



TOWN AND COUNTRY PLANNING (DEVELOPMENT PROCEDURE) (NO 2) ORDER 2013

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Statutory Document No. 0238/13



Town and Country Planning Act 1999

TOWN AND COUNTRY PLANNING (DEVELOPMENT PROCEDURE) (NO 2) ORDER 2013

Approved by Tynwald: 9 July 2013
Coming into Operation: 1 August 2013

The Department of Infrastructure makes the following Order under sections 8, 9(1), 10 and 11(3) of the Town and Country Planning Act 1999.

1 Title

This Order is the Town and Country Planning (Development Procedure) (No 2) Order 2013.

2 Commencement

If approved by Tynwald, this Order comes into operation on 1 August 2013¹.

3 Interpretation

In this Order —

“**Act**” means the Town and Country Planning Act 1999;

“**appellant**” means a person by whom an appeal is made under article 8;

“**applicant**” means a person who makes an application for planning approval under article 4;

“**application**” means an application for planning approval under article 4;

“**interested person**” means any person whom the Department decides under article 6(3) has sufficient interest in the subject matter of the application to take part in any subsequent proceedings relating to it and any person mentioned in article 6(4);

“**planning inspector**” means a person whose name appears on a list approved for the purposes of this Order by the Council of Ministers;

¹ Tynwald approval is required by section 44(1) of the Act

“**written submissions**” includes supporting documents and comments, objections, responses or views expressed in writing.

4 Applications for planning approval

- (1) An application to the Department for planning approval must be made on a form supplied by the Department, signed by the applicant or the applicant’s agent, and include –
 - (a) the particulars specified in Schedule 1 and a certificate in the form set out in Schedule 2;
 - (b) such further particulars as the Department may at any time before the final determination of the application direct to be furnished in any particular case; and
 - (c) a planning application fee as prescribed in an order made by the Department under section 1(1) of the Fees and Duties Act 1989.
- (2) Four identical versions in total of the signed form of application and the accompanying documentation must be submitted.
- (3) If the Department directs under paragraph (1)(b) that further particulars be furnished and the applicant or the applicant’s agent fails to comply within such time (being not less than 21 days) as may be specified, the application may be treated as withdrawn.
- (4) The Department may decline to consider an application in any case if it considers that the application is substantially the same as an application that has been refused at any time within the previous 5 years prior to the date of the new application.
- (5) An application for planning approval for development of land seeking approval for the erection of a building may be an application for approval in principle, that is, an application that reserves for subsequent application for approval by the Department of matters of siting, design, external appearance, internal layout, means of access or landscaping not particularised in the application for approval in principle.
- (6) If the applicant is the owner or has an interest in the land that is the subject of the application and that interest becomes vested in another person (whether by operation of law or otherwise), that other person may apply, subject to the approval of the Department, to be treated as the applicant.

5 Notice of application

- (1) As soon as practicable after receipt of an application the Department must prepare a notice of the application and decide on the date by which the notice must be published in accordance with this article (“the publication date”).
- (2) The notice of application must –

- (a) specify the location of, and describe, the land and the proposed development to which the application relates;
 - (b) state that any person may make written submissions to the Department with respect to the application before such date as is specified in the notice (not being less than 21 days after the publication date); and
 - (c) state that if a person wishes to apply to be treated as an interested person the person must indicate in his or her written submission the relationship between the person's land and the land that is the subject of the application.
- (3) No later than the publication date the Department must —
- (a) send a copy of the notice to the applicant requiring the applicant to —
 - (i) send a copy of the notice to every owner and occupier (who is known to the applicant) of the land that is the subject of the application or any part of it; and
 - (ii) display a copy of the notice by fixing it firmly to a building or other structure or object on or near the land that is the subject of the application so that it is easily visible by members of the public from a public highway and is unlikely to become obscured or concealed, and to ensure that it remains so displayed for a period of not less than 21 days;
 - (b) send a copy of the notice and application to the Highways Division of the Department and to the local authority for the district in which the land the subject of the application is situated, which authority must post it in one or more conspicuous places within its district; and
 - (c) cause the notice to be published in at least one newspaper published and circulating in the Island or published by such other means as the Department considers appropriate.

6 Determination of application

- (1) As soon as practicable after the relevant date the Department must consider an application for planning approval, including any written submissions with respect to it, and determine it.
- (2) In paragraph (1) “the relevant date”, in relation to an application, means —
 - (a) the date specified in the notice under article 5(2)(b); or
 - (b) if the Department has directed under article 4(1)(b) that further particulars be furnished, the date on which the particulars are received by the Department,

whichever is the later.

