

1987 No. 702

**TOWN AND COUNTRY PLANNING, ENGLAND AND  
WALES**

**The Town and Country Planning General Development  
(Amendment) Order 1987**

<i>Made - - - -</i>	<i>9th April 1987</i>
<i>Laid before Parliament</i>	<i>14th April 1987</i>
<i>Coming into force</i>	<i>5th May 1987</i>

The Secretary of State for the Environment, in exercise of the powers conferred on him by section 24, 36(2) and 287(3) of the Town and Country Planning Act 1971(a), and of all other powers enabling him in that behalf, hereby makes the following Order:

**Citation and commencement**

1. This Order may be cited as the Town and Country Planning General Development (Amendment) Order 1987 and shall come into force on 5th May 1987.

**Amendment of existing order**

2. The Town and Country Planning General Development Order 1977(b) shall be amended by substituting for article 20 (appeals), the following—

“20.—(1) An applicant who desires to appeal to the Secretary of State under section 36 of the Act, or under that section as applied by section 37 or 53 of the Act, shall give notice of appeal to the Secretary of State, by completing a form obtained from him, within six months of the decision or determination giving rise to the appeal or of the expiry of the appropriate period allowed under article 7(6) or 7A (as the case may be) or such longer period as the Secretary of State may at any time allow.

(2) A notice of appeal shall be accompanied by a copy of such of the following documents as are relevant to the appeal—

- (a) the application made to the local planning authority which has occasioned the appeal;
- (b) all plans, drawings and documents sent to the authority in connection with the application;
- (c) all correspondence with the authority relating to the application;
- (d) any notice provided to the authority in accordance with section 26 of the Act;
- (e) any certificate provided to the authority under section 26 or 27 of the Act;
- (f) any other plans or drawings relating to the application which were not sent to the authority;

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(a) 1971 c.78.

(b) S.I. 1977/289; relevant amending instruments are S.I. 1980/1946, 1981/245, 1569, 1983/1615, 1985/1011, 1981.

- (g) the notice of the decision or determination, if any;
- (h) if the appeal relates to an application for approval of reserved matters, the application for outline planning permission, the plans submitted with that application and the outline planning permission granted.

(3) An applicant shall send a copy of the notice of appeal, and of any such plans or drawings mentioned in paragraph 2(f) as accompany it, to the local planning authority on the same date as he gives notice to the Secretary of State.”.

9th April 1987

*Nicholas Ridley*  
Secretary of State for the Environment

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### EXPLANATORY NOTE

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

Section 36 of the Town and Country Planning Act 1971 confers a right of appeal against certain planning decisions of local planning authorities. Its provisions are extended, by section 37 of the Act, to cases where a local planning authority fails to notify a planning decision within prescribed periods and, by section 53 of the Act, to determinations by local planning authorities of whether planning permission is required.

Article 20 of the Town and Country Planning General Development Order 1977 prescribes the time within which and the manner in which notice of appeal is to be given to the Secretary of State.

This Order substitutes a new article 20. The main changes are:

- (a) notice of appeal in all cases must be given by completing a form obtained from the Secretary of State;
- (b) copies of supporting documents relevant to the appeal must accompany the notice and additional documents are required to be supplied;
- (c) an appellant is required to serve a copy of his notice of appeal on the local planning authority concerned at the same time as he gives notice to the Secretary of State. The copy notice must be accompanied by copies of any plans or drawings relating to the application which the authority have not yet seen.

The form referred to in the article may be obtained from the Department of the Environment, Tollgate House, Houlton Street, Bristol BS2 9DT, or, as respects appeals arising in Wales, from the Welsh Office, Cathays Park, Cardiff CF1 3NQ.

45p net

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