Town and Country Planning (Control of Advertisements) Regulations 1992

Please read these revised notes for guidance on the procedure for advertisement appeals before you complete the form. The procedure outlined supersedes that shown in the accompanying booklet.

The time limit for your appeal

Your appeal and essential supporting documents must reach the Inspectorate within 8 weeks of the date of receipt of the Local Planning Authorities decision notice. If the Council have failed to issue a decision on your application within the time limit of 8 weeks, or any extended period agreed in writing, your appeal should be submitted within 8 weeks of the date on which the decision ought to have been issued.

In the case of a discontinuance notice, your appeal, with any supporting documents, should be submitted before the date on which the discontinuance notice is due to take effect.

You have no right to appeal if the Council have informed you that they have declined to determine your application under the provisions of Regulation 13 (1)(c) of the 1992 Control of Advertisement Regulations.

How to make your appeal

♦ Fill in all the required details of your appeal on the 3 sets of the appeal form supplied. When completing these you must ensure that all details are the same on each form.

♦ When you have filled in, checked and signed the form, send:
  - One copy to the Planning Inspectorate with the documents listed at I;
  - One copy to the Council against whose decision you are appealing;
  - Keep one copy for your own reference.

♦ If you wish, you can enclose photographs, showing the present appearance of the appeal site and its surroundings with your appeal form. If you do send photographs, you should also send an identical set to the Council.

Deciding your appeal

♦ As you will see from Part G of the form, there are two ways of deciding your appeal. Although the First Secretary of State has the final say on which method shall be used, your preference will be adopted unless there is a good reason for not doing so.

♦ If you opt for written representations, the Council will have to send their written statement to the Inspectorate and yourself within three weeks of receiving your appeal.

♦ Once you have received a copy of the Council’s written statement you have two weeks in which to send any further representations to the Inspectorate. At the same time you should send a copy of your representations to the Council. Unless these representations raised new issues, an Inspector will visit the site unaccompanied and a decision on your appeal will be given as quickly as possible, in a letter from the Inspectorate to you and copied to the Council.
If you opt for a hearing, the Inspectorate will arrange the hearing at which you and the Council will be represented. Members of the public can attend. Like the written procedure, the Council will have submitted their written statement to the Inspectorate and to you or your representative before the hearing. It is always advisable that you or your representative also submits details of your case before such a hearing.

At the hearing, the Inspector will lead the discussion on the merits of what is being proposed, and, if either party requests it, you may visit the site with the Inspector and the Council’s representative at the end of the hearing. The Inspector will then issue a written decision.