

The Householder Appeals Service

Making it easier, simpler and quicker



Householder Appeals Service – Making it easier, simpler and quicker

Householder Appeals Service - Principles

- It's a new way of working.
- It is simpler and saves time.
- It saves resources.
- It builds on good practice of Local Planning Authorities (LPAs).
- It uses proportionate process & procedures.

Driver: Improving the Service

- Based on Planning White Paper – *proportionate, customer focused and efficient appeals service.*
- Householder cases (approx 6000 a year).
- Planning Inspectorate's target is to deal with 80% of cases which proceed via the Householder Appeals Service within 8 weeks.

What is the Household Appeals Service?

- Expedited written representations service - 8 weeks to determine application – 12 weeks to appeal – 8 weeks to determine appeal.
- Based on electronic working.
- Relates to applications for development of an existing dwellinghouse, or development within the curtilage of such a dwellinghouse for any purpose incidental to the enjoyment of the dwellinghouse.
- Will apply to all applications submitted on or after 6 April.

What is outside the scope?

- Proposals to change the number of dwellings.
- Any works relating to a flat.
- Any changes of use.
- Appeals against the grant of planning permission subject to conditions.
- Appeals against non determination.

Procedure/Process Issues

- Shortened appeal period - 12 weeks.
- LPA to supply file electronically within 5 days.
- Appellant's case to comprise what they include in their appeal form.
- LPA's case to comprise what they submit with their questionnaire.
- 3rd parties' representations made at application stage will be forwarded by the LPA to the Planning Inspectorate for consideration at appeal.
- No opportunity for further representations by any party including 3rd parties.
- 80% determined in 8 weeks.

Changes for the appellant

- 12 weeks to appeal.
- Specific householder appeal form.
- Needs to submit appeal form (with full grounds of appeal), copy of application form and decision notice.
- Does not need to submit plans or other supporting material supplied at application stage (supplied by LPA).
- Unaccompanied site inspection - appellant only needs to arrange for site access if necessary.

Changes for the LPA

- Changes made to General Development Procedure Order 1995 regarding the minimum requirements for the content of application publicity.
- Decision notice to specify appeal time limit depending on case type (i.e. 12 weeks for refusal of householder applications or 6 months for all other cases).
- Rely on reports, minutes (where appropriate) and decision notice - these will need to be clear and precise, especially where decision against officer's recommendation.
- Submit completed Questionnaire and all relevant documents to the Planning Inspectorate within 5 working days of start date.
- Advise the Planning Inspectorate of any factual inaccuracies in appellant's reasons for appealing.
- LPA to supply copies of appeal decisions upon request.

Changes for 3rd parties

- All representations made at application stage will be forwarded by the LPA to the Planning Inspectorate for consideration at appeal.
- No opportunity for 3rd parties to submit further representations at appeal stage.
- LPA will still inform of an appeal but will not invite further representations.
- Progress of appeal can be tracked via the Planning Portal (www.planningportal.gov.uk).

The site inspection

- Unaccompanied unless access required.
- Access Required Site Visits (ARSV) - appellant /Agent present to allow access only.
- No LPA representation at site.
- No discussion on site.
- Time slot rather than precise time.
- LPA questionnaire to highlight need to visit any 3rd parties' properties.
- Similar arrangements for 3rd parties.

New material considerations

- Parties to inform Planning Inspectorate of any new material considerations since the local authority considered the planning application – eg new policy.
- The Planning Inspectorate will decide whether the appeal should proceed via the Householder Appeals Service or should be transferred to another procedure.

Legislative/Policy Framework

- New Written Representations Regulations.
- Amendments to the General Development Procedure Order 1995.
- Detailed Guidance to be issued by the Planning Inspectorate.

Desired Outcomes

- Quality of the decision is maintained.
- New targets are met.
- Customer experience is improved.
- Improvements in performance and process for LPAs.

Overview

Appeal type	Within HAS scope	* 3 rd parties able to comment at appeal stage	** Time to appeal
Appeals against refusal of householder applications	Yes	No	12 weeks
Against Non-determination	No	Yes	6 months
Against grant of planning permission subject to conditions	No	Yes	6 months
Against refusal of application to lift/amend conditions	Yes	No	12 weeks

* Changes required to initial planning application neighbour notification letters

** Changes required to guidance sent out with decision relating to timescales within which to appeal

Contact Details

For questions about the Householder Appeals Service, please contact:

our Customer Service Team

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