



Penderfyniadau Cynllunio ac Amgylchedd **Cymru**

Planning & Environment Decisions **Wales**

PEDW Guidance: Quality Assurance Process

Introduction

1. PEDW's Ministerial quality target is 99% of Inspector's decisions free from error. This target has been met consistently for many years. PEDW's decisions and reports are closely scrutinised, particularly by the losing parties and often used in support of planning applications and appeals. PEDW's reputation and standing is founded on robust decision making and the maintenance of the highest standards over many years. Achieving those high standards starts with initial training and monitoring before Inspectors can issue decisions unchecked. Ensuring those standards are maintained is dependent on a number of factors including quality assurance checks like pre and post issue decision reading and feedback. This guidance sets out how this is done in PEDW. This guidance document runs alongside Welsh Government's Let's Talk [process](#) where the matters raised herein can be discussed.
2. In PEDW, decisions issued on behalf of the Welsh Ministers are written by Planning Inspectors and Planning Officers. These are referred to as Decision Writers throughout this guidance.
3. The Decision Writer is appointed by the Welsh Ministers to determine appeals and they are solely responsible for their decisions. Even in training an Inspector may disregard the advice from senior Inspectors and readers. However, it is an essential part of performance management that quality is maintained and action taken to address concerns with quality that could expose the Welsh Ministers and PEDW to unacceptable reputational damage or unnecessary public expense. Therefore, all Decision Writers are expected to engage fully with this process and be accountable for the quality of their decisions and reports.
4. Whilst quality should not be compromised, the reading process should facilitate the Decision Writer's development rather than hinder their progress. The aim is to get Decision Writer's to take ownership of their decisions, rather than relying upon the reading regime for quality assurance.

Pre and Post Issue Decision Reading

5. All Decision Writers can seek pre-issue decision read / advice if unsure on specific matters or seeking some quality assurance. This will usually be undertaken by their Line Manager, Knowledge Lead (Deputy CPI) or experienced Inspector in the relevant subject area.
6. All Reports that are issued to the Welsh Ministers for a decision are subject to pre-submission reading to check quality and reasoning. They are also read by Welsh Government Planning Division before submission to the Minister.

7. Decisions sent for reading must have been proof read by the Decision Writer and in a state ready for issue. The purpose of a pre issue read is only to ensure the approach and reasoning is sound, not for proof reading. It is the responsibility of the Decision Writer (not the Reader) to ensure matters such as the application/appeal data, names of policy documents, policy numbering, the text to support policy, amongst other things, are correct.
8. The Knowledge Lead also undertakes a random 10% post issue decision quality check to monitor quality and will inform training needs. Feedback will be provided in all cases copied to line managers.
9. In most cases, the above reading regime is informal, not marked / recorded and feedback may be given verbally or by email in an informal way. However, new Inspectors have a bespoke reading regime which they must pass (graduate) before issuing decisions unread. In addition, the formal reading regime may be used for other Decision Writers in the form of Additional Quality Assurance Intervention as set out in this procedure note.

Inspector training

10. The 'Framework for Probation and Progression to Issuing Decisions Unread' sets out the expectations for new Inspectors to progress through training in order to pass probation and to progress to a point when they are ready to issue decisions unread. This should be read in conjunction with [Welsh Government's Probation Policy](#) which applies to all new permanent employees, and employees on Fixed Term Appointments.
11. Milestones and the requirements for progression are as follows:

Milestone	Objective	Notes
To pass probation (usually within 6 months of start date)	9 appeal decisions (levels G or H) marked 'issuable' or 'issuable (amendment required)' within a continuous run of 10	Excludes any non-issuable mark relating to appeals against conditions or level F cases (or higher)
To issue appeal decisions (levels F, G or H) unread	18 appeal decisions (levels F, G or H) marked 'issuable' or 'issuable (amendment required)' within a continuous run of 20	- No more than 5 'issuable (amendment required)' - The run of 20 must be achieved during a full caseload and exclude the initial 9/10 - Excludes any unfavourable mark relating to level E cases (or higher)

