



The Planning Inspectorate

**Guide to taking part in
planning appeals**

If you want to comment on someone
else's appeal



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Tel: 029 2082 3866

Planning Inspectorate

Our quality statement

We aim to provide the following in the appeal process:

- clear, prompt and polite advice and information;
- quick and efficient handling of your appeal;
- an open exchange of views between the people involved in the appeal;
- fair and unbiased decisions by appropriately qualified people;
- clear, logical decisions and reports;
- a quick and thorough complaints procedure; and
- a service that gives the public confidence in us.

If you need this document in large print, on audio tape, in Braille or in another language please contact our helpline on 029 2082 3866

This document is also available on our website (www.planning-inspectorate.gov.uk). The Planning Portal (www.planningportal.gov.uk) contains a large amount of information about the planning system in Wales and England, including lists of useful contacts and planning related services. Access to the Planning Portal is free of charge.

About the Planning Inspectorate

We are part of the National Assembly for Wales (The Assembly) and Office of the Deputy Prime Minister (ODPM). We deal with planning appeals in Wales from our Cardiff office and planning appeals in England from our Bristol office. The Inspectors, who judge the appeals, have a variety of backgrounds. These include town planning, surveying, engineering, architecture and law. We choose the Inspectors very carefully and train them thoroughly. They generally work from home.

This booklet explains the planning appeal procedure for appeals in Wales that are made after 1 April 2003. If you want advice about appeals in England you should contact our Bristol office. The information it contains was correct when it was published. But it has no legal status. We will deal with every appeal as efficiently as we can, but to do this we rely on everyone's co-operation.

Guide to taking part in planning appeals

The purpose of this guide

Planning applications are made to the local planning authority (LPA). The LPA is the county or county borough council or National Park Authority. Planning applications can be controversial and the LPA's decision can sometimes lead to an appeal. Appeals may be made for a number of reasons, but most are made because the LPA has refused planning permission.

Only the person who applies for the planning permission has a legal right to appeal against the LPA's decision and we call this person 'the appellant'. But, if you had an interest in an application, whether you were for or against it, you may also be interested in the outcome of the appeal. For example, you may live close to the area, or you may be a member of a residents' association or a group with a special interest. This booklet explains how you can make your views known. The guidance it contains applies only in Wales.

We have also produced a more detailed guide for appellants about the appeal process, called 'Making your planning appeal'. We will send you a free copy of the booklet if you write to us at the address on page 17.

In Wales, appeals are made to the National Assembly for Wales.

Appeals are judged by Inspectors, who are completely unbiased and professionally qualified in planning or a related area, like law or architecture.

An Inspector will decide most appeals, but there are some appeals that the Assembly will decide (for example, proposals that will affect more than just the local area). In those cases, the Inspector will still assess the appeal, but he or she will send a report with his or her recommendation to the Assembly. The Assembly then considers whether to accept the Inspector's recommendation, and issues a decision letter.

Both the appellant and the LPA can have their case heard by an Inspector at a hearing or public inquiry, but very few appeals are dealt with in this way. Most appeals (about 75%) are decided through the written procedure. This procedure, and the other appeal procedures, are described in more detail later in this booklet.

With all the appeal procedures, the Inspector and the Assembly can only consider things which are relevant to planning. These things can cover a wide range of issues, but the LPA's reasons for refusing a planning application will usually set out those issues that will apply.

You can only raise planning issues about the application. The Inspector and the Assembly cannot consider any other matters. For example, they cannot normally consider how a development will affect property values in the area. Or, if a new building would affect the view from your property, this is also not likely to be a good reason for you making an objection. You would have to show that the new building would affect your living conditions, for example, because it overlooks your home or you would lose your privacy.

Only the person who made the planning application has the right of appeal. We must receive all their appeal papers within six months of the LPA's decision notice, or within six months of the end of the decision period if the LPA hasn't made a decision. If we don't receive their appeal papers within the time limit, and there are no exceptional reasons for this delay, we won't accept the appeal. If the appeal has been made in time, we will write to the appellant and the LPA telling them which of the following procedures we will use to decide the appeal. We will also give them the timetable for receiving their comments. How much publicity the appeal receives will depend on which procedure we follow.