- (3) When it determines the application the Department must decide which persons (if any) who have made written submissions with respect to the application (whether pursuant to a notice under article 5 or otherwise), other than those referred to in paragraph (4), should be treated as having sufficient interest in the subject matter of the application to take part in any subsequent proceedings relating to the application.
- (4) The persons referred to in paragraph (3) are —
 - (a) the applicant or, if there is one, the applicant's agent;
 - (b) the owner and the occupier of any land that is the subject of the application or any other person in whose interest the land becomes vested;
 - (c) any Government Department that has made written submissions relating to planning considerations with respect to the application (whether pursuant to a notice under article 5 or otherwise) that the Department considers material;
 - (d) the Highways Division of the Department; and
 - (e) the local authority in whose district the land the subject of the application is situated.
- (5) Except where a previous application relating to the same land the subject of the application has not been finally disposed of or the Department declines to consider the application under article 4(4), the Department must wherever possible determine an application within 8 weeks of receipt of the application or the last further particulars directed to be furnished under article 4(1)(b), whichever is the earlier.
- (6) The determination of the application does not have effect —
 - (a) if an appeal is made under article 8, until the appeal is determined or withdrawn;
 - (b) if no such appeal is made, until the time within which an appeal may be made has expired.
- (7) Except in so far as the approval otherwise provides, a planning approval applies to the land in respect of which it is granted irrespective of any change of ownership or interest in the land.

7 Notice of decision

- (1) As soon as practicable after the determination of the application under article 6 the Department must give notice in writing of the decision to —
 - (a) every interested person; and
 - (b) any other person who has made representations with respect to the application.
- (2) A notice under paragraph (1) must set out —

- (a) in the case of an approval, the conditions (if any) subject to which the approval is granted and the reasons for them;
- (b) in the case of a refusal, the reasons for it; and
- (c) the effect of article 6(6),

and, in the case of a notice given to any of the persons mentioned in paragraph (1)(a), must state that such person may appeal in accordance with article 8.

8 Appeal from decisions of the Department

- (1) An appeal from a decision of the Department may be made by the applicant or the applicant's agent and any interested person in writing to the Department within 21 days of the date of the notice under article 7, signed by that person and must include –
 - (a) the reasons for making the appeal;
 - (b) payment of a planning appeal fee as prescribed in an order made by the Department under section 1(1) of the Fees and Duties Act 1989; and
 - (c) an election to have the appeal conducted by means of an inquiry or by means of written representation.
- (2) The Department must refer the documentation received under paragraph (1) as soon as practicable to the Chief Secretary.

Note: section 20 of the Interpretation Act 1976 enables the Chief Secretary's powers under this Order to be delegated.
- (3) Within 10 working days of the receipt of the documentation, the Chief Secretary must –
 - (a) if the appellant has elected to have the appeal conducted by means of written representation, invite the Department or any interested person within 21 days of the invitation to indicate whether the invitee would prefer an inquiry; and
 - (b) in all cases invite the appellant, the Department and any interested person to send detailed written submissions to the Chief Secretary within 21 days of the date of invitation, which period may be extended on request at the Chief Secretary's discretion, for consideration by the planning inspector.
- (4) With respect to appeals to be conducted by means of written representations only, the Chief Secretary may invite the submission of additional written submissions within 14 days from the date of such invitation.
- (5) If the appellant or any interested person requests the appeal to be conducted by means of an inquiry, the appeal must be conducted by

such means unless all persons making such a request elect instead for the appeal to be conducted by means of a written representation.