To issue costs decisions unread	5 costs decisions (levels F, G or H) marked 'issuable' within a continuous run of 6	• Must have also reached the 18/20 appeal decision objective • The run of 6 must be achieved during a full caseload • Excludes any unfavourable mark relating to levels A-E or specialist cases
To issue 'appeals against conditions' cases unread	2 decisions/reports marked 'issuable' in a row (for each of these categories)	May include cases which counted towards the initial 18/20
To issue decisions/reports (level A-E) unread		
To issue specialist casework (e.g. TPO cases) unread*		
To issue decisions/reports involving a hearing unread	2 decisions/reports involving a hearing marked 'issuable' in a row, plus one hearing session observed and receiving a 'pass' mark	Includes cases at all levels A-H
To issue decisions/reports involving an inquiry unread	2 decisions/reports involving an inquiry marked 'issuable', plus one inquiry session observed and receiving a 'pass' mark	Includes cases at all levels A-H

*Does not apply to Inspectors who have achieved the milestone relating to decisions/reports involving a hearing/inquiry.

12. In assessing whether a run has been achieved cases will be ordered by site visit / event date; followed by the date on which they are received for reading. However, this may be varied if a case is delayed for reasons outside the Inspector's control.
13. In assessing the runs to probation or to issuing decisions unread, line managers will exclude any decisions with an unfavourable mark for cases which are deemed particularly difficult in terms of raising novel or complex issues.
14. Any of the targets specified in the above table may be relaxed according to business needs and demands. Inspector Managers should be informed by the reading coordinator when certain objectives have been achieved, who should then confirm with the trainee which decisions/reports can be issued unread.

15. The methodology for assessing and marking decisions is set out below.

All Inspectors and Decision Writers

16. All Decision Writers should seek a pre issue decision read / advice if unsure on specific matters or seeking some quality assurance. This will usually be undertaken by Planning Inspector Manager, Knowledge Lead or experienced Inspector in the relevant subject area. Errors / issues identified in these cases will not prompt Additional Quality Assurance Intervention because the purpose of the read is to seek advice and quality assurance.

17. PEDW undertakes a random 10% post decision quality check of all decisions issued to ensure the required standards are being maintained. In addition, all Reports that are written with recommendations for a decision by the Welsh Minister, are subject to a pre-issue quality assurance check. Errors / issues identified that could be subject of successful JR or upheld complaint will be raised immediately directly with the Decision Writer and their line manager. If these quality checks flag errors / issues of concern, the Decision Writer may be targeted to be included in the following 10% batch of decisions to identify repeated errors / issues that could prompt Additional Quality Assurance Intervention as set out below. Records of the 10% post decision quality check will be kept for 12 months and will be useful for discussions as part of Welsh Government's [Let's Talk process](#).

18. In addition, PEDW keeps a record of all post decision complaints and legal challenges and reviews these to check for quality issues. Where issues are identified, this will be raised immediately directly with the Report / Decision Writer and their line manager.

Additional Quality Assurance Intervention

19. Where serious (see Not Issuable definition below) or cumulative issues with quality are identified in a decision through the 10% post-decision read, report checking or review of post decision complaints and legal challenges, the Decision Writer may be subject to additional reading via the Quality Assurance Intervention process, until quality concerns are addressed. As part of Welsh Government's [Let's Talk process](#) Decision Writers will have regular check-ins with their line managers where they will discuss performance and be aware of the need for Additional Quality Assurance Intervention and what has led to it.

20. If a Decision Writer is disabled or has a health condition or personal circumstances that might prevent them doing their best in the workplace it would be very helpful to let their line manager know so that they can discuss together any reasonable adjustments that could be useful, and which might

help their performance. If adjustments are already in place, they should discuss whether these are suitable and working effectively and whether to update their Workplace Equality Passport or put one in place. A referral to Occupational Health may be appropriate so that they can provide advice and guidance on workplace adjustments.

21. Where quality concerns are identified any Decision Writer may be subject to Additional Quality Assurance Intervention via a pre-issue decision reading regime following the same methodology followed for initial training as set out below. This is intended to support Decision Writers to improve the quality of their work to meet the required standards and can be an opportunity to identify training needs or other opportunities to support professional development.
22. Concerns may be identified by the individual themselves, via the standard post issue decision and report reading procedures, via complaints or judicial review, or following a long period without doing casework or other personal circumstances affecting performance. Irrespective of the trigger, the Decision Writer will be informed by their line manager that they are to be subject to the Additional Quality Assurance Intervention procedure from a certain date. The scope of the procedure will be explained to them (e.g. it may relate only to decisions on certain topics) and expectations of progress made clear.
23. Progress will be measured against the probationary reading regime until quality is assured on a consistent basis e.g. 9 out of a continuous run of 10 decisions submitted within target are 'Issuable' or 'Issuable; amendment required' during a full caseload.

