



The Planning Inspectorate

For official use only

Date Received

Appeal Ref

THE ENVIRONMENT ACT 1995 SECTION 97 – HEDGEROW APPEAL

Appeals may be made against either a Hedgerow Retention Notice or a Hedgerow Replacement Notice.

If you need this document in large print, on audio tape, in Braille or in another language please call 0303 444 5000.

WARNING: **We must get the completed appeal form, plus any enclosures within 28 days from the date the Retention or Replacement Notice was given.**

PLEASE PRINT CLEARLY IN CAPITALS USING BLACK INK

A. APPELLANT DETAILS

Name

Organisation Name (if applicable)

Address

Postcode

Daytime Tel

Email

I prefer to be contacted by: Email Post

B. AGENT DETAILS (if applicable)

Name

Organisation Name (if applicable)

Address

Postcode

Daytime Tel

Email

I prefer to be contacted by: Email Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of LPA

LPA's reference

Date of Application to remove the hedgerow D D M M Y Y

Date of Retention or Replacement notice D D M M Y Y

D. LOCATION OF THE APPEAL SITE

E. GROUNDS FOR YOUR APPEAL

Please indicate the grounds for appeal by ticking whichever box applies and then set out your reasons in section F of this form.

1. I am appealing against a Retention Notice
2. I am appealing against a Replacement Notice

✓

1.

2.

F. REASONS FOR APPEAL

F. REASONS FOR APPEAL (Continued)

Please turn over

G. CHOICE OF PROCEDURE

Please choose option 1 or 2 or 3 by ticking one box only

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

1. WRITTEN REPRESENTATIONS

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

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You and a representative of the LPA will be given an opportunity to accompany the Inspector during the site visit.

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2. HEARING

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 will be heard at the discretion of the Inspector. Hearings are not usually suitable for appeals that:

H

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

Although you may prefer a hearing, the Inspectorate must also consider whether your appeal would be best dealt with by one.

3. INQUIRIES

This is the most formal procedure and is usually the best way to deal with a case involving complex legal issues and or where many third parties have expressed an interest in the case. Expert evidence is often presented at an inquiry and witnesses may be cross-examined. An inquiry will normally take longer than a hearing, and in some cases could last several days. It is not a court of law but proceedings may appear to be quite similar. Inquiries are open to the public.

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.

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Sometimes even if both parties have opted for the written representations procedure or a 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.

"I wish to be heard by an Inspector at an inquiry because...

H. ESSENTIAL SUPPORTING DOCUMENTS

The documents listed below, must be sent with your appeal form. If we do not receive all your appeal documents within 28 days from the date the Retention or Replacement Notice was given, we may not be able to accept it.

Please tick the boxes to show the documents you are enclosing.

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

I. CONFIRMATION

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 description and my grounds of appeal may appear on the Planning Portal.

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 the details are correct to the best of my knowledge.

Signature

Date

D D M M Y Y

Name (in capitals)

11. *What is the primary purpose of the following sentence?*

On behalf of (if applicable)

For more information about how we process your personal information please see "Hedgerows – Retention and Replacement Notices – Guidance on Appeal Procedures."

Please now send this form and all the necessary supporting documents to:
treeandhedgeappeals@planninginspectorate.gov.uk

Telephone: 0303 444 5000

And send a copy of it to the LPA that issued the Notice.

When we receive your appeal form, we will:

1. Tell you if it is valid and who is dealing with it
2. Write to the LPA asking them for their comments on the appeal and relevant documents.
3. Write to LPA asking for their agreement to your preferred procedure.

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

At the end of the appeal process you will receive the Inspector's decision, in writing (including details of the Inspector's reasoning).

J. SUPPLEMENTARY SHEET

