STATUTORY INSTRUMENTS

1989 No. 1087

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning (Determination of Appeals by Appointed Persons)(Amendment) Regulations 1989

Made - - - -	*27th June 1989*
Laid before Parliament	*7th July 1989*
Coming into force	*1st September 1989*

The Secretary of State for the Environment, in exercise of the powers conferred upon him by sections 287 and 290(1)(**a**) of, and paragraph 1 of Schedule 9 to, the Town and Country Planning Act 1971(**b**), and of all other powers enabling him in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Determination of Appeals by Appointed Persons)(Amendment) Regulations 1989 and shall come into force on 1st September 1989.

2. For sub-paragraphs (c) and (d) of regulation 4 of the Town and Country Planning (Determination of appeals by appointed persons)(Prescribed Classes) Regulations 1981(**c**) there shall be substituted —

"(c) appeals under section 97 of the Act (listed building enforcement notices) concerned with Grade I and II* listed buildings;

(d) appeals under paragraph 8 of Schedule 11 to the Act (listed building consent) concerned with Grade I and II* listed buildings;".

Savings

3. These Regulations do not apply to any appeal in respect of which notice of appeal was given before these Regulations come into force.

Nicholas Ridley
Secretary of State for the Environment

27th June 1989

(**a**) *See* the definition of "prescribed". (**b**) 1971 c.78. (**c**) S.I. 1981/804; sub-paragraphs (c) and (d) of regulation 4 were added by regulation 2(3) of S.I. 1986/623.

[DET8649]

EXPLANATORY NOTE

(This note is not part of the Regulations)

The Town and Country Planning Act 1971 provides a right of appeal to the Secretary of State against certain decisions of local planning authorities.

Under Schedule 9 to the Act the Secretary of State may by regulations prescribe classes of appeals for determination not by him but by a person appointed by him (an "inspector").

These Regulations amend the Town and Country Planning (Determination of appeals by appointed persons)(Prescribed Classes) Regulations 1981. Inspectors are enabled to determine listed building consent and listed building enforcement notice appeals relating to the demolition of Grade II listed buildings as well as to those relating to their alteration and extension. The Secretary of State will himself continue to determine appeals relating to Grade I and Grade II* listed buildings.

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