Guidance for Readers

24. With the exception of the informal pre and post issue decision reads set out at paragraphs 5-8 above, the following guidance should be applied to the reading and marking of any decisions read either pre-issue or post-issue irrespective of the particular purpose of reading (i.e. for Inspectors in Training, reading for performance monitoring purposes, or targeted pre or post-issue reading for any specified purpose).

Who undertakes pre and post issue decision reading

25. In PEDW, Readers will be experienced Inspectors who have undertaken casework for a minimum of 2 years after being able to issue decisions unread. They will have undertaken Training for Readers.

The role of the Reader

26. The role of the Reader is to undertake an impartial assessment of the Decision Letter or Report against the methodology set out below, to identify any issues of quality that could expose the Welsh Ministers and PEDW to unacceptable reputational damage or unnecessary public expense. PEDW's Ministerial quality target is 99% of Inspector's decisions are free from error. Decisions identified as 'not issuable' may be due to quality or consistency issues which cumulatively could undermine confidence in PEDW. Readers are expected to provide clear, consistent and reasonable feedback to the Decision Writer to help them improve their decision writing.
27. The Reader will need to be familiar with the relevant information on the file as background to the decision / report. They should therefore refer to the planning decision, the statements of case for the main parties, any suggested conditions, any technical reports or legal documents relevant to the decision and interested party representations.
28. At the early stages of the reading process, the Reader is also expected to check matters such as the application or appeal dates, reference numbers, names of policy documents, policy numbering etc.
29. At the discretion of the Reader, where Decision Writers are making good progress some or all of their decisions can be 'skim read' without the full file. Skim reading involves checking the decision for structure, coverage, reasoning and errors without referring to any of the supporting documentation. If there are concerns about elements of the decision it may be necessary for the Reader to check the evidence.
30. Readers should not be worried about the use of particular words or phrases or other matters of individual style but reasoning must be coherent. Considerations relating to the design of buildings and character and appearance inevitably include elements of subjectivity, planning is not black and white, and Readers should not intervene with opposing views on subjective issues. However, Decision Writers are expected, through their decision writing, to be able to explain their decisions clearly and logically and where they have not Readers are expected to reflect this in their marking and comments.
31. If Readers feel they need advice or support in undertaking their role, they should discuss with their line manager.

Methodology for Reading

32. Through the reading regime, decisions are considered in relation to the following categories:

- **Coverage**

Does the decision take into account all necessary elements? Are all arguments or grounds appertaining to the main matters at issue covered, particularly those of the losing party? Has the Decision Writer taken account of anything they should not, or introduced something that would come as a surprise? Have any unnecessary “helpful” comments or comments about matters that are not directly relevant to the appeal been included? Has the decision been written in a way that does not unduly fetter future decision-makers? Have other relevant cases/appeals raised by the parties been adequately addressed?

- **Structure/reasoning**

Is the decision set out in a logical sequence leading to a sound, convincing decision? Are the issues/material considerations clearly and correctly defined? Do the conclusions relate to the defined issues/matters? Does the decision contain clear conclusions in relation to the relevant development plan policies? Does the decision demonstrate correct understanding and application of relevant development plan/national policy and planning law? Does it display sound judgement?

In respect of a costs decision where an award is made, does it follow from the reasoning? Has the distinction between a full/partial award been made where necessary? Does the decision demonstrate correct understanding and application of the costs regime and relevant case law? Is the correct award made as indicated by the reasoning? Is the actual award clearly and correctly written? Where a partial award is made, is the basis of the award clear and explicit?

- **Presentation/accuracy**

Does the decision contain any factual errors, including the application details, names, policy numbers etc? Is the decision correct in terms of spelling, grammar and punctuation? Is the meaning clear? Are the sentences and paragraphs too long? Does it have a clear structure? Is the decision clearly written in plain English / Welsh? Is it concise and easily readable? Does it avoid using inappropriate or potentially offensive wording or jargon? Is the tone pretentious, arrogant or monotonous?

