



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

# Lifting the lid off the Planning Inspectorate

What is changing and what is not

Sarah Richards, Chief Executive



## Planning appeals. But so much more.



### We handle:

- Planning and enforcement appeals and MHCLG 'call ins'
- Local Plan and other planning document examinations
- Works to protected tree and hedgerow notice appeals
- National infrastructure projects as 'planning authority'
- Purchase notices, Compulsory Purchase Order inquiries
- Housing Land Supply Annual Position Statements
- Community Infrastructure Levy appeals
- Planning applications submitted directly - s62A
- Rights of way decisions including the England Coastal Path
- Environmental appeals: liability, permitting, water abstraction and impoundment, waste carrier and hazardous substances consent
- Common Land works and registering/deregistering
- Marine licensing 'call ins' by DEFRA from the MMO
- Marine Plans
- Transport inquiries, Electricity Act wayleaves



# General principles for decisions

## **Openness:**

The evidence is available to all parties.

The inspector will decide only on the basis of the evidence given.

The inspector does not go looking for evidence. Make sure you present it clearly.

## **Fairness:**

All parties have adequate notice and a proper opportunity to present their case and respond to the case of others.

## **Impartiality:**

Maintaining integrity and objectivity when considering the evidence and issues.

Behaving with an open mind and without bias and being seen to.



**Total planning applications decided**  
= 431k



**Total planning appeals decided**  
= 15.2 k



**Total planning appeals allowed**  
= 5.1 k



# 99% of planning applications are decided by communities

Only 1% of the total number of applications is granted on appeal



# So what's changing (or not)?

## What is not changing

- Our approach to sound decision making
- Our values: openness, fairness, impartiality. Our customer commitment

## What is changing

- Increasing real focus on the customer experience
- Using technology more
- Much greater focus on our timeliness

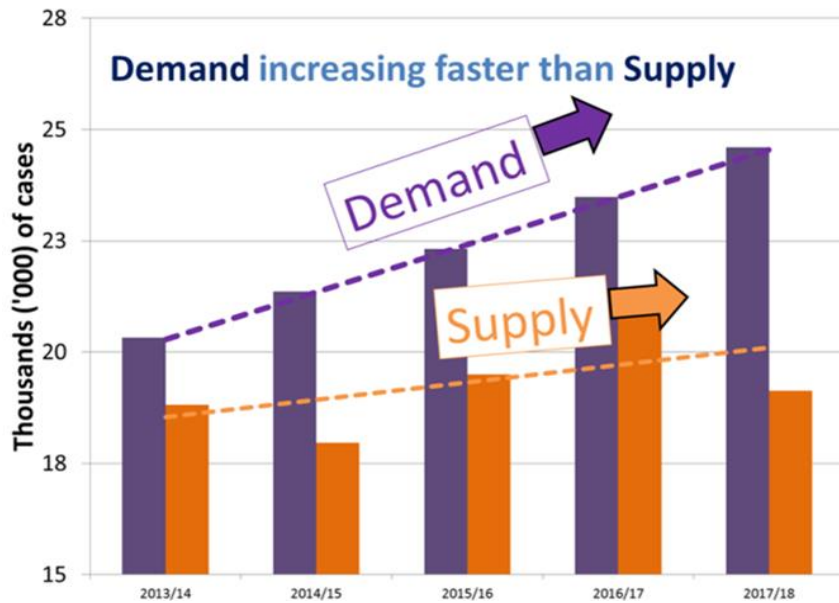


# 4 things to talk about

- Our performance
- Inquiries and the Rosewell review
- A digital service
- Plans