Written procedure. If you wrote to the LPA about the planning application while they were considering it, they should write to tell you about the appeal within two weeks of us accepting it. Copies of your representations at application stage will be copied to us so you don't need to write to us again unless you have something new to say.

Hearing procedure. Again, the LPA will tell you about the appeal if you wrote to them while they were considering the planning application. You can write to us again if you have something new to say. The LPA should let you know when the hearing will take place. They may also publish details of the hearing in a local newspaper if they think it's necessary.

Inquiry procedure. There is usually more publicity about an appeal if there will be an inquiry. As with the other appeal procedures, if you have already written to the LPA, they should write to you. And, you can send more comments to us. The LPA should send you details of the inquiry arrangements once the date is agreed. The appellant must display details of the inquiry, like the time and place, on the site of the proposed development.

These are the minimum publicity requirements, and you will find more details about each of these procedures later in this guide. Your LPA may give appeals more publicity.

This will depend on which procedure we follow. But, there are important time limits for us receiving comments that everyone taking part in an appeal must follow. If we receive comments outside the time limits, the Inspector will not normally take them into account and we will return them.

Welsh language

The Planning Inspectorate delivers an equally high standard of service to its customers in Welsh and English.

We recognise that our customers can express their views better in their preferred language of communication. Accordingly, we welcome all communications to us in Welsh or English.

Any person wishing to speak at an inquiry or a hearing in the Welsh language, may do so, but it would be helpful if you could inform The Planning Inspectorate beforehand so that arrangements can be made.

The written procedure

With this type of appeal, we only consider written evidence from the appellant, the LPA and anyone else who, like you, has an interest in the appeal. We cannot accept any form of taped evidence, as we cannot be sure that everyone involved has exactly the same version.

The LPA will send us copies of any letters of objection or support which it received at the application stage. If you wrote to the LPA at the application stage and you want to make more comments, you must make sure that we receive 3 copies of your comments within the time limit given in your letter from the LPA telling you about the appeal. **This is within six weeks of the date that we accept the appeal — we call this ‘the starting date’.** If we do not receive your letter within the time limit, the Inspector will not normally take your comments into account and we will send them back to you.

Please tell us in your letter if you would like a copy of the appeal decision. We will not acknowledge your letter unless you ask us to. We will send copies of your letter to the appellant, the LPA and the Inspector. If we consider your letter contains racist, libellous or abusive comments, we will send it back to you before the Inspector sees it. If you take out the racist, libellous or abusive comments, you can send your letter back to us. **But, we must receive this before the time limit ends.** If you want to see what the appellant and the LPA have said, you should be able to see copies of their appeal documents at the local council’s offices.

The site visit

The Inspector will want to see the appeal site before he or she makes a decision. But, **because everyone concerned has to make their case in writing, we do not allow any discussion during the visit.**

If the Inspector can see enough of the site from the road or a public viewpoint, they will visit the site alone. If that is not possible, the appellant and the LPA’s representative will go with the Inspector.

There is normally no need for other people to take part in the site visit. However, if you own a property nearby and you want the Inspector to see the appeal site from your property, you should tell us this when you write to us. We will then tell you the date and time of the visit. The Inspector will decide whether they need to come onto your property. If they do, the appellant and an LPA representative must come too. You will not be able to discuss the case, but you can point out relevant facts and features. It is sometimes difficult to know what you are allowed to say, but here is an example.

Your neighbour has applied to build an extension on his home, and you have written to tell us that this extension will overlook some of your windows. You can say to the Inspector: ‘These are the windows I mentioned in my letter.’ You cannot say: ‘These windows will be overlooked because ...’

After the site visit

The Inspector will write his or her decision, or send a report to the Assembly. Where the Inspector decides the appeal, we will send a copy of his or her decision to:

- the appellant;
- the LPA;
- and anyone else who wrote to ask us for a copy.

We aim to issue the decision no later than five weeks after the site visit. If the Assembly is making the appeal decision, it may take longer.

The hearing procedure

A hearing is a discussion of the appeal proposals. The Inspector leads the discussion. Hearings give everyone concerned the chance to give their views in a more relaxed and informal atmosphere than at a public inquiry. Hearings have many advantages, but they are not suitable for appeals that:

- are complicated or controversial;
- have caused a lot of local interest; or
- involve cross-examination (questioning) of witnesses.

