

APPEAL AGAINST A REFUSAL OF PLANNING PERMISSION

A refusal of planning permission is bad news – and one reason why you should always take professional expert advice. What now?

- One option would be to negotiate and then submit a new - modified - application for planning permission. You can do this free of charge within 12 months, but the new scheme should be substantially different. This may be a quick alternative to a full appeal.
- To appeal a planning permission refusal, you must do so within 6 months of the refusal date. Your planning appeal will be considered by the Planning Inspectorate.
- Appealing a refusal of planning permission can be decided by one of 3 different procedures. These are Written Representations; a Hearing; or a Public Inquiry. You can express a preference, but you may be overruled.
- You'll need to submit a planning permission appeal form and an appeal statement. In the statement, counter arguments to the reasons for refusal, quoting planning law and the Council's Local Plan policies.
- At some point the Inspector will make a site visit to see the property or development.
- The Planning Inspector's decision is absolutely final - unless there has been a legal error. The decision will usually be given within about 3 months of the submission, or longer if it's a Public Enquiry.