# This was our performance challenge

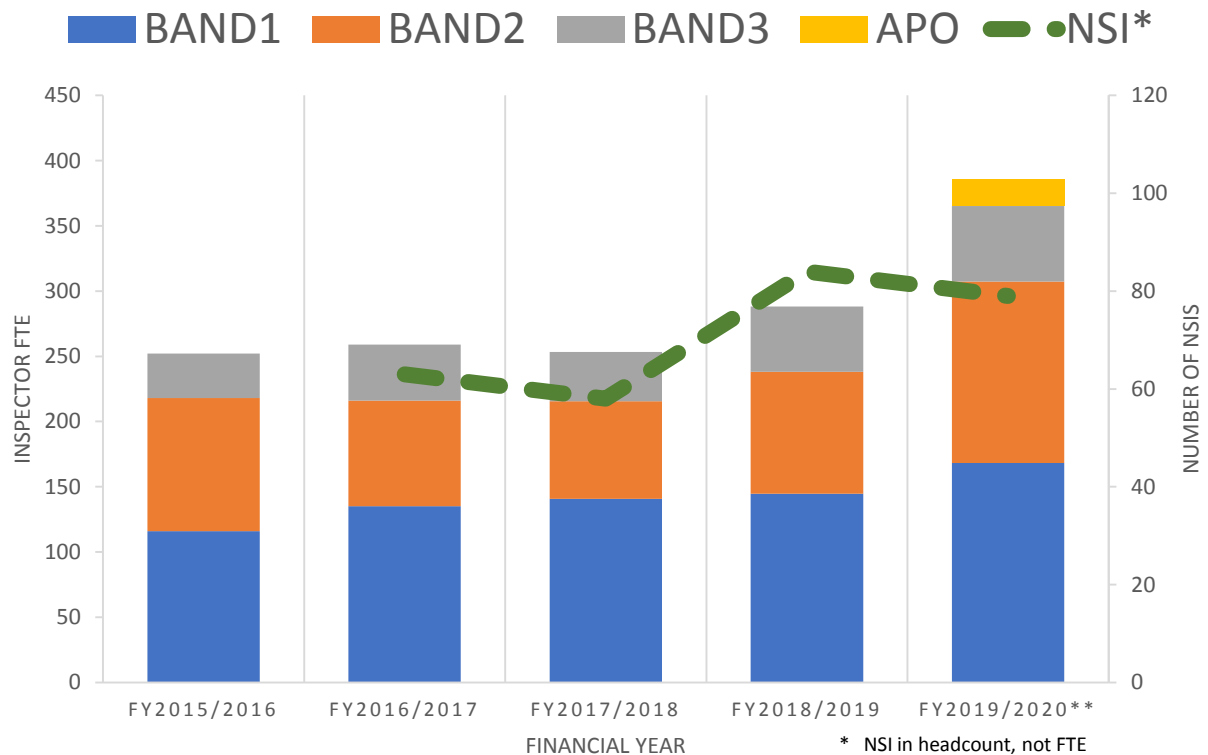




# The Inspector workforce



As part of performance recovery we have dramatically increased the number of inspectors at all bands, but also brought in the new level of APO (assistant planning officer) as well as NSIs to bring back short term performance