- (6) The Chief Secretary must refer an appeal under paragraph (1) to a planning inspector.
- (7) The planning inspector—
 - (a) must consider the application and any written submissions made with respect to it;
 - (b) may in the case of an inquiry only, hold a pre-inquiry meeting to be convened on his or her behalf by the Chief Secretary;
 - (c) must in the case of an inquiry only, give to the appellant, the Department and every interested person, an opportunity to appear before him or her on a date fixed and to make oral representations and to call and examine witnesses;
 - (d) may invite any Government Department (including any Division of the Department) or any other body or person to provide technical advice; and
 - (e) must make to the Department a report in writing that includes the planning inspector's recommendations as to the determination of the appeal.
- (8) The Department must consider the report of the planning inspector and—
 - (a) must either allow or dismiss the appeal; and
 - (b) may in either case reverse or vary any part of its decision, whether or not the appeal relates to that part.
- (9) As soon as practicable after the determination of the appeal, the Department must give notice in writing of the decision to the appellant and every interested person, and the notice—
 - (a) must include details of where the report of the planning inspector can be viewed; and
 - (b) if, and to the extent that, the decision does not follow the recommendation of the planning inspector, must state the reasons for the decision of the Department.
- (10) The appellant may withdraw the appeal by giving notice in writing to the Chief Secretary at any time before—
 - (a) 7 days from the date scheduled for the commencement of the inquiry; or
 - (b) in the case of the written representation procedure, at any time before the final date of receipt for written submissions.

9 Payment of costs

If the appellant fails without reasonable cause to appear at the time and place appointed under article 8(7)(c), the Department may, within 14 days of the date of the notice under article 8(9), require him or her to pay the whole, or a specified part of the costs and expenses incurred by it or any interested person in connection with the appeal.

10 Reference of certain applications to the Council of Ministers

- (1) An application for planning approval –
 - (a) in which the Department is the applicant or agent; or
 - (b) which is for the development of land any interest in which is vested in, or which is occupied by or controlled by, the Department,

must be referred to and determined by the Council of Ministers.
- (2) The application must be published by the Department and the notice provisions set out in article 5 apply to any such application.
- (3) Any written submissions made in respect of an application under paragraph (1) or in response to a notice under article 5 –
 - (a) must be sent to the Department within 21 days of the date of the notice;
 - (b) must be sent as soon as practicable by the Department to the Chief Secretary.
- (4) All written submissions must –
 - (a) indicate the relationship between the person's land and the land that is the subject of the application;
 - (b) explain the nature of the person's interest in the application; and
 - (c) detail the reasons for supporting or objecting to the proposed development.
- (5) The Council of Ministers may decline to consider an application in any case referred to it under paragraph (1), if it considers that the application is substantially the same as an application that has been refused at any time within the previous 5 years prior to the date of the new application.
- (6) The Chief Secretary must -
 - (a) invite every person mentioned in paragraph (11) to send any written submissions to the Chief Secretary within 21 days of the date of invitation, which period may be extended on request at the Chief Secretary's discretion, for consideration by the planning inspector;

- (b) inform those persons that unless any of them requests that the application be conducted by means of an inquiry, the application will be dealt with by means of written representations only.
- (7) The Chief Secretary must refer an application under paragraph (1) to a planning inspector.
- (8) The planning inspector—
 - (a) must consider the application and any written submissions made with respect to it;
 - (b) may in the case of an inquiry only, hold a pre-inquiry meeting to be convened on his or her behalf by the Chief Secretary;
 - (c) may hold an inquiry so as to give every person mentioned in paragraph (11) an opportunity to appear before him or her, to make oral representations and to call and examine witnesses;
 - (d) may invite any Government Department (including any Division of the Department) or any other body or person to provide technical advice; and
 - (e) must submit to the Council of Ministers a report in writing, including the planning inspector's recommendations as to the determination of the application.
- (9) As soon as practicable after the Council of Ministers has considered the recommendations of the planning inspector, the Council of Ministers must determine the application and the Chief Secretary must then give notice in writing of the Council of Ministers' decision to every person mentioned in paragraph (11).
- (10) The notice must —
 - (a) include details of where the report of the planning inspector can be viewed;
 - (b) if, and to the extent that, the decision does not follow the recommendation of the planning inspector, state the reasons for the decision; and
 - (c) advise that the decision of the Council of Ministers is binding and final (subject to the possibility of judicial review by petition of dolence).
- (11) The persons are —
 - (a) the Department;
 - (b) the applicant (if not the Department);
 - (c) the owner and the occupier of any land that is the subject of the application (if not the Department);
 - (d) the local authority in whose district the land is situated;
 - (e) any person who is requested by the planning inspector to provide technical advice; and

- (f) any person who has made written submissions (whether pursuant to a notice under article 5 or otherwise) with respect to the application.

