

YOUR PLANNING SERVICE

Planning Appeals



EAST CAMBRIDGESHIRE
DISTRICT COUNCIL

When can a Planning Appeal be made?

If you have submitted a planning application to the Local Planning Authority, you can appeal a planning decision if either:

- **You disagree** with it;
- **The decision isn't issued within the timescales** (as indicated on your acknowledgement letter); or
- You have been issued with an Enforcement Notice for unauthorised works.

Who can launch an appeal?

Only the person who made the application can appeal. There is no third party right of appeal in the planning process. If you are a neighbour or you commented on a planning application, you can also comment on any appeal.

When can I appeal?

If you wish to appeal a decision or Enforcement Notice or if a decision hasn't been issued, there are set timescales in which you can make an appeal. Timescales are given on the notes that are sent out with your decision notice, but generally they are as follows:

- Within **12 weeks** for householder applications or minor shop fronts (Fast Track Service);
- Within **6 months** for all other application types;
- Within **6 months** of the date the decision should have been issued;
- Within **28 days** of any enforcement notice served.

How long does the appeals process take?

The appeal process can vary depending on the type of appeal being made. You will normally get a decision within 19 weeks, but it can take longer. More information on the appeals process is available on the [Government website](#)

How can I make an appeal?

Appeals must be made to the Planning Inspectorate; once you have prepared the relevant documents (see below), an additional copy of the appeal must be sent to the Local Planning Authority – this can be emailed to appeals@eastcambs.gov.uk

You can submit your documents online to the [Planning Inspectorate](#) or post them to The Planning Inspectorate, Room 3/13, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

You must submit the following information:

- A copy of the original application;
- A copy of the site ownership certificate;
- A copy of the local planning authority's decision notice (if they didn't issue one then send a copy of your acknowledgement letter);
- A map of the surrounding area;
- Copies of all plans, drawings and documents you submitted with your original application;
- Any other documents or information you feel directly supports your appeal (e.g. your full statement of case).

What happens next?

The Planning Inspectorate will check your appeal to make sure it's valid. They will tell you what happens next and how long your appeal may take. Your appeal will then be considered by a Planning Inspector.

What are costs?

You can apply for an 'award of costs' if anyone involved in your appeal has cost you money by behaving unreasonably, e.g. missing deadlines.

You can be asked to pay costs if you behave unreasonably during your own appeal. The Planning Inspectorate can do this even if no-one is claiming costs against you.

The deadline for cost appeals depends on whether your appeal will be decided:

- At a hearing or inquiry – appeal before it closes;
- In writing – appeal when you appeal for householder, commercial, and tree preservation orders, or before the final comments stage for anything else;

The deadline is different for claims about:

- Site visits (eg. Someone didn't turn up). You need to apply within 7 days;
- A withdrawn appeal or enforcement notice. You need to apply within 4 weeks.

Can I comment on an appeal?

If you commented on the original application, the Local Planning Authority will notify you if an appeal is made. Anyone can comment on an appeal and the deadline for comments is 5 weeks after the start of the appeal, or 6 weeks in the case of Enforcement Notices. More information is available from the Planning Inspectorate guide '[Taking part in an appeal](#)'

What if I disagree with the appeal decision?

You can challenge the decision in the High Court if you think the Planning Inspectorate made a legal mistake.

You should seek independent legal advice if you believe this to be the case.

If you require this document in different formats (e.g. Braille, large print, audiotape/CD or other languages please contact the council's main reception or email translate@eastcambs.gov.uk

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