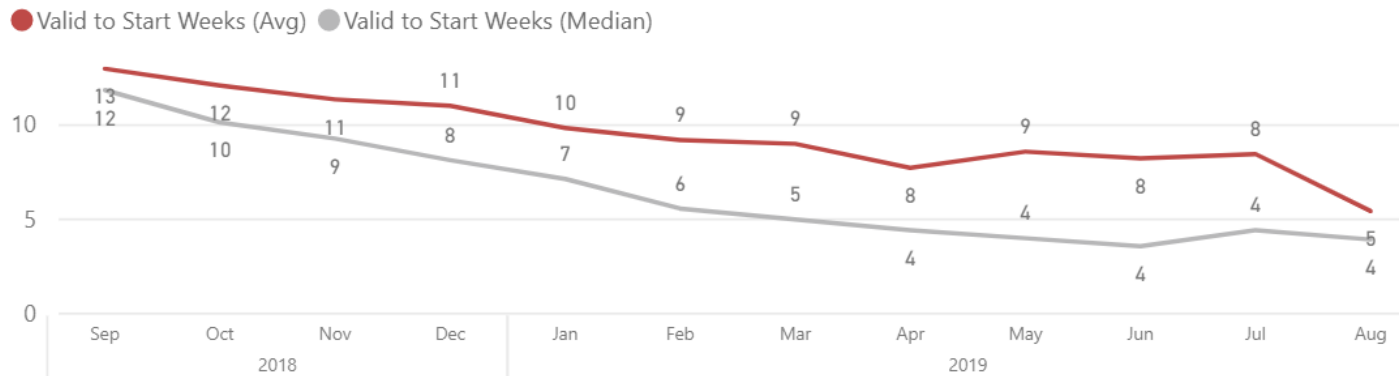


\* NSI in headcount, not FTE  
\*\* FY2019/2020 estimated as of sept 2019



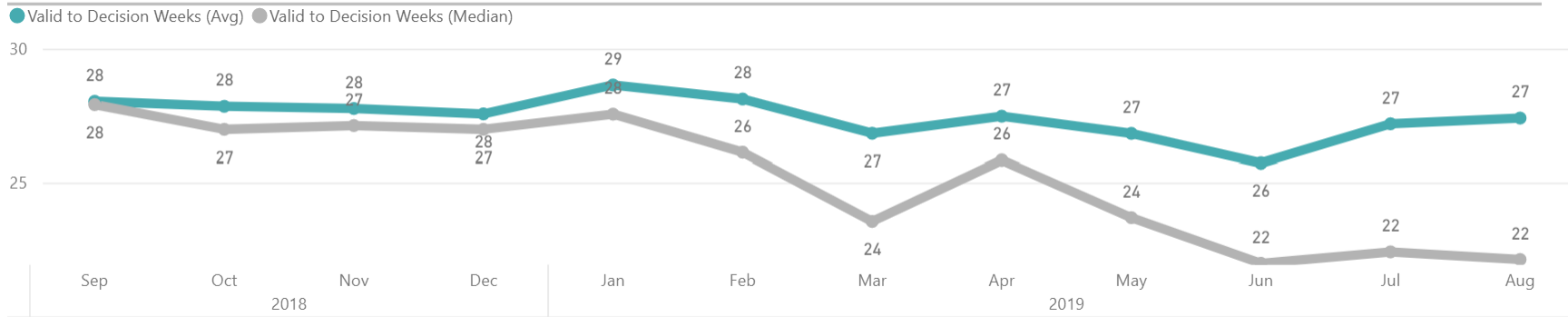


## Valid to Start (average weeks)



## New appeal cases are starting much quicker

A year ago it was taking 13 weeks to allocate an inspector for planning appeals. It is now taking 4 weeks.



## Recent appeals are being decided much quicker

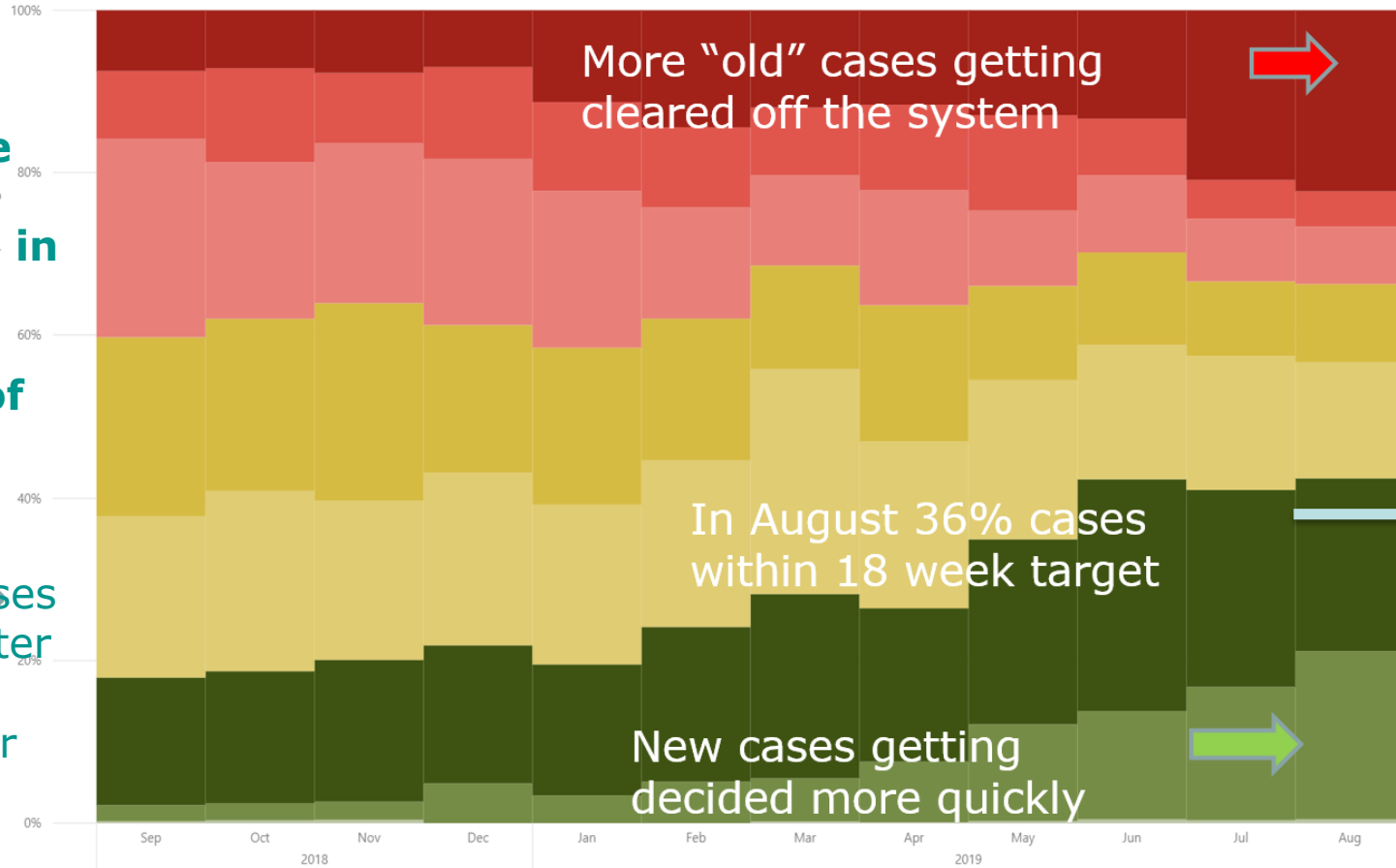
Current planning appeals by written representations are being decided in 22 weeks and most will be decided within 18 weeks by the end of the year. But we are also clearing lots of older cases still.



