

# Revised planning appeal procedures

**1.** New procedures in the form of 5 SIs were laid before Parliament on the 27 June 2000. The SIs due to come into operation on 1 August 2000 are:

1. The Town and Country Planning (Inquiries Procedure) (England) Rules S.I. 2000 No. 1624)
2. The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000
3. The Town and Country Planning (Hearings Procedure)(England) Rules 2000
4. Town and Country Planning (General Development Procedure) Order 2000
5. The Town and Country Planning (Appeals)(Written Representations Procedure) (England) Regulations 2000

An accompanying Circular DETR Circular 05/2000 "Planning Appeals: (including inquiries into called-in planning applications)" was published on 27 June 2000.

**2.** The new procedures implement the Government's commitment to streamline the appeal process and speed up planning decisions, whilst safeguarding public participation and the fairness, openness and quality of decision-making. They take forward the proposals for improving planning appeal procedures, as part of the Modernising Planning agenda.

**3.** These changes apply to all planning appeals and therefore involve everyone i.e. from large developers to small businesses, and individual householders. Since 1947 planning appeals, which enable disappointed applicants to appeal against local planning authorities' refusal, conditions imposed, or failure to determine within the statutory period, have been processed through formalised arrangements within the planning system. These have been designed to ensure open and impartial treatment for all parties involved in an appeal, including third parties, under each of the procedures for handling planning appeals: written representations, hearings, and inquiries.

**4.** The existing arrangements are being revised by means of 5 statutory instruments covering the processing of written representations, hearings, and inquiries, together with related amendments to the GDPO.

**5.** These revisions involve a streamlining of the various procedures before, during and after the inquiry, hearing or site visit; they are designed especially to reduce the number of late representations, further reduce duplication and repetition, and eliminate delaying tactics and other ploys such as withholding evidence until the last minute. They are intended to be user-friendly and to assist towards reaching decisions, and to progress appropriate development schemes, in as efficient and effective way as possible, with the aim of speeding up the appeals process. The regulations for all the procedures are intended to achieve these objectives.