Planning Appeals Process Guide Chart

You submit your appeal.

The appeal is checked to ensure it is valid and the DPEA have the jurisdiction to consider it. If they do not, your appeal will not be taken any further.

A Scottish Government Reporter is appointed to your appeal.

You are expected to cover your own expenses, however you can submit a claim against an individual or organisation if they have acted unreasonably and caused you unneccessary expense. The reporter will decide if any expenses should be paid. An award of expenses does not depend on the outcome of the appeal.

The planning authority will be asked to respond to the appeal, they have 21 days from receipt of the request to respond.

You will have 14 days to respond to the information provided by the planning authority.

The process has strict deadlines. If you submit information after a deadline, it may not be considered.

You can withdraw your appeal at any stage by writing or emailing the DPEA before the reporter makes a decision.

The reporter will consider your submissions, the planning authority's response and any other party.

The reporter may decide that more information is required and this may require one or all of the following:

Site Inspection

The reporter visits the site to view it and understand the issues raised by the proposed development

The reporter decides whether the inspection is to be accompanied or unaccompanied.

For accompanied site inspections, the planning authority and appellant will be invited to attend. The reporter carries out unaccompanied alone

If a site inspection and initial submissions are enough to make a decision, the aim is to issue within 12 weeks of reciept of the appeal

Further Written Submissions

The reporter requires further written submissions from persons involved.

If further written submissions are required to to make the decision, the aim is to issue within 20 weeks of receipt of the appeal.

Hearing Session

A hearing session is a structured discussion led by the reporter. The sessions may run over several days.

If a hearing is required to make the decision, the aim is to issue within 26 weeks of the receipt of the appeal.

Inquiry Session

An inquiry session involves witnesses giving evidence in front of the reporter. They may run over several days/weeks.

If an inquiry session is required to make the decision, the aim is to issue within 32 weeks of receipt of the appeal.

The reporter may choose to hold a pre-examination meeting to determine the format and those involved in hearing/inquiry sessions.

At different stages of the process you will be required to submit documents by certain deadlines, these deadlines will be made clear to you

The reporter issues their decision which will:

-be a decision where the authority failed to give a decision or

-support the authority's original decision or

-overturn the authority's decision

You will receive a decision notice. This will include the terms of the decision and the reasons for it

You can challenge the reporter's decision to the Court of Session on the grounds of misinterpretation, or that the decision is legally flawed or the procedure was unfair, or the failing to take into account of what you feel is important evidence.

The appeal must be submitted within 42 days (6 weeks) of the date of the decision

- Anyone with a sufficient interest can submit a challenge

- You will have to cover the legal costs and any expenses should the challenge fail

If you are unhappy with any aspect of our service and wish to complain or comment, please write or email to the DPEA.

Scottish Government
Riaghaltas na h-Alba
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