**New cases are increasingly being decided in target. And we are clearing lots of older cases.**

We decided a record 5449 cases in the last quarter and will exceed that this quarter

00 - 10 weeks 10 - 15 weeks 15 - 20 weeks 20 - 25 weeks 25 - 30 weeks 30 - 35 weeks 35 - 40 weeks 40+ weeks





# Planning inquiries - Rosewell Review

## **THEN**

### **3 main areas of improvement**

- Earlier and more directive engagement
- Clear timescales
- Technology to improve efficiency and transparency

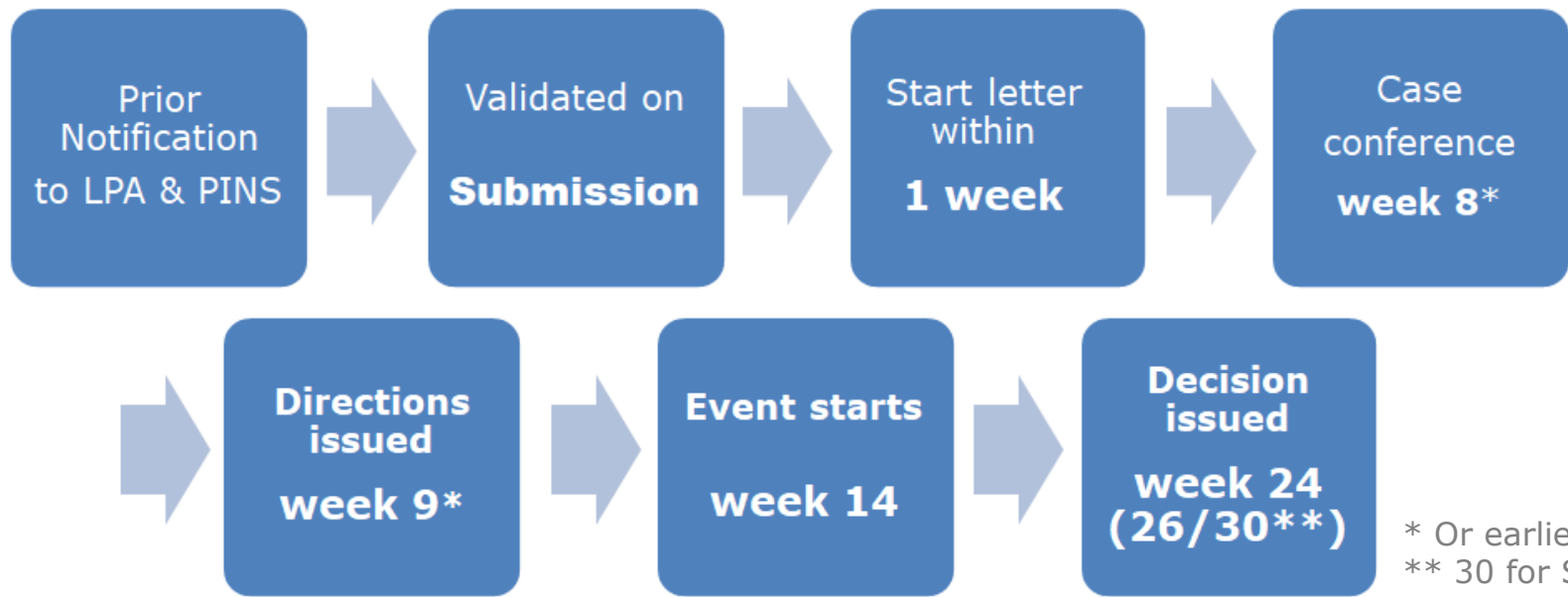
## **NOW**

### **3 big differences**

- Early setting of dates and early conference
- Increased direction by Inspector
- All cases decided within 26 weeks, most quicker