If there is a hearing for an appeal that you are interested in, you do not have to go to it. If you prefer, you can write to us. If you wrote to the LPA at application stage, they will send us a copy of your views. If you did not, or wish to add to those views, you can still write to us. But you must make sure we receive three copies of your comments within the time limit given in your letter from the LPA telling you about the appeal. **This is within six weeks of us accepting the appeal — we call this ‘the starting date’.** If we do not receive your letter within the time limit, the Inspector will not normally take your comments into account and we will send them back to you. If we receive it in time, we will send a copy of your letter to the appellant, the LPA and the Inspector.

Please tell us in your letter if you would like a copy of the appeal decision. We will not acknowledge your letter unless you ask us to. We will send copies of your letter to the appellant, the LPA and the Inspector. If we consider your letter contains racist or abusive comments, we will send it back to you before the Inspector sees it. If you take out the racist or abusive comments, you can send your letter back to us. **But, we must receive this before the time limit ends.** If you want to see what the appellant and the LPA have said, you should be able to see copies of their appeal documents at the local council’s offices.

How you find out about the hearing

We will agree a date for the hearing with the appellant and LPA. We do not involve anyone else when we fix the date. The LPA will write to everyone they told about the appeal and give them details of the hearing, like the time and place. The LPA may also put a notice in a local paper, giving the same information.

Taking part in the hearing

Hearings are usually held in council offices, village halls or community centres and normally last about half a day. The Inspector will open the hearing by explaining what the appeal is about. They will then go through some routine points, including asking who wants to speak. You should tell the Inspector if you want to speak at this stage, or you can comment on the planning application later in the hearing. The Inspector will usually give a summary of the appellant’s and LPA’s cases, and say which topics will be discussed at the hearing.

Giving your views

The LPA will usually give their views on a topic first, followed by the appellant, and then anyone else who wants to comment. This is your chance to comment. Although hearings are informal, they must be orderly if everyone involved is to have a fair hearing. So, you must make your comments and questions to the Inspector. The Inspector will not allow any interruptions or bad behaviour.

In most cases, the Inspector will suggest that the hearing is continued on the site of the proposed development. This will only happen if everyone taking part in the hearing (or their representatives) can attend, and they don't object to the arrangement. Most hearings end after any discussion at the appeal site.

People with disabilities

We want to hold all hearings in buildings with proper facilities for people with disabilities. The LPA usually choose and provide the place and we have asked them to pay particular attention to the needs of people with disabilities. If you, or anyone you know, want to go to the hearing and you have particular needs, please contact the LPA to confirm they can make proper arrangements.

After the hearing

As with the written procedure, the Inspector will write a decision or send their report to the Assembly. Where the Inspector decides the appeal, we will send a copy of the decision to:

- the appellant;
- the LPA; and
- anyone else who wrote to ask us for a copy.

We aim to issue the decision no later than seven weeks after the date of the hearing. If the Assembly is making the appeal decision, it may take longer.

Costs

At hearings, the Inspector will say that any application for costs should be made before the end of the proceedings. This can happen when one party claims that it has been caused unnecessary expense in dealing with the proceedings because of the other party's unreasonable behaviour.

Unless you are the appellant, this is unlikely to apply to you because, if you choose to take part in an appeal, you do so at your own expense. However, we do publish a separate booklet called 'Costs awards in planning appeals', which explains when you can apply for costs.

The inquiry procedure

This is the most formal of the appeal procedures, because it usually involves larger or more complicated appeals. These are often cases where expert evidence is presented, and witnesses are cross-examined. An inquiry may last for several days, or even weeks. It is not a court of law, but the proceedings will often seem to be quite similar and the appellant and the LPA usually have legal representatives.

Inquiries are open to members of the public, and although you do not have a legal right to speak, the Inspector will normally allow you to do so. We encourage local people to take part in the inquiry process. Local knowledge and opinion can often be a valuable addition to the more formal evidence given by the appellant and the LPA.

