

# How to support your representations at planning appeal

Phil Miles

# About me

- ▶ Local resident from the village of Horsted Keynes
- ▶ No planning qualifications
- ▶ Some experience in fighting inappropriate developments in my parish over the last 5 years
- ▶ Have taken an active part in responding to two recent planning appeals on behalf of the community

# Background - Horsted Keynes

- ▶ Medium sized village
- ▶ HW AONB
- ▶ 2 Conservation areas
- ▶ 54 listed buildings
- ▶ Grade 1 listed church
- ▶ Within 7km Ashdown Forest zone of influence
- ▶ SSSI and Local Wildlife Sites
- ▶ Countryside area of development constraint
- ▶ But no NDP!
- ▶ Hence developer interest



# Sledging Field

- ▶ Steeply sloping agricultural field
- ▶ Edge of the conservation area
- ▶ Adjacent to listed buildings
- ▶ Within the setting of the church
- ▶ Gap between the historic Saxon settlement and later settlement areas
- ▶ Application for 38 houses refused
- ▶ Appeal withdrawn
- ▶ Application for 9 large houses refused
- ▶ Appeal dismissed



# Procedure

- ▶ Notification
- ▶ Type of procedure
  - ▶ Written Representation
  - ▶ Hearing - “Round table”
  - ▶ Inquiry - “Cross examination” several days
- ▶ Procedural guides
- ▶ Representation
  - ▶ Interested Party
  - ▶ Rule 6 Party
- ▶ Register with PIN’s
- ▶ What will you bring to the party?
- ▶ Support Planning Authority

# Programme

- ▶ Be aware of deadlines!
- ▶ Appellant's Statement of Case
- ▶ Authority's Statement of Case
- ▶ Rule 6 Party Statement of Case
- ▶ Interested Party representations
- ▶ Statement of Common Ground
- ▶ Proofs of Evidence
- ▶ Fixing Inquiry date

# The event

- ▶ Virtual - MS Teams
- ▶ Joining instructions
- ▶ Team communication - WhatsApp
- ▶ Make a statement
- ▶ Taking an active part
- ▶ Inquiry documents
- ▶ Two screens

# Lessons learnt

- ▶ **Get ahead of the game**
  - ▶ Don't wait for the appeal to land
  - ▶ Establish a community group
  - ▶ Start setting a strategy
  - ▶ Professional representation
  - ▶ What are your strongest points?
  - ▶ Make contact and get quotes



# Funding

- ▶ Set a budget
- ▶ Prepare a fund-raising campaign
- ▶ Set up a bank account
- ▶ Publicity
  - ▶ Website - subscribers
  - ▶ Facebook
  - ▶ Leaflets/posters/banners
  - ▶ Local press
  - ▶ Support from MP
  - ▶ Targeted letters - suggested contribution
  - ▶ Crowdfunding platform



# Community response

- ▶ Parish Council
- ▶ School
- ▶ Local residents
  - ▶ Numbers
  - ▶ Own words
  - ▶ New
  - ▶ Photos
  - ▶ Make it simple

# Cost recovery?

- ▶ Don't expect to get your money back if you win!
- ▶ Unreasonable behaviour
- ▶ Award of costs
- ▶ Award of High Court
- ▶ Bill of costs
- ▶ Default cost certificate - Senior Courts Costs Office

# The end game

- ▶ Buy the site!