# Rosewell overview





## What does this mean for me?

1. Don't delay
2. Be clear where you disagree
3. Follow the Inspector's direction

- LPA: advice on procedure required one day after inquiry appeal received
- LPA: Identify the venue early
- Start letter issued within 1 week of receipt
- Inquiry event start date normally 14 weeks after receipt
- Participating in case conference by telephone required on every inquiry case
- Some evidence given through round table discussion not cross examination
- Easier, faster and more transparent information exchange via portal
- Inspector directing timely, concise and succinct information exchanges
- Halving reduction in time from receipt to decision
- Decisions all within 24/26 weeks so far



# Key messages on inquiries



- Early setting of inquiry dates here to stay. Delays will not be agreed.
- Early engagement with inspector to narrow issues will always happen.
- The inspector will expect the Statement of Common Ground to be early, guide the inquiry and be clear where there is disagreement.
- Help us to get Rule 6 parties confirmed early and in time for the case conference.



# A digital service

## New appeals portal now in live test

**1** **GOV.UK** Planning Inspectorate PINS  
Messages [My cases](#) Applications Search My profile Help Logout

### My Cases

Case	Reference	Docs	Status	Created	Modified
<a href="#">Appeal a planning decision</a>	PS-1810-0010	<a href="#">Docs</a>	Not submitted	22.10.2018	23.10.2018
<a href="#">Appeal a planning decision</a>	PS-1810-0005	<a href="#">Docs</a>	Active	18.10.2018	18.10.2018

**2** **GOV.UK** The Planning Inspectorate Portal  
My cases My account Log out

**BETA** This is a new service – your [feedback](#) will help us to improve it.

Home > Case 2018/P/1234567

Case started Questionnaire Statement Final comment Event Decision

### Case details

Appellant	Mrs Jane Doe
Case number	2018/P/2134567
Site address	1 Temple Quay House, M1 1SB
Contact address	1 Temple Quay House, M1 1SB
Procedure	Written representations
Status	Questionnaire due

Case actions Due by

LPA Questionnaire	26/10/2018	<a href="#">Start now &gt;</a>
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**3** **The Planning Inspectorate** Logout

**BETA** This is a new service – your [feedback](#) will help us to improve it.

Home > Appeals English | Cymraeg

### Appeal reference

## 2018/P/1234567

Status **QUESTIONNAIRE DUE**

Appellant  
Catherine Hughes

Site address  
1 Temple Quay House, M1 1SB

Contact address  
1 Temple Quay House, M1 1SB

Procedure  
Written representations

[Complete questionnaire](#)

### Appeal Documents

Document type

Case start letter	<a href="#">View</a>   <a href="#">Download</a>
Appellant statement of case	<a href="#">View</a>   <a href="#">Download</a>

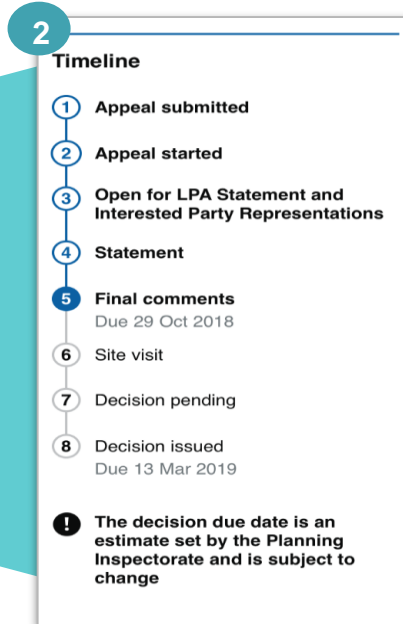
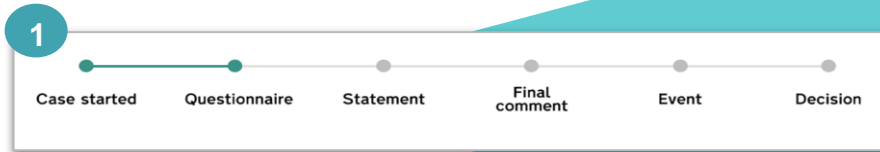
### Messages

Date	Subject	<a href="#">View</a>
28 / 03 / 2018	New appeal submitted	<a href="#">View</a>





# Tracking appeals





# Online questionnaire

1

Do you agree with the appellant preferred procedure?