11 Called-in applications by the Council of Ministers

- (1) Where the Council of Ministers has issued a direction under section 11(1) of the Act that an application for planning approval must be referred to it and determined by it (“called-in”), that application must be referred to and determined by the Council of Ministers.
- (2) The Chief Secretary must publish a notice in at least one newspaper circulating in the Island which must—
 - (a) state that the application has been called-in by the Council of Ministers;
 - (b) invite written submissions to be sent to the Chief Secretary with respect to it within 21 days from the date of the notice, which period may be extended on request at the Chief Secretary’s discretion;
 - (c) state that the application will be conducted by means of an inquiry.
- (3) Any written submissions must —
 - (a) indicate the relationship between the person’s land and the land that is the subject of the application;
 - (b) explain the nature of the person’s interest in the application; and
 - (c) detail the nature of their reasons for supporting or objecting to the proposed development.
- (4) The Chief Secretary must refer an application under paragraph (1) to a planning inspector.
- (5) The planning inspector—
 - (a) must consider the application and any written submissions made with respect to it;
 - (b) may hold a pre-inquiry meeting to be convened on his or her behalf by the Chief Secretary;
 - (c) must hold an inquiry so as to give the applicant and any other person who wishes to do so an opportunity to appear before him or her and to make oral representations and to call and examine witnesses;
 - (d) may invite any Government Department (including any Division of the Department) or any other body or person to provide technical advice; and

- (e) must submit to the Council of Ministers a report in writing, including the planning inspector's recommendations as to the determination of the application.
- (6) If the Council of Ministers refuses planning approval on an application under this article (or if it is deemed to have been refused following a resolution by Tynwald under section 11(2)(b) of the Act), the decision notice must be issued by the Chief Secretary as soon as practicable to every person mentioned in article 10(11).
- (7) If Tynwald does not resolve to annul the decision of the Council of Ministers so that it has effect under section 11(2) of the Act, the Chief Secretary must give notice in writing of the decision to every person mentioned in article 10(11).
- (8) The notice must —
 - (a) include details of where the report of the planning inspector may be viewed;
 - (b) if, and to the extent that, the decision does not follow the recommendation of the planning inspector, state the reasons for the decision; and
 - (c) advise that the decision is binding and final (subject to the possibility of judicial review by petition of doléance).

12 Inquiry and written representation procedure

Schedule 3 applies to proceedings conducted by a planning inspector under articles 8(7),10(8) or 11(5).

13 Other applications

The previous provisions of this Order apply with any necessary modifications to —

- (a) applications under section 10(3) of the Act (variation or discharge of conditions); and
- (b) applications for such approval as is mentioned in section 10(6)(d) of the Act (reserved matters),

as they apply to applications for planning approval.

14 Duration of planning approval

- (1) Planning approval granted under this Order is taken to be granted subject to the condition that the development must be begun —
 - (a) no later than the end of the period as may be specified in the decision notice relating to the grant; or
 - (b) if no such period is specified, the period of 4 years beginning with the date on which it is granted.

- (2) The period specified under paragraph (1)(a) must not exceed 4 years unless there are special circumstances justifying a longer period.
- (3) A person interested in the land to which a grant of planning approval relates may, before the end of the period referred to in paragraph (1), apply in writing to the Department for an extension of that period and the Department may, if it considers that there has been no material change in circumstances, extend that period.

15 Transitional provision

Any application for planning approval made but not finally determined under the Town and Country Planning (Development Procedure) Order 2005² before this Order comes into operation is to be determined in accordance with that Order as if this Order had not been made.

16 Revocations

The Town and Country Planning (Development Procedure) Order 2005 and the Town and Country (Development Procedure) Order 2013³ are revoked.

MADE 21 JUNE 2013

D C CRETNEY
Minister for Infrastructure

² SD 251/05

³ SD 184/13

SCHEDULE 1

[Article 4(1)(a)]

**PARTICULARS TO BE INCLUDED WITH APPLICATIONS FOR PLANNING
PERMISSION**

1 All applications

- (1) This paragraph applies to –
 - (a) applications for planning approval; and
 - (b) applications for such approval as is mentioned in section 10(6)(d) of the Act (reserved matters).
- (2) Subject to sub-paragraph (3), every application to which this paragraph applies must include an accurate and up-to-date site location plan to a scale of 1:500 or 1:1250 on which –
 - (a) there is clearly marked a north point;
 - (b) the site that is the subject of the application is clearly defined with a red line;
 - (c) the boundary of the entire land owned or occupied by the applicant is clearly defined with a blue line (irrespective of how much of this land relates to the application); and
 - (d) there is illustrated the relationship of the site to adjoining land and buildings, to any highway serving the site, and to the nearest settlement or other familiar point of reference.
- (3) However, the illustration referred to in sub-paragraph (2)(d) may consist of a separate plan not exceeding a scale of 1:10,000.
- (4) Every application to which paragraph (1) applies must include a certificate in the form set out in Schedule 2 (Certificate of Land Ownership). No application will be processed until such time as the certificate is submitted.

