



Department for
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Chief Planning Officers in England

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Dear Colleague,

Technical Review of Planning Appeal Procedures

I am writing to let you know about the outcome of the Technical Review of Planning Appeal Procedures, following the consultation which took place last year. We have announced today that we are seeking to introduce new measures to reduce the time taken to determine an appeal, and make the process more efficient for all parties. A summary of the main changes that will apply to local planning authorities, appellants and interested parties is in Annex A.

Draft statutory instruments have been laid in Parliament today under the negative procedure, which are intended to come into force on 1 October. Links to the Written Ministerial Statement, the statutory instruments, and the summary of responses to the consultation are set out in Annex B.

Annex C contains a new Direction related to the control of advertisements. This replaces the 2007 Direction which set out the requirements for local planning authorities in relation to advertisement appeals determined through written representations. The 2013 regulations, listed in Annex B, ensure that once the new Direction is in force, these appeals will follow the same procedure as planning appeals.

If you have any queries, please contact Bethan MacDonald:
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Annex A

Key reforms for local planning authorities include the need to:

- notify interested parties of an appeal within 1 week, instead of 2
- submit the appeal questionnaire to PINS within 1 week, instead of 2
- submit any further representations by week 5, instead of week 6
- agree a statement of common ground for hearings and inquiries with the appellant by week 5, instead of week 6
- notify applicants and interested parties when planning applications are within scope of the new Commercial Appeals Service (advertisement consents and shop fronts) using new model letters in the Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013
- respond to week 5 interested party comments by week 7 (written representations only).

Key reforms for appellants include the need to:

- submit a full statement of case when the appeal is first made
- submit a draft statement of common ground for hearings and inquiries when the appeal is first made
- finalise the statement of common ground by week 5, instead of week 6
- respond to week 5 local planning authority and interested party comments by week 7 (written representations only).

Key reforms for interested parties include the need to:

- submit representations on an appeal by week 5, instead of week 6.

Annex B

Link to Written Ministerial Statement

<http://www.publications.parliament.uk/pa/cm201314/cmhansrd/cm130903/wmstext/130903m0001.htm#13090334000007>

Link to the statutory instruments (each link includes the explanatory memorandum)

- The Town and Country Planning (Development Management Procedure) (England) (Amendment No. 2) Order 2013
<http://www.legislation.gov.uk/uksi/2013/2136/contents/made>
- The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013
<http://www.legislation.gov.uk/uksi/2013/2114/contents/made>
- The Planning (Listed Buildings and Conservation Areas) (Amendment No. 2) (England) Regulations 2013
<http://www.legislation.gov.uk/uksi/2013/2115/contents/made>
- The Town and Country Planning (Hearings and Inquiries Procedure) (England) (Amendment) Rules 2013
<http://www.legislation.gov.uk/uksi/2013/2137/contents/made>

Link to the summary of consultation responses

<https://www.gov.uk/government/consultations/technical-review-of-planning-appeal-procedures>

Annex C

The Town and Country Planning (Control of Advertisements) (England) Direction 2013

The Town and Country Planning (Control of Advertisements) (England) Direction 2013

The Secretary of State for Communities and Local Government in exercise of the powers conferred on him by regulation 25 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 gives the following direction:

1. The Town and Country Planning (Control of Advertisements) (England) Direction 2007 is cancelled.
2. This Direction does not apply in relation to:
 - (a) any appeal relating to an application for express consent determined before this Direction comes into force;
 - (b) any appeal relating to any application for express consent where the period after which an appeal can be made expired before this Direction comes into force; or
 - (c) any appeal against a discontinuance notice served before this Direction comes into force.
3. This Direction may be cited as the Town and Country Planning (Control of Advertisements) (England) Direction 2013 and comes into force on 1 October 2013.

Signed by authority of the Secretary of State 27 August 2013

RUTH STANIER

Deputy Director, Planning – Development Management
Department for Communities and Local Government