Yes  
 No

If you do not agree please indicate your reasons here

\_\_\_\_\_

Please provide the relevant extracts of Development plan referred to in the Decision Notice

\_\_\_\_\_ [Change](#) [Remove](#)

In respect of the Development plan please provide the relevant supporting text, incl written justification and policy map when relevant.

\_\_\_\_\_ [Change](#) [Remove](#)

Please provide the relevant Policy on which your decision was made, stage, extent of objections, anticipated adoption, evidence of 5yht (if applicable) and inspectors reports. Sign post to NPPF

\_\_\_\_\_ [Change](#) [Remove](#)

Please provide details of any emerging plans

\_\_\_\_\_

Please status the stage of the Plan

Please provide the extent of the objections to the plan

\_\_\_\_\_

2

## Local Planning Authority Questionnaire

Page 2 of 9

### Appeal procedure

✓ 1. [Appeal information](#)

2. [Appeal procedure](#)

3. Local policy

4. Five year housing land supply

5. Your evidence

6. Conditions

7. Conservation areas

8. Monuments and listed buildings

9. The planning application

**!** The appellant's preferred procedure is written representations

**We have started this case using a written representations procedure. Do you agree with our choice of procedure?**

Yes  
 No

State your reasons

\_\_\_\_\_

[Save and Continue](#)

[Save and Quit](#)



# Key messages on new portal



- It's in live test and will be rolled out gradually across all case types over 18 months
- Appeals can't be accepted unless valid
- No more paper
- Submit information through the portal
- Single point of information
- Tracking, notifications, deadlines and flags built in



**Same trusted  
experts.**

**Great new service.**

1. We are open, fair and impartial. The way we reach decisions isn't changing.
2. The community leads: Only 1% of overall applications are granted on appeal.
3. Our decision speed on planning appeals is improving. New customers are experiencing good decision times.
4. We're now beginning to improve timeliness in enforcement appeals.
5. Our online portal is in live test and will be rolled out across all case types gradually over the next 18 months.
6. Planning public inquiries will be decided within 26 weeks with early dates set. Organise and don't delay.
7. Statements of Common Ground drive inquiries. Inspectors expect to see where the areas of disagreement are
8. Help us to get Rule 6 parties registered early.