2 All applications except those for approval in principle or change of use

- (1) This paragraph applies to –
 - (a) applications for planning approval, except –
 - (i) approval in principle (within the meaning set out in article 4(5)); or
 - (ii) approval to development consisting of a change in the use of a building and not involving building or engineering operations;

- (b) applications for such approval as is mentioned in section 10(6)(d) of the Act.
- (2) Every application to which this paragraph applies must also include —
 - (a) a site plan to a scale of not less than 1:500 on which are indicated accurately —
 - (i) the position of all buildings, both existing and proposed;
 - (ii) the position of any driveways and vehicular access, both existing and proposed
 - (iii) the position of all proposed engineering operations, including service trenches, drains, sewers, paving, fences, and walls;
 - (iv) the position and extent of all existing trees and
 - (v) the position and nature of all proposed landscaping; and
 - (b) plans, elevations and sections of all proposed buildings and structures to a scale of not less than 1:100, fully dimensional using metric units and annotated so as to specify —
 - (i) the material and nature of all external finishes; and
 - (ii) floor or base levels relative to a fixed datum outside the site plan required by head (a).

3 Applications for change of use only

An application for approval to develop consisting of a change in the use of a building and not involving external building or engineering operations must include dimensioned floor lay-out plans of the existing and proposed use that clearly show —

- (a) the arrangement of the rooms in the building; and
- (b) the means of access to and egress from the building.

4 Applications for approval of reserved matters

Every application for such approval as is mentioned in section 10(6)(d) of the Act must also include details of the approval in principle to which the application relates.

SCHEDULE 2

[Article 4(1)(a)]

FORM OF CERTIFICATE

TOWN AND COUNTRY PLANNING ACT 1999

TOWN AND COUNTRY PLANNING (DEVELOPMENT PROCEDURE) (No. 2) ORDER 2013

CERTIFICATE OF LAND OWNERSHIP

This certificate provides confirmation that the owner of the land which is the subject matter of the application is either the applicant or is fully aware of the application.

The certificate constitutes a statement of ownership and is **not** proof of ownership.

The applicant is requested to complete either Statement A or Statement B and return the completed certificate and planning application form and any supporting documents.

NO APPLICATION WILL BE PROCESSED UNTIL SUCH TIME AS THE CERTIFICATE IS SUBMITTED.

1. STATEMENT A: Land owner is applicant

I certify that the accompanying application is made by or on behalf of the owner of the land, namely:

.....
.....(full names in CAPITAL letters)

who is —

- (a) the full*/limited* owner of the freehold*/leasehold* estate in the land (*delete as appropriate); and
- (b) in full possession of every part of the land to which the application relates.

If the application is made on behalf of the land owner, a certified copy of the power of authority signed by the owner authorising the application on his behalf must be attached.

2. STATEMENT B: Land owner is not applicant

I certify that appropriate written notice of the accompanying application has been given by or on behalf of the applicant to —

- (a) the land owner; and
- (b) any person who at the time of the making of the application was —
 - (i) a person then in actual possession;
 - (ii) the trustee of a trust or settlement if a beneficiary under the trust or settlement was in actual possession and no person other than such a beneficiary was entitled to enter into actual possession within a period of 40 years; and
 - (iii) a person (not being a person falling within(a) or (b)) entitled to enter into actual possession within a period of 40 years.

The persons upon whom notice was issued are —

NAME.....

ADDRESS.....

INTEREST.....Date Notified.....

NAME.....

ADDRESS.....

INTEREST.....Date Notified.....

Signature: Applicant/Agent

Date.....



SCHEDULE 3

[Article 12]

INQUIRY AND WRITTEN REPRESENTATION PROCEDURE

1 Interpretation

In this Schedule —

“**inquiry**” means proceedings conducted by a planning inspector under articles 8(7), 10(8) or article 11(5);

“**written representation procedure**” means proceedings conducted by a planning inspector under article 8(7) or article 10(8) by consideration of written submissions only.