- **Conditions**

Have reasons been given for not imposing suggested or requested conditions? Have all the conditions which the Decision Writer indicates as necessary been attached in the decision along with reasons? Do the conditions pass the tests in the Circular? In a report has the Decision Writer clearly indicated what conditions they consider should be attached and given reasons why?

- **Timeliness**

The targets to progress non-specialist casework within the Reading or AQA Intervention regimes are as follows, unless otherwise agreed with your line manager, are subject to reasonable adjustment or cannot be met due to circumstances outside your control:

HAS cases	5 working days* after the site visit
All other written representations	10 working days* after the site visit
Hearings cases	15 working days* after the event
Inquiry cases	15 working days* after the event

*Excludes usual working days charted for annual/flexi leave, travel, training or meetings by the Inspector Scheduling team.

Cases submitted within target (noting the 1st working day is the day after the event) will be marked Issuable for timeliness. Cases submitted outside the target will be marked Not Issuable – unless the Decision Writer has agreed a revised date with their line manager due to personal circumstances, or there are case-specific circumstances recorded on file (for instance where further information has been sought from the parties). Where amendments are required, these should be returned to the Reader within 2 working days of receiving feedback or within a longer time agreed with the Reader where substantial amendments are required.

33. For the overall mark to be Issuable, all sub-categories above must be marked Issuable. The overall mark would be Not Issuable if any of the sub-categories are marked Not Issuable. **Annex 1** sets out more detailed guidance for Readers.

Issuable (I)	An Issuable decision could be issued without significant risk of a justified complaint or successful High Court challenge. However, it may not be a perfect decision and may contain very few minor errors.
Issuable; amendment required (I(AR))	A decision that could be issued without significant risk of a justified complaint or successful High Court challenge but contains errors that do not go to the heart of the decision or would not significantly undermine the authority of the decision and confidence in it.
Not Issuable (NI)	A decision which is Not Issuable is one that contains a significant error that would be likely to lead to a justified complaint or a successful High Court challenge. Some decisions may contain a number of smaller errors. Taken individually these might not lead to a justified complaint or successful High Court challenge. However, if taken cumulatively, they would significantly undermine the authority of the decision and confidence in it, the decision would be Not Issuable.

Providing Feedback to Decision Writers

34. The aim is not to achieve absolute perfection. However, achieving a high quality of decisions is important. When marking please bear in mind that, as long as the essentials are covered, there may be more than one approach to writing a sound decision. **Annex 1** sets out more detailed guidance for Readers.
35. Providing constructive and helpful feedback is an essential part of the reading process. You should complete a concise mark sheet (see **Annex 2**) and send it to the Decision Writer. They should be clear from comments received why a decision is 'Issuable; Amendment Required' or 'Not Issuable'. Comments should also be included for 'Issuable' marks where the decision is of exceptional quality e.g. at least some of the subject matter is unusually complex and/or the proposal is for larger scale development, and the decision is of the highest quality when measured against all of the relevant marking criteria.
36. When issuing a NI mark you should consider whether it would be helpful to phone the Decision Writer to discuss before you finalise the mark sheet or the mark: discussion may affect your understanding of the case and the mark; Decision Writers need to gain a clear understanding of any significant concerns; it provides an opportunity to discuss good practice and potential improvements and verbal praise is a great motivator and confidence booster.
37. In most cases a Reader suggesting amendments to a decision should be content to leave it to the Decision Writer without further amendments being submitted for reading. However, in doing so the Reader must be satisfied that the changes suggested are clear and self-explanatory. In cases where there are significant changes required to the structure, coverage or reasoning, ensure your comments are clear and will enable the Decision Writer to amend the decision and for it not to be re-read. If the Reader thinks the amendments are more significant and need a re-read, they should make this clear to the Decision Writer.
38. When making comments on a mark sheet you should consider the possibility that they might, at some stage, be made public under the Freedom of Information Act. Accordingly, your language should always be measured and your comments phrased in such a way as to leave all in no doubt that the appointed Decision Writer is the sole decision maker.
39. When you are satisfied that the decision can be cleared for issue, the Reader should confirm this by e-mail to the Decision Writer that they can send it to the Despatch mailbox (PEDW.CentralServices@gov.wales) without delay.