# Overall position

Between 1 April 2016 – 31 July 2019



**218** Local plans submitted



**185** Found sound



**1** Found unsound



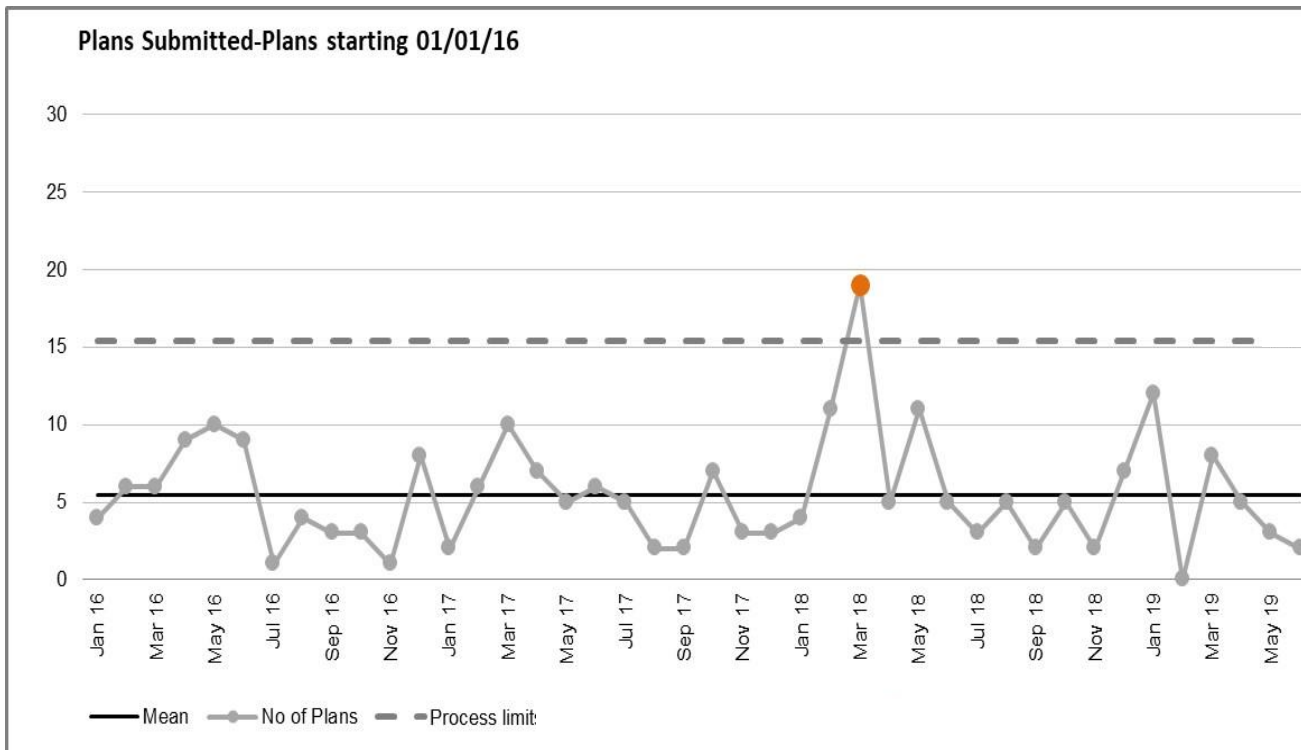
**6** Withdrawn by LPA



**88** Currently in examination (58 Inspectors)

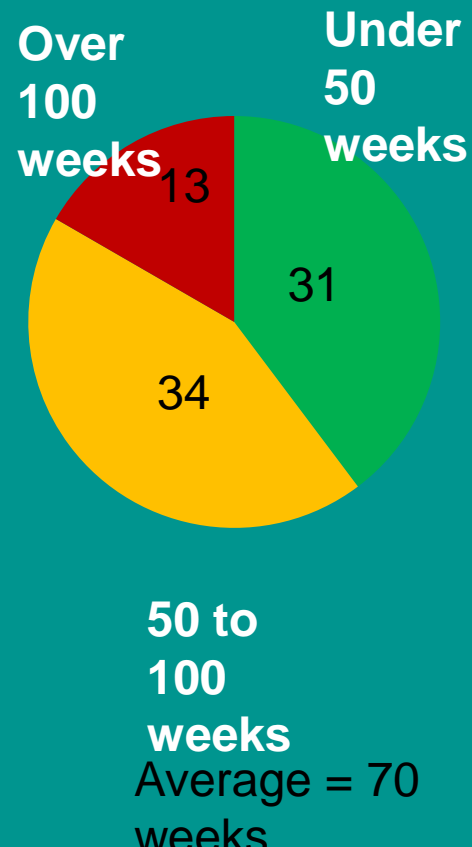
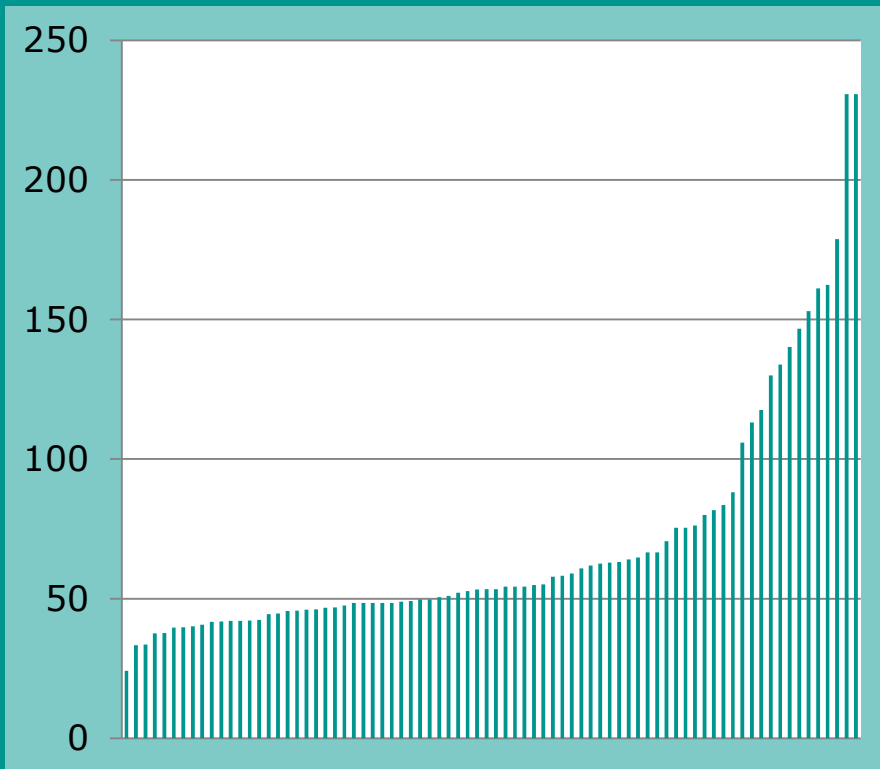