2 Procedure at inquiry

- (1) Except as otherwise provided in this Schedule, the planning inspector is to determine the procedure at an inquiry.
- (2) At the start of the inquiry the planning inspector must identify what are, in the inspector’s opinion, the main issues to be considered at the inquiry and any matters on which the person requires further explanation from the persons entitled or permitted to appear.
- (3) Nothing in sub-paragraph (2) precludes any person entitled or permitted to appear from referring to issues that the planning inspector considers relevant to the consideration of the application or appeal but which were not issues identified by the inspector under to that sub-paragraph.
- (4) Unless in any particular case the planning inspector otherwise determines, the Department begins and the applicant has the right of final reply; and the other persons entitled or permitted to appear are to be heard in such order as the planning inspector may determine.
- (5) The planning inspector may —
 - (a) require any person appearing or present at an inquiry who, in the planning inspector’s opinion, is behaving in a disruptive manner to leave; and
 - (b) refuse to permit that person to return; or
 - (c) permit the person to return only on such conditions as the planning inspector may specify,but any such person may submit to the planning inspector any evidence or other matter in writing before the close of the inquiry.
- (6) The planning inspector may proceed with an inquiry in the absence of any person entitled to appear at it.

- (7) The planning inspector may take into account any written submission or evidence or any other document received from any person before an inquiry opens or during the inquiry provided that the planning inspector discloses it at the inquiry.
- (8) The planning inspector may from time to time adjourn an inquiry and, if the date, time and place of the adjourned inquiry are announced at the inquiry before the adjournment, no further notice is required.
- (9) The planning inspector may make an unaccompanied inspection of the land before or during an inquiry without giving notice of his or her intention to the persons entitled to appear at the inquiry.
- (10) During an inquiry or after its close, the planning inspector —
 - (a) may inspect the land either unaccompanied or in the company of the applicant, the Department and any other person entitled to appear at the inquiry; and
 - (b) must make such an inspection if so requested by the applicant or the Department before or during an inquiry.
- (11) In all cases where the planning inspector intends to make an accompanied site inspection he or she must announce during the inquiry the date and time at which the inspection is intended to take place.
- (12) The planning inspector is not bound to defer an inspection of the kind referred to in sub-paragraph (10) if a person there mentioned is not present at the time appointed.

3 Evidence

- (1) A person entitled to appear at an inquiry is entitled to call evidence and to cross-examine persons giving evidence, but, subject to sub-paragraphs (2) and (3), the calling of evidence and the cross-examination of persons giving evidence is otherwise at the discretion of the planning inspector,
- (2) The planning inspector may refuse to permit —
 - (a) the giving or production of evidence;
 - (b) the cross-examination of persons giving evidence; or
 - (c) the presentation of any other matter,that the planning inspector considers to be irrelevant or repetitious; but where he or she refuses to permit the giving of oral evidence, the person wishing to give the evidence may submit any evidence or other matter in writing before the close of the inquiry.
- (3) The planning inspector may direct that facilities are afforded to any person appearing at an inquiry to take or obtain copies of documentary evidence open to public inspection.

4 Written representation procedure

- (1) The written representation procedure requires the planning inspector to take into account all written submissions received from the Department, the appellant or the appellant's agent and any interested person.
- (2) The planning inspector may make an unaccompanied inspection of the land at any time during consideration of the written submissions without giving notice of his or her intention to —
 - (a) the Department; or
 - (b) the appellant or the appellant's agent; or
 - (c) the owner of the land who is not the appellant; or
 - (d) any interested person who has made written submissions to the appeal.
- (3) In the case of proceedings under article 10(8), references in this paragraph to "appellant" or "appellant's agent" must be construed as references to the "applicant" or the "applicant's agent" and any reference to "interested person" be construed as reference to "any person".

*EXPLANATORY NOTE**(This note is not part of the Order)*

This Order prescribes the procedure for applications for planning approval and related approvals under Part 2 of the Town and Country Planning Act 1999 and replaces the Town and Country Planning (Development Procedure) Order 2005.

The significant changes from the 2005 Order are –

- (a) the order no longer provides for the appointment of a planning committee, this now being the subject of a delegation under the Government Departments Act 1987;
- (b) references to the Minister are removed (references to the Department, by virtue of the Government Departments Act, already mean the Minister unless delegated by the Minister under that Act);
- (c) the persons appointed to inquiries under the Order are now called planning inspectors; and
- (d) the power to designate voluntary organisations is omitted.