
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations revoke and re-enact with amendments the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) Regulations 1981. The Regulations prescribe the classes of appeal which are to be determined by persons appointed by the Secretary of State (in accordance with the provisions of Schedule 6 to the Town and Country Planning Act 1990 and Schedule 3 to the Planning (Listed Buildings and Conservation Areas) Act 1990) instead of being determined by the Secretary of State, prescribe certain classes of case within those prescribed classes of appeal which are to continue to be determined by the Secretary of State, and provide for publication by local planning authorities of any direction made by the Secretary of State under paragraph 1(2) of either of those Schedules (directions specifying classes of case within the prescribed classes of appeal which are to be determined by the Secretary of State).

Apart from drafting amendments, the principal change is that the following classes of appeals are now prescribed as appeals to be determined by an appointed person instead of by the Secretary of State—

- (a) appeals concerned with express consent for the display of an advertisement under the Town and Country Planning (Control of Advertisements) Regulations 1992;
- (b) appeals concerned with certificates of lawfulness of existing or proposed use or development under sections 191 and 192 of the Town and Country Planning Act 1990; and
- (c) appeals under sections 20 and 39 of the Planning (Listed Buildings and Conservation Areas) Act 1990 concerning listed buildings in Wales, other than Grade I or II* listed buildings.