# Plans submitted





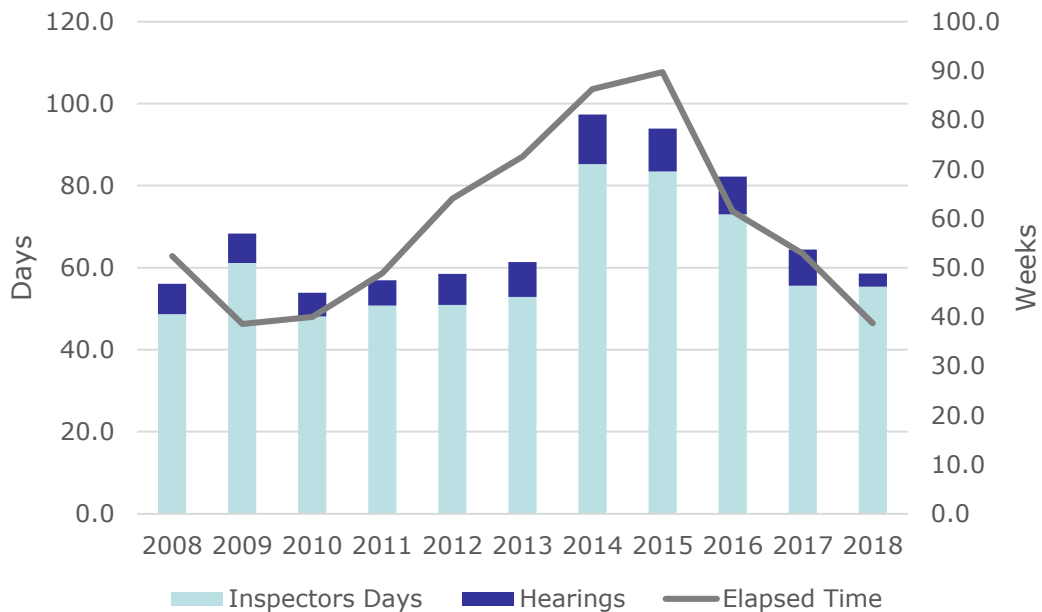
# Time in examination





## Are strategic/full plan examinations getting more difficult?

### Average Inspector Days, Hearing Days and Elapsed Time





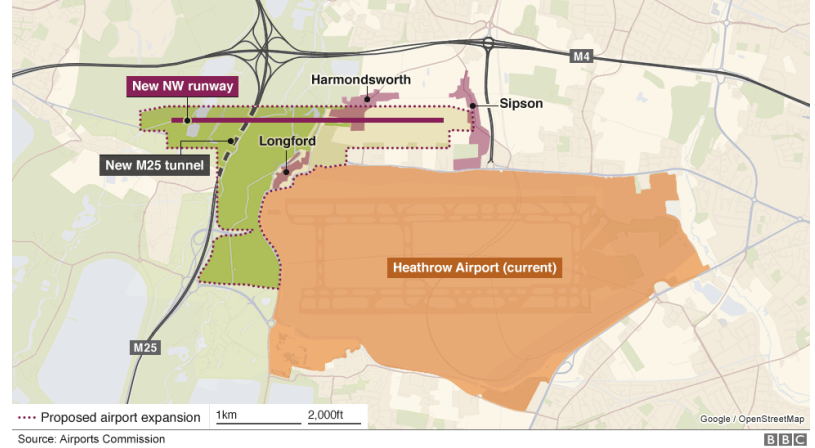


# Performance improvement?

- Training more of our Inspectors in local plans
- Recruiting more Inspectors – some direct into local plans
- Revised gov.uk local plans site (July 2019)
  - Updated Procedural Practice in the Examination of Local Plans (reflecting best practice)
  - Updated training materials for Programme Officers
  - List of plans to be submitted in the next 6 months
  - Secretary of State's letter of 18 June 2019
- Workshop with LPAs to learn more



# National infrastructure



↑ Proposed New Wylfa nuclear power station ↗

↘ Proposed A303 Stonehenge tunnel

→ Largescale offshore wind power



↑ Proposed expansion by Heathrow Airport Limited