



# THE ENVIRONMENT ACT 1995 SECTION 97 – HEDGEROW APPEAL FORM

If you need this document in large print, on audio tape, in Braille or in another language please contact our helpline on 029 2082 3866.

**WARNING:** Your appeal must reach The Planning Inspectorate within 28 days from receipt of the Retention or Replacement Notice.

**PLEASE PRINT CLEARLY IN CAPITAL USING BLACK INK**

## A. APPELLANT

Name

Organisation Name (if applicable)

## B. AGENT (if any) FOR THE APPEAL

Name

Organisation Name (if applicable)

Your Reference

## C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name

Reference number

Date of application

Date of Notice

Receipt date of Notice

## D. APPEAL SITE ADDRESS

Address

Postcode

Grid references

1. Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes  No
2. If **Yes** to Q1, are there any health and safety issues which would need to be taken into account if s/he were to conduct an unaccompanied site visit? If so, please describe them below. Yes  No

3. If **No** to Q1, an accompanied site visit will be arranged and we will let you and the LPA know when the Inspector will visit the site.

## E. GROUNDS FOR THE APPEAL

**This appeal is against:**

Please tick **ONE** box only ✓

1. A Retention Notice 1
2. A Replacement Notice 2

## **F. REASONS FOR THE APPEAL**

**Please enter your grounds of appeal below or tick the box if you prefer to send them as a separate document**

*Please continue on a separate sheet if necessary*

### **G. ESSENTIAL SUPPORTING DOCUMENTS**

**The documents listed below MUST be sent with your appeal form. If we do not receive all your appeal documents within the statutory appeal period, we may not be able to accept it.**

**Please tick the boxes to show the documents you are enclosing:**

1. A copy of the relevant Retention or Replacement Notice.
2. Any relevant correspondence with the LPA.
3. A location plan.

✓

1

2

3

## H. CHOICE OF PROCEDURE

Please note that we must also take the Local Authority's preference into account when we decide how the appeal will proceed.

Please tick **ONE** box only ✓

### 1. Written Representations

W

This procedure involves an exchange of the parties' written statements, followed by a visit to the appeal site by the Inspector who is responsible for determining the appeal.

### 2. Hearing

H

A hearing is a discussion, held under the direction of the Inspector. It lets parties exchange their views in a less formal atmosphere than at a public inquiry. Hearings are open to the public and third parties may be heard at the discretion of the Inspector. Hearings are not usually suitable for appeals that:

- are complicated or controversial and have created a lot of local interest; or
- require cross-examination of witnesses.

Please note that although you may prefer a hearing, the Inspectorate will also consider whether your appeal would be best dealt with at a more formal inquiry or on the basis of written representations.

### 3. Inquiry

I

This is the most formal of procedures. Although it is not a court of law the proceedings will often seem to be quite similar as the parties to the appeal will usually be legally represented and expert witnesses will be called to give evidence; inquiries are open to the public and third parties may be heard at the discretion of the Inspector. In general, an inquiry is the best way to deal with a case that:

- involves complex legal issues;
- have caused a lot of local interest; or
- involve the need to question evidence through formal cross-examination.

An inquiry will be held if you, or the LPA, decide that you do not want to use the written representations procedure and we decide that a hearing is unsuitable. Sometimes, even if both parties have opted for the written representations procedure or an informal hearing, we may decide to hold an inquiry. If we do, we will tell you why.

**If you want us to hold an inquiry, please set out your reasons below:**

**Personal Details** (these will not *be made publicly available*)

**1. Appellant personal details**

Address	
Postcode	
Daytime Telephone	
E-mail	

	English	Welsh
<b>Language Preference</b>		

	E-mail	Post
<b>I prefer to be contacted by</b>		

**2. AGENT PERSONAL DETAILS (if any)**

Address	
Postcode	
Daytime Telephone	
E-mail	

	English	Welsh
<b>Language Preference</b>		

	E-mail	Post
<b>I prefer to be contacted by</b>		



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection Policy can be found on our website under "Privacy Policy" ([http://planninginspectorate.wales.gov.uk/privacy\\_policy](http://planninginspectorate.wales.gov.uk/privacy_policy))

## PLEASE SIGN BELOW

### DECLARATION

I understand that:

- a) The planning inspectorate may use the information I have given for official purposes in connection with the Environment Act 1995.
- b) Details from this form, including my name, the site address and my grounds of appeal may appear online.

By signing this form I am agreeing to the above use of the information I have provided.

I have completed all sections of the appeal form and confirm that details are correct to the best of my knowledge.

Signature:

Name (in capitals)		Date	
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On behalf of (if applicable)	
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## SEND

### **1 COPY to us at:**

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

E-mail:

[wales@planninginspectorate.gov.uk](mailto:wales@planninginspectorate.gov.uk)

### **1 COPY to the LPA**

Send a copy of the appeal form to the address from which the notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the supporting documents again, send them any supporting documents not previously sent as part of the application.

### **1 COPY for you to keep**

## WHEN WE RECEIVE YOUR APPEAL

When we receive your appeal form, we will:

1. Tell you if it is valid and who is dealing with it.
2. If everything is in order, we will give you an appeal **start date** and **timetable**.
3. Inform the LPA of the start date of the appeal (if applicable).

**If you submit information or representations late we may be unable to consider them, the Inspector may not see them and that may be returned to you.**

At the end of the appeal process, you will receive the Inspector's decision in writing, which will include details of the Inspector's reasoning.