However, as with hearings, you do not have to go to the inquiry to make your views known. You can write to us. If you wrote to the LPA at application stage, they will send us a copy of your views. If you did not, or wish to add to those views, you can still write to us. But you must make sure we receive three copies of your comments within the time limit given in your letter from the LPA telling you about the appeal. **This is within six weeks of us accepting the appeal — we call this ‘the starting date’.**

If we do not receive your letter within the time limit, the Inspector will not normally take your comments into account and we will send them back to you. If we receive your comments in time, we will send a copy of your letter to the appellant, the LPA and the Inspector. Please tell us in your letter if you would like a copy of the appeal decision. We will not acknowledge your letter unless you ask us to. If we consider your letter contains racist or abusive comments, we will send it back to you before the Inspector sees it. If you take out the racist or abusive comments, you can send your letter back to us. But, we must receive this before the time limit ends. If you want to see what the appellant and the LPA have said, you should be able to see copies of their appeal documents and statements at the local council’s offices.

How you find out about the inquiry

We will agree a date for the inquiry with the appellant and LPA. We do not involve anyone else when we fix the date. The LPA will write to everyone they told about the appeal and give them details of the inquiry, like the time and place. The LPA may put a notice in a local paper and the appellant must put one on the appeal site, giving the same information.

Taking part in the inquiry

If you want to take part in an inquiry, you need to think about what you want to say and how you want to say it. Most people prefer to make, or read out, a brief statement giving their views. If there are several people with the same views, it is a good idea for one person to speak on behalf of the others. Repeating arguments at the inquiry does not help the Inspector, or make the point more relevant.

If you want to take a leading role in the inquiry and call your own witnesses, you should contact us at the earliest possible stage. If we agree to this, we may ask you to

provide a statement of your case and details of any documents you will produce at the inquiry. You will also be required to provide written statements of evidence 4 weeks before the start of the inquiry. If we ask for this information, and you provide it, we will send you copies of the appellant's and LPA's statements.

What happens at the inquiry

If you want to speak at the inquiry, it is important that you are there when it opens because this is when the Inspector will tell everyone about the timetable.

At the inquiry opening, the Inspector will go through some routine matters, including asking who will be taking part in the inquiry. When the appellant and the LPA have given their details, the Inspector will ask if anyone else wants to speak. At this stage, you should only give your name and address, and say whether you are for or against the proposal.

The Inspector will then usually give an outline of what will happen at the inquiry. The LPA will usually begin by making an opening statement. Their witnesses will then give their evidence and the appellant can cross-examine (question) them. The appellant will then call their witnesses, and the LPA can cross-examine them.

Giving your views

When each witness has been formally cross-examined, the Inspector will normally ask if anyone else who objects to the proposed development has any questions. This is your opportunity to ask questions, but you must make sure that your questions are relevant to the evidence the witnesses have given. You shouldn't repeat questions that have already been asked. Do not use questions as an opportunity to state your views on the application; you will have the chance to do so later. This will normally be after the LPA's and the appellant's witnesses have been heard.

At a long inquiry, we cannot predict when we will reach this stage. If you can't stay at the inquiry all the time, tell the Inspector when the inquiry opens. The Inspector will understand and will try to help by hearing your comments at a different stage of the inquiry, if that is possible.

The Inspector will usually ask if you are willing to answer questions about your evidence. You do not have to do this. If you object to the proposed development, the appellant's representative will ask these questions. Do not feel intimidated. The Inspector will not let anyone ask you hostile or unfair questions.

The inquiry ends with closing speeches by the LPA and the appellant. This is normally followed by the Inspector visiting the appeal site. Because the inquiry is over, there can be no further discussion about the case during that visit. The arrangements are very similar to the visits that are made as part of the written procedure.

People with disabilities

We want to hold all inquiries in buildings with proper facilities for people with disabilities. The LPA usually chooses and provides the place and we have asked them to pay particular attention to the needs of people with disabilities. If you, or anyone you know, want to go to the inquiry and you have particular needs, please contact the LPA to confirm they can make proper arrangements.

After the inquiry

The Inspector will write their decision or send their report to the Assembly. Where the Inspector decides the appeal we will send a copy of their decision to:

- the appellant;
- the LPA;
- anyone who took part in the inquiry; and
- anyone else who wrote to ask us for a copy.

