

## The Appeal Process

If you disagree with the decision of the council or if you have not been given a decision within the prescribed determination period set out by the council within their acknowledgement letter, then you may wish to appeal to the planning inspectorate. They are an independent body which will review your planning application again. The appeal process is an arduous, time consuming process and it is our recommendation that you try every opportunity to discuss with the planning officer who made the decision before choosing to appeal.

That being said, if and when you do appeal the decision, the inspectorate will review your entire case from the beginning. They will consider all the issues that the council did as well as the relevant council development plan along with any other relevant matters. The whole appeal process takes a lot longer than the planning process, so you will need to factor this in when considering an appeal.

### When do I appeal?

You can appeal to the planning inspectorate if planning dept. has done any of the following:

- Refused application for planning permission.
- Has granted permission but the conditions applied are unrealistic/unreasonable.
- Refused a scheme that they have previously granted outline planning permission for.
- Refused an application to fell/otherwise implicated a protected tree.

- Taken longer than 8 weeks to determine an application (12 weeks for larger, more complex schemes) with no reason given as to why.

How long you have to appeal a decision depends on the type of planning application made.

### Householder Planning Applications

With householder applications you have 12 weeks from the date provided within the refusal notice in which to submit an appeal. If the council have not yet made a decision and you are outside your initial determination date, then you have 6 months from the original determination date in order to submit your appeal. Planning conditions can be appealed within 6 months of the date the permission was granted.

### Other Planning Applications

With planning applications other than Householder applications, you will have 6 months to submit an appeal, whether the council has made a decision or not. Appeals relating to the protection of trees need to be made within 28 days whether the council has made a decision or not.

Its important to make your appeal within the required time period as the inspectorate is highly likely to refuse an appeal that is received outside the allotted timeframe. Once appealed, the council will notify everyone who commented on the proposal along with all other interested parties that you have appealed. They will be notified of how the appeal is to be handled as well as providing any further information to the inspectorate.