



Appeal Statements

Focussed, efficient and effective

Jeremy Sargent – Planning Inspector



Aim of the workshop

To reflect on how appeal statements can be more

- Focussed
- Effective and
- Efficient



Why is it an issue?

- 1) Time
- 2) Professional credibility / accessibility
- 3) Clear understanding of case



Complete this sentence...

The purpose of an appeal statement is...

Or

The purposes of an appeal statement are...



Focussed, effective & efficient means...

- 1) Is a statement needed at all?
- 2) Don't give lectures on Planning law
- 3) Focus on the relevant policies
- 4) Focus on the relevant parts of national guidance

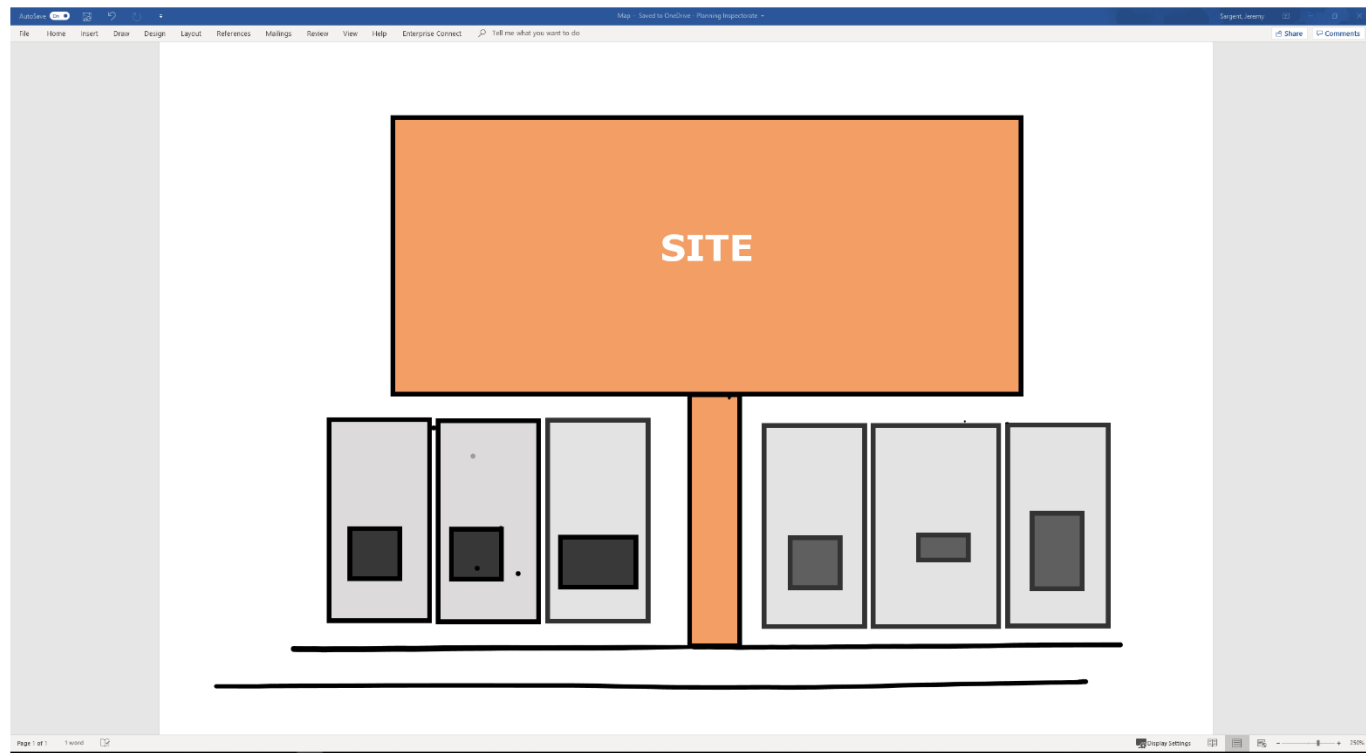


Concerning your case itself...

- 5) Tackle the points of contention (the Reasons for Refusal?)
- 6) Avoid unnecessary repetition, description & history
- 7) Make all your points count
- 8) Don't argue 'dead causes'
- 9) Be prepared for the Inspector disagreeing



Example





Reasons for Refusal 1

The applicant has failed to demonstrate that the **noise levels** arising from the development will not be increased over and above the ambient levels, a situation which it is considered will **cause undue harm to the residential amenities of the adjoining residential properties**. The proposal is therefore considered contrary to Part **8** of the National Planning Policy Framework 2012; Anywhere Town Local Plan Review Policies **ST1** and **HG5** and the Anywhere Town Publication Local Plan Policies **SD1** and **SD2**.



Reason for Refusal 2

The omission of a walled treatment to the boundaries of the access road **will severely compromise the visual and environmental characteristics of this locality** resulting in material harm to the visual amenity of the street scene and entrance to the development site and to the **residential amenities of the adjoining residents**. Accordingly, the proposal is considered to be contrary to Parts **7** and **8** of the NPPF 2012; Anywhere Town Local Plan Review Policies **ST1** and **HG5** and the Anywhere Town Publication Local Plan Policies **SD1**, **SD2** and **SD13**.



Concerning odds and ends

10) Conditions

11) Legal Agreements

12) Statutory responsibilities



Match the issue & concern quiz

10%	Conditions & S106 Agreements (Inclusion / Reasons)	13.5%
13.5%	Duplication of Policy & National Guidance	60%
16.5%	Heritage (Significance / Public benefits)	10%
20%	Layout (Sub headings / Logical structure)	23%
23%	Other appeal decisions (Relevance / Information)	36.5%
36.5%	Other duplication (Officer Rept / Decision notice)	16.5%
43.5%	Other	20%
60%	Unfocussed / vague	43.5%



Conclusions

Remember you are writing for an Inspector

Focus your submissions on the points of contention: what is the heart of the case?

Avoid repetition

Avoid repetition