For inquiries which the Inspector decides, and which last for one or two days, we aim to issue the decision no later than seven weeks after the close of the inquiry. For inquiries which last longer, or where the Inspector has to write a report for the Assembly, the decision will usually take longer.

Costs

At inquiries, the Inspector will say that any application for costs should be made before the end of the proceedings. This can happen when one party claims that it has been caused unnecessary expense in dealing with the proceedings, because of the other party's unreasonable behaviour.

Unless you are the appellant, this is unlikely to apply to you because, if you choose to take part in an appeal, you do so at your own expense. However, we do publish a separate booklet called 'Costs awards in Planning Appeals', which explains when you can apply for costs.

Complaints

If you have any complaints or questions about the decision, or the way we have handled the appeal, please write to:

The Complaints Officer
The Planning Inspectorate
Crown Buildings Cathays Park
Cardiff
CF10 3NQ

Phone: 029 2082 3889

Fax: 029 2082 5150

E-mail: complaints@pins.gsi.gov.uk

We will investigate your complaint and you can expect a full reply within three weeks. However, we can't reconsider an appeal if the Inspector or the Assembly has already given a decision on it. We will only do this if the decision is successfully challenged in the High Court.

The High Court

An appeal decision can only be challenged on legal grounds in the High Court. To be successful, you would have to show that:

- the Inspector, or the Assembly, had gone beyond their powers; or
- we didn't follow the proper procedures and so damaged your interests.

If your challenge is successful, the High Court will overturn the original appeal decision and return the case to us, and we will look at it again. This doesn't necessarily mean that the original decision will be reversed. The Inspector may come to the same decision, but for different reasons.

If you decide to challenge the appeal decision, you must apply to the High Court within six weeks of the date of the appeal decision. When we send you the appeal decision, we will send you a leaflet explaining your right to challenge it.

After the appeal

Anyone can apply to the LPA for planning permission for the same site after we issue the Inspector's decision.

If the Inspector granted planning permission with some conditions attached, the appellant can ask the LPA for permission to remove or change some, or all, of those conditions. The LPA will tell interested persons about that application and you can send them any comments you may have.

If the LPA refuse that application, or don't give a decision within the time limit, there is another right of appeal. If you wrote to the LPA at application stage, they will tell you about any appeal and that you can send comments to us.

Our address and phone number:

The Planning Inspectorate
Crown Buildings
Cathays Park
Cardiff
CF10 3NQ

Enquiry point: 029 2082 3866

Appendix 1

The written procedure

Timetable	You	Appellant	LPA
Appeal made (within the 6-month time limit) We set a starting date	Does not apply.	They send the appeal form and all supporting documents to us and the LPA. The grounds of appeal should make up their full case.	If the LPA don't want the written procedure, we will tell the appellant and arrange a hearing or inquiry.
Within 2 weeks from the starting date	You receive the LPA's letter about the appeal, telling you that you must send us any comments within 6 weeks from the starting date.	They receive a filled-in questionnaire and any supporting documents from the LPA.	The LPA send the appellant and us a filled-in questionnaire and supporting documents. They also write to you about the appeal.
Within 6 weeks from the starting date (We will not normally accept late statements or comments. Instead we will return them.)	You send us 3 copies of any comments. If you want a copy of the Inspector's decision notice you must ask us for one in writing.	They send us 2 copies of any further statement. This should relate only to issues raised by the questionnaire and any supporting documents.	The LPA send us 2 copies of any further statement.
Within 9 weeks from the starting date	The appellant and the LPA make their final written comments. You cannot make more written comments at this stage.	They send us 2 copies of their final comments on the LPA's statement and on any comments from you. No new evidence is allowed.	The LPA send us 2 copies of their final comments on the appellant's statement and on any comments from you. No new evidence is allowed.

Decision:

After the site visit, the Inspector writes the decision or sends a report to the Assembly. Where the Inspector decides the appeals we will send a copy of the decision notice to the appellant, the LPA and anyone else who asks us for a copy.