Observation of Hearings and Inquiries

40. Inspectors are also expected to meet the required quality standards when undertaking Hearing and Inquiry events. Advice on how to prepare for and conduct events is provided in the Hearing and Inquiries ITM Chapter.
41. To ensure that newly trained Inspectors are meeting the required standards, they will be observed at their first event by an experienced Inspector, usually an Inspector Manager. Performance will be recorded using the template at Annex 3.
42. The observer will undertake a qualitative assessment of performance, considering the Inspector's opening address, control of the event and professional ability/effectiveness to manage the event successfully to reach a sound decision. The observer will complete the record sheet and discuss the outcome with the Inspector. If there are concerns about any element of performance, support and training will be provided and further observations will be undertaken until the required standard of performance is reached.
43. PEDW's leadership team will endeavour to observe Inspectors at oral events on at least 1 occasion per year to ensure quality standards are maintained.

Guidance for Receiving Feedback

44. All Inspectors are expected to engage fully with this process and be accountable for the quality of their performance at oral events, decisions and reports. Receiving feedback, which may be negative or disappointing can be difficult, but it is a necessary part of ensuring quality and consistency across PEDW's decisions. See Annex 3 for top tips to help receive feedback.
45. Readers and observers will have taken time and care in providing feedback and this advice should be received in the constructive way that it is intended. It is vital that colleagues treat each other with respect and in most cases, Inspectors should accept the impartial feedback they receive and consider how they could amend their approach to benefit from the advice provided by the Reader.
46. Inspectors should:
 - be fully aware of the requirements of this Quality Assurance Process and methodology for the reading regime;
 - communicate with the Reader / Observer in a constructive manner;
 - co-operate with their manager to agree work objectives and achieve a satisfactory level of performance;
 - take responsibility for improving the quality of their work in response to feedback; and

- draw to the attention of their line manager any factor impacting adversely on their performance.
47. Where an employee has or is aware of a problem that may affect their work, they should try to raise it and discuss it with their line manager. If the employee feels that their relationship with their line manager is a factor they should speak to the next senior line manager.
48. If you disagree with the feedback being given you should first try to discuss with the Reader / Observer to clarify both standpoints. In the unusual situation that this does not lead to a resolution, you should discuss concerns with your line manager.

What happens if quality does not improve throughout the Reading Process?

49. If the Decision Writer does not progress to a point where quality is assured on a consistent basis (as set out in paragraph 22) PEDW will follow the [Welsh Government's Performance and Development Approach](#).

Annex 1 – Guidance for readers

This table contains a list of the matters that will often feature in a good decision/report and an indication of the likely mark. The aim is to help Readers achieve a degree of consistency. However, it is not possible to be prescriptive about every possible scenario and judgement needs to be applied having regard to the relevant training and experience of the Reader.

Issue/matter to be covered	Advice on mark
Overall	
There are three categories of Decision.	Issuable (I) An Issuable decision could be issued without significant risk of a justified complaint or successful High Court challenge. However, it may not be a perfect decision and may contain very few minor errors. Readers should always compliment Inspectors where decisions are particularly good and where difficult issues have been well handled. Readers should also provide advice on good practice and potential improvements. Issuable: Amendments Required (IAR) A decision that could be issued without significant risk of a justified complaint or successful High Court challenge but contains errors that do not go to the heart of the decision or would not significantly undermine the authority of the decision and confidence in it. Not Issuable (NI) A decision which is Not Issuable is one that contains a significant error that would be likely to lead to a justified complaint or a successful High Court challenge. Some decisions may contain a number of smaller errors. Taken individually these might not lead to a justified complaint or successful High Court challenge. However, if taken cumulatively, they would significantly

