



From the
Chief Executive

The Planning Inspectorate

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All Chief Executive Officers
Local Planning Authorities
England

Our Ref: 21cas.lpa.1

CC: Chief Planning Officer,
Chief Development Control
Officer

Date: 03rd March 2009

Dear Chief Executive Officer

APRIL 2009 – CHANGES TO THE APPEAL PROCESS

I am delighted to be able to write to you today about the suite of changes to the appeal process that we will be implementing in April 2009. The Planning Act 2008, along with new secondary legislation and general guidance, allow me to offer you a modern 21st century appeal service that is focused on the principles of proportionality, customer focus and efficiency.

The changes that we are now implementing were consulted on in 2007 by Communities and Local Government in the Planning White Paper and the associated document 'Improving the Appeal Process in the Planning System'. The Government listened carefully to the views expressed by stakeholders in response to the consultation exercise, and these views helped focus our efforts in bringing forward the policy changes we believe will have the greatest impact in terms of delivering real improvements to the appeal service.

I am pleased to announce that the following changes will come into force on 6 April:

- The Planning Inspectorate will use its new power under s.319A of the Town and Country Planning Act 1990 to determine the appeal procedure to be followed for all planning and enforcement cases.
- A new, expedited process for householder appeals which are suitable for written representations, to be known as the "Householder Appeals Service".
- The extension of the Costs regime to planning appeals and other planning proceedings dealt with via written representations.
- Amendments to the Hearings and Inquiries Rules to remove the 9 week written comment stage. Parties will still have the opportunity at the hearing or inquiry event itself to make comments.
- Amendments to the Inquiries Rules to require the submission of Statements of Common Ground 6 weeks after the appeal's start date, rather than 4 weeks before the inquiry event itself (as now).
- New Guidance which will explain the changes and the procedures to be followed at appeal.



I'd like to draw specific attention to the "Householder Appeals Service". This expedited process will bring a quicker, more proportionate appeals service to householders, many of whom find the current appeal process confusing and lengthy. I am also confident that Local Authorities will soon realise the efficiency savings that will result from a simpler system.

As with many new initiatives, there are a number of initial changes that need to be introduced in order to secure the long term advantages. Local Authorities will need to make some changes to processes at both the application and appeal stage to enable the Householder Appeals Service to work. I have attached some general guidance on this at **Annex 1** and urge you to take a closer look at this and share it with staff who will be responsible for implementing these changes. When the secondary legislation enabling the new process is made (within the next two weeks), we intend to issue more detailed guidance to Local Authorities explaining exactly what needs to be done to prepare for the Householder Appeals Service. Further information will also be made available on the Planning Portal website at www.planningportal.gov.uk under "21st Century Appeals Service".

We are also emailing a copy of this letter to your Chief Planning Officer together with a link to two PowerPoint presentations one of which outlines all the changes being made to bring in the 21st century appeals service and the other provides a further overview of the HAS. These can be found at :

http://www.planning-inspectorate.gov.uk/pins/21st_century/appeals.ppt
http://www.planning-inspectorate.gov.uk/pins/21st_century/has.ppt

You may find these useful for when you cascade the necessary training or general awareness to your planning officers, administrators, elected Members and stakeholders. A copy of this letter and Annex is therefore enclosed for you to pass on to your Chief Planning Officer and Chief Development Control Officer or manager appointed to support these planning changes.

Finally if you require any further information or assistance specifically on the Householder Appeal Service please contact Gavin Ewing on 0117 372 8397 or by emailing gavin.ewing@pins.gsi.gov.uk. For further information on the more general changes to our appeals service please contact our Customer Services Team on 0117 372 6372 or by emailing enquiries@pins.gsi.gov.uk.

Yours sincerely

Katrine Sporle

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