 1991 ([c. 34](#)).

(3) [1990 c. 9](#); paragraph 3 of Schedule 4 was substituted by paragraph 61 of Schedule 7 to the Planning and Compensation Act 1991 and amended by sections 78 and 120 of, and paragraph 33(7) of Schedule 10 and Schedule 24 to, the Environment Act 1995 ([c. 25](#)).

Status: This is the original version (as it was originally made).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

(4) For the purposes of this article and article 21, and pursuant to section 54(5)(c) of the 2004 Act, a substantive response is one which—

- (a) states that the consultee has no comment to make;
- (b) states that, on the basis of the information available, the consultee is content with the development proposed;
- (c) refers the consultor to current standing advice by the consultee on the subject of the consultation; or
- (d) provides advice to the consultor.