	undermine the authority of the decision and confidence in it, the decision would be Not Issuable.
Issue/matter to be covered	Advice on mark
Heading (and Decision where allowing)	
Components: • site visit date • appeal reference • address (from application form or if different as explained in a procedural matter) • appeal type • outline application (if applicable) • name of appellant • local authority / national park authority • application and decision details (ref/dates) • description of development (from application form or if different as explained in a procedural matter) • the correct summary of decision	Issuable Contains no significant errors. It should not give rise to any legitimate concern that the appeal might have been determined on the wrong basis. The following minor errors would not necessarily lead to a decision being Not Issuable (provided that the problem does not significantly undermine the authority of the decision): • a misplaced or transposed digit • missing out a small section of the appeal reference number or a non-critical part of the address Not Issuable Contains an error which might reasonably lead the parties to conclude that the appeal had been determined on the wrong basis such as: • a wholly incorrect application number, address, application ref or decision date • an inaccurate and misleading description of development • the wrong appeal type Or a mistake or which significantly undermines the authority of the decision such as: • an incorrect site visit date, appellant's name or site address • an incorrect spelling of the appellant's name, Council's name, referring to a National Park Authority as a Council, or a key part of the site address

	an error in the appeal reference (as this is often used to reference decisions).
Issue/matter to be covered	Advice on mark
Procedural Matters	
Where relevant explain: - Why amended plans cannot be accepted - the nature of an outline application/reserved matters and if any plans are illustrative - whether or not any particular features form part of the application - why the original description of development or address has been changed - that the development has taken place - if allowing, that retention/continuation/retrospective are not descriptions of development - that the issue of whether or not pp is required is not a matter before you - the Council's objections for non-determination (if known) - explain approach to linked decisions - if any reasons for refusal are not being defended - new issues post LPA decision	It is not always essential that these matters are dealt with in a separate procedural section. In some cases it may be acceptable to deal with them elsewhere in the decision. Issuable All necessary matters are covered clearly and concisely and the basis on which the decision has been considered is clear. Any omissions would be minor and would not give rise to concerns that the appeal had been considered on the wrong basis. This might, for example, include omitting to explain the approach to linked decisions or that retention is not an act of development – provided that the overall approach taken in the reasoning is clear and sound. Not Issuable If the error or omission is such that: - it is clear that the appeal has been considered on the wrong basis (e.g. incorrect plans, description of development or reserved matters) or - the basis on which the appeal was considered is likely to be unclear to the parties (for instance there are uncertainties/ambiguities about the scope of the proposed development).

Issue/matter to be covered	Advice on mark
Main Issues	
These should: • be clearly set out (in a separate section or at the start of the reasoning) • include all key issues raised in the reasons for refusal (or later by the parties if relevant) • be short, specific and neutral • avoid surprises	Issuable The main issues are clearly set out and are reasonably short, specific and neutral. All relevant key issues are covered. However, they might benefit from minor amendments to improve clarity or to be more concise. Not Issuable The main issues have not been correctly identified and this would be likely to significantly undermine confidence in the decision – for example: • omitting a key issue, • phrasing which is not likely to be seen as neutral, • ambiguity • the inclusion of a ‘surprise’ issue
Reasoning & coverage of main issues and other matters	
Should: • deal with all main issues (and all main arguments relating to these) • consider all main losing party comments • be based solely on evidence available ensuring natural justice (i.e. no surprises) • avoid unnecessary coverage of winning party comments • reach clear, authoritative and credible conclusions	Issuable Generally deals with all necessary issues and matters in a clear, concise, logical and convincing manner with no significant extraneous material or errors. The following would not necessarily lead to a decision being Not Issuable (provided that the problem does not significantly undermine the authority of the decision): • inclusion of some extraneous material (for instance, over long description of policy, unnecessary reiteration of the parties cases or findings on matters which need not have been covered) • reasoning that is sound but would benefit from strengthening/more analysis