Appendix 2

The hearing procedure

Timetable	You	Appellant	LPA
Appeal made (within the 6-month time limit) We set a starting date	Does not apply.	They send the appeal form and all supporting documents to us and the LPA.	The LPA let us know if they don't think a hearing is suitable.
Within 2 weeks from the starting date	You receive the LPA's letter about the appeal, telling you that you must send us any comments within 6 weeks from the starting date.	They receive a filled-in questionnaire and any supporting documents from the LPA.	The LPA send the appellant and us a filled-in questionnaire and supporting documents. They write to you about the appeal.
Within 6 weeks from the starting date (We will not normally accept late statements or comments. Instead we will return them.)	You send us 3 copies of any comments. If you want a copy of the Inspector's decision notice you must ask for one in writing.	They send us 2 copies of their hearing statement.	The LPA send us 2 copies of their hearing statement.
Within 9 weeks from the starting date	The appellant and the LPA make their final written comments. You cannot make more written comments at this stage.	They send us 2 copies of their final comments on the LPA's statement and on any comments from you. No new evidence is allowed.	The LPA send us 2 copies of their final comments on the appellant's statement and on any comments from you. No new evidence is allowed. They may put a notice in a local paper about the hearing 2 weeks before the date and tell you about the arrangements.

After the 9-week stage the LPA will tell you about the arrangements for the hearing. You will be able to see all the appeal papers at the LPA's office. You can go to the hearing and take part in the discussion which the Inspector will lead.

Decision:

After the hearing, the Inspector writes the decision or sends a report to the Assembly. Where the Inspector decides the appeals we will send a copy of the decision notice to the appellant, the LPA and anyone else who asks us for a copy.

Appendix 3

The inquiry procedure

Timetable	You	Appellant	LPA
Appeal made (within the 6-month time limit) We set a starting date	Does not apply.	They send the appeal form and all supporting documents to us and the the LPA.	The LPA receive the appeal documents.
Within 2 weeks from the starting date	You receive the LPA's letter about the appeal, telling you that you must send us any comments within 6 weeks from the starting date.	They receive a filled-in questionnaire and any supporting documents from the LPA.	The LPA send the appellant and us a filled-in questionnaire and supporting documents. They write to you about the appeal.
Within 6 weeks from the starting date (We will not normally accept late statements or comments. Instead, we will return them.)	You send us 3 copies of any comments. If you want a copy of the Inspector's decision notice you must ask us for one in writing.	They send us 2 copies of their inquiry statement.	The LPA send us 2 copies of their inquiry statement.
Within 9 weeks from the starting date	The appellant and LPA make their final written comments. You cannot make more written comments at this stage.	They send us 2 copies of their final comments on the LPA's statement and on comments from you. No new evidence is allowed.	The LPA send us 2 copies of their final comments on the appellants statement and on any comments from you. No new evidence is allowed.
4 weeks before the inquiry	The LPA tell you where you can see the appeal papers. They also tell you about the inquiry arrangements.	They send us 2 copies of their written statement of evidence and 1 copy of the statement of common ground.	The LPA send us 2 copies of their written statement of evidence. The LPA put a notice in a local paper about the inquiry and tell you about the arrangements.

You can go to the inquiry and give your views.

Decision:

After the inquiry, the Inspector writes the decision or sends a report to the Assembly. Where the Inspector decides the appeals we will send a copy of the decision notice to the appellant, the LPA and anyone else who asks us for a copy.

Appendix 4

Inspector's Code of Conduct – the principles by which Inspectors work*

**Although these principles are primarily directed to Planning Inspectors they apply with equal force to all decision-makers in the Planning Inspectorate.*

1. Inspectors make their decisions and recommendations in the public interest.
2. Inspectors do not pre-judge a case.
3. Inspectors are not involved in cases where they have a pecuniary interest or a personal interest that may give rise to a reasonable perception of bias.
4. Inspectors are not influenced by irrelevant considerations or outside influences when making their decisions and recommendations.
5. Inspectors refuse all gifts, hospitality and other benefits offered by parties having an interest in a case.
6. Inspectors conduct cases as expeditiously as possible.
7. Inspectors treat each person who appears before them with dignity and respect.
8. Inspectors do not discriminate on the grounds of race, sex, sexual orientation, marital status, religion, disability, and age, or otherwise.
9. Inspectors avoid unnecessary delay in reaching their decisions and recommendations.
10. Inspectors give reasons for their decisions and recommendations.
11. Inspectors keep their professional knowledge and skills up to date.
12. Inspectors are accountable for their decisions and recommendations and submit themselves to whatever scrutiny is appropriate.