based on reasoning not assertion • be clearly structured with no repetition • avoid reiterating the cases of the parties • avoid unnecessary description of appeal site, surroundings or proposal • ensure that each sentence has a purpose and is relevant to the decision (avoid statements that will lead the parties to think - 'so what') • not include any 'helpful' comments (i.e. this would be acceptable if only . . .) • deal with previous appeal decisions where relevant (to show consistency) • conclude against the main issue and development plan policy (and if dismissing clearly identify the harm) • include an assessment of whether material considerations might lead to a conclusion other than in accordance with the development plan (if argued) • include a concluding balancing paragraph where necessary • correctly identify and deal with 'other matters'	• a structure that would benefit from some minor improvement • drafting that would benefit from being more concise Not Issuable Contains significant flaws which cast serious doubt on the Inspector's understanding or assessment of the proposal and / or the cases put or raise conflicts with the principles of natural justice - for instance, because: • key losing party arguments or important material considerations on the main matters at issue have not been assessed, and / or reasons appertaining to them not given • the findings are based on assertion not reasoning • the findings are based on evidence which was not before the parties • the reasoning is illogical, contradictory or ambiguous • there are no clear conclusions against the main issue/policy//statutory test (where relevant) • alleged benefits have not been considered and weighed against harm (where dismissing) • conditions which are argued would overcome harm have not been considered
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Issue/matter to be covered	Advice on mark
Policy	
Should include: • a clear conclusion on all relevant development plan policies (stating whether or not the proposal accords with them) • a brief and accurate summary of the relevant development plan policies only • an assessment of consistency with national policy (where contested by the parties) • policy discussion woven into reasoning rather than set out separately • appropriate coverage of SPG/SPD/emerging policy (including weight if contested)	Issuable No significant flaws. There is nothing that would reasonably cast doubt on the Inspector's understanding and application of policy. Minor problems which would not necessarily lead to a decision being Not Issuable include • policy not being woven in • over-long summaries of policy • no summary of the policy (provided that the purpose/aim of the policy is implicit from the reasoning) Not Issuable The handling of policy is materially flawed, for instance, because: • the decision fails to reach a conclusion on relevant policies • the summary of policy is inaccurate or misleading • the policy has been misunderstood or inaccurately applied • an assessment of development plan policies against national policy is flawed • weight is incorrectly attributed to an emerging plan • key arguments relating to the status or application of policy have not been adequately addressed

Issue/matter to be covered	Advice on mark
Presentation, accuracy, readability and tone	
Components: • correct house number/name, street, compass points, dimensions, document titles and policy reference/numbers etc • correct use of grammar and punctuation (including commas and colons) • concise and easily readable using short sentences and paragraphs • avoids jargon and uses plain English (where possible) • appropriate tone, tactful	Issuable No significant flaws. The decision should generally be concise, clear, well-structured, authoritative, readable and jargon free (where possible). The following would not necessarily lead to a decision being Not Issuable: • a very limited number of typos (in proportion to the length of the decision – for instance no more than 2 in a short decision) - provided that the typo does not affect meaning • minor inaccuracies in punctuation • overly-long • not giving full titles to development plans and other documents Not Issuable Significant problems – for example: • if factual errors (e.g. in terms of street names/compass points, document titles etc) undermine the authority of the decision or cast serious doubt on the Inspector's understanding of the appeal and evidence • if the language, grammar, punctuation and structure is so poor that it creates doubt over meaning or makes it difficult to read and extract clear meaning • the clarity of the decision is clouded by length, repetition or ambiguity • there are so many typos that confidence in the decision would be undermined (having regard to the length of the decision)

	• allowed / dismissed – the formal decision is to allow but conclusion is to dismiss • if the tone used would be likely to lead to a justified complaint (for instance, due to insensitivity)
Issue/matter to be covered	Advice on mark
Conditions and S106	
Where allowing: • address all conditions suggested by the Council not being imposed (based on necessity) • impose all those conditions which have previously been indicated in the reasoning • ensure conditions comply with tests in Circular 16/14 • do not impose surprise conditions • exclude unnecessary detail and over-prescriptive requirements • include plans condition (referring to correct plans) • avoid “unless otherwise agreed in writing by the LPA” • do not impose conditions that would materially alter the proposal or unreasonably limit the permission sought Where dismissing:	Issuable All conditions meet the relevant tests and are clearly, accurately and concisely drafted with no significant errors – reasonably concise and accompanied by reasons Adequate reasons given for not imposing suggested conditions The following would not inevitably lead to a decision being Non-Issuable: • inclusion of unnecessary detail (as long as the condition still complies with the tests) • referring to ‘unless otherwise agreed by LPA’ (but this depends on the particular condition and the scope of potential variation) Not Issuable Serious errors which undermine the decision, for instance because: • a condition is not enforceable (for instance, because it lacks an implementation clause) or fails other tests (for instance, because it is not relevant) • omitting the ‘plans’ condition • a condition may come as a surprise to a party • reasons have not been given for imposing conditions (and so a