Appendix 5

Data Protection and Privacy in the Planning Inspectorate

Introduction

Under the Data Protection Act 1998 we have a legal duty to inform you about and protect any information we collect from you.

When considering an appeal, the Inspector (or the Assembly) receives a variety of personal information. This information comes from a number of sources including:

- the original application, together with any documents of support or objection;
- the appeal form together with any further documentation of support or objection.

In accordance with current statutory obligations most of the documentation received will be made accessible to the public. Nevertheless, The Planning Inspectorate, recognises the importance of the privacy of individuals. These notes set out what information we collect and how it will be used.

Data Protection

We have put in place procedures to ensure that it complies with the Data Protection Act 1998 when handling your personal information.

In particular we will:

- only use your personal information for the purposes of dealing with and considering the relevant planning appeal;
- only hold your personal information for as long as is reasonably necessary. For completed appeals this is usually 12 months, although we will retain a copy of the Inspector's decision indefinitely. It may be that personal information could form part of the Inspector's decision.

Who has access to your personal information?

The appeal papers will be open for inspection at the council's offices and anyone can view them.

Any person entitled to be notified of the decision in an inquiry case has a legal right to apply to inspect the listed documents, photographs and plans within 6 weeks of the date of decision. Other requests to see appeal documents will not normally be refused.

In addition, when the electronic Planning Portal is available, the majority of personal information received will be placed on the Casework web site [www.planningportal.gov.uk] and will be accessible worldwide by any third party,

including individuals or organisations who have no direct interest in the particular appeal.

What information do we collect?

When dealing with an appeal we could receive personal information about you from a number of parties, including:

- local planning authorities;
- yourself;
- other parties interested in the appeal.

The information we receive is varied but often includes:

- details of your name, address and occupation;
- information as to your health;
- information relating to your opinions or intentions in respect of a planning application/appeal.

What steps should you take?

- Only provide personal information if you are happy for it to be placed in the public domain.
- Do not include personal information about another third party (including family members) unless you have told the individual concerned and they are happy for you to send it.
- Tell us as soon as possible if any of the personal information you have provided should change.

The Data Controller

The data controller (the organisation responsible for dealing with personal information) is the First Secretary of State at the Office of the Deputy Prime Minister.

Your Rights to Access Personal Data

We have to provide you with a readable copy of the personal data that we keep about you within 40 days. There is a statutory charge of £10. Evidence or proof of your identity will be required. It is both in our interest and yours to hold accurate data. If the data we hold is inaccurate in any way, then without charge and where appropriate, you may have the data:

- erased,
- rectified or amended,
- completed.

For any enquiry or concern about our privacy policy, or to request access to your personal data contact our Data Manager:

Alastair Grant
Data Manager
The Planning Inspectorate
Room 3/16 Eagle Wing
Temple Quay House
2, The Square,
Temple Quay
Bristol BS1 6PN

Telephone: 0117 372 8922

Email: alastair.grant@planning-inspectorate.gsi.gov.uk

Related information about our Privacy policy is available on our web site at <http://www.planning-inspectorate.gov.uk> at the section marked “Privacy Statement”.

Dispute

We aim to ensure that we have resolved any matters satisfactorily, however, if you are not satisfied with our response you may contact:

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Switchboard: 01625 545 700

Fax: 01625 524 510

DX: 20819 Wilmslow

Website: <http://www.dataprotection.gov.uk/>

E-mail: mail@dataprotection.gov.uk

For appeals and enquiries in England

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Helpline: 0117 372 6372

Planning Aid Wales

If you would like help in taking part in a planning appeal, you can contact Planning Aid Wales. Planning Aid Wales provides a free and independent advice service on town and country planning issues to people and groups in appropriate circumstances and they may be able to help you. Write to:

Planning Aid Wales
The Maltings
East Tyndall Street
Cardiff
CF24 5EA

Phone 029 2048 5765
E-mail ccc paw@onetel.net.uk