• deal with those suggested by the appellant to overcome harm Have planning obligations have been correctly considered in line with Reg 122 of CIL Regs (if chargeable development) and any other relevant PEDW guidance?	suggested condition has not been considered) • reasons not attached to the conditions • a condition said to be necessary in the reasoning has not been imposed • a condition negates the permission which has been granted • a condition has the effect of materially changing the development Follow the same principles as for conditions.
Issue/matter to be covered	Advice on mark
Formal Decision	
If allowed, in accordance with details in heading (unless subsequently amended) If non-determination, dismiss and refuse pp	Follow the same marking principles as for 'Heading' above

Annex 2 – Template Reading Mark Sheet

Inspector:

File Ref:

Appeal Decision

Overall Comments

Detailed Comments

Target for submission of amendments:

	Mark (I/IAR/NI)
COVERAGE	
STRUCTURE/REASONING	
PRESENTATION/ACCURACY	
CONDITIONS	
TIMELINESS	
TIMELINESS FOR RETURN OF AMENDMENTS Target: 2 working days by e-mail unless otherwise agreed with reader	
OVERALL MARK Must be no higher than the lowest mark in any category.	
Allocation of appeal case	
Decision of appeal case	

If the decision has been accorded a Not Issuable mark on any of the main categories above (excluding timeliness), please identify which error categories apply, using the table below. If the decision has been accorded an Issuable mark overall (excluding timeliness), please ignore the table below.

Please select the relevant error categories below for each Not Issuable mark given above. Please select those errors which contribute to the Not Issuable mark(s). For example, if the decision has been accorded a Not Issuable mark for Structure/Reasoning above, please identify which errors

<i>apply (e.g. 'No clear conclusions on Development Plan', and, 'Decision not set out in a logical sequence').</i>		
Coverage		
Took into account an irrelevant factor	2a	
Failed to take into account/give appropriate weight to a relevant factor	2b	
Misinterpreted a relevant factor	2c	
Unnecessary / Inappropriate comments	2d	
Structure/Reasoning		
Inadequate reasoning / justification	3a	
Decision not set out in a logical sequence	3b	
No clear conclusions on Development Plan	3c	
Incorrect application of Policy / Planning Law	3d	
Failure to comply with rules of Natural Justice	3e	
Other significant errors that could have affected the outcome	3f	
Presentation/Accuracy		
Wrong word or number	1a	
Error in site address/description/names or identities of parties	1b	
Wrong C/A etc or geographical location	1c	
Erroneous or missing "not"	1d	
Allowed/Refused	1e	
Missing Text	1f	
Other problem with decision/report	1g	
Minor factual errors (not affecting outcome of appeal)	1h	
Conditions		
Condition complete but imprecise, vague or unenforceable	4a	
Conditions complete but an element is wrong	4b	
Conditions incomplete	4c	
Failed to attach necessary conditions	4d	

Exceeded or mistook powers in attaching or removing conditions	4e	
No reasons given for not imposing a suggested condition	4f	
Other problems with conditions (not typos)	4g	

Reader:

Date file read:

AMENDED APPEAL DECISION (where applicable)

Comments

Reader:

Date CFI:

Annex 3 – Observation Sheet for Hearings and Inquiries

INSPECTOR'S PERFORMANCE AT HEARING

Inspector:

CASE DETAILS

Reference:

Allocation:

Proposed Development:

Main Issues:

Also raised:

PRELIMINARIES

LPA:

Venue:

Event date:

Room layout etc:

Appearances: Appellant – Agent: Others:

LPA - Planning Officer: Others:

Other Parties:

Press:

Total Present:

PERFORMANCE

Comments on opening:

(Appearances ... letter of notification ... written reps received ... conditions ...
costs ... plans ... site visit ... agenda ... issues/topics ...)

Comments on control/personality:

Comments on professional ability/effectiveness:

GENERAL REMARKS:

SUMMARY:

Action to be taken by Inspector:

Action to be taken by PEDW:

Inspector’s Comments:

Inspector’s Signature: dated:

Reporting Officer’s Signature: dated:

Annex 4 - Top tips to help receive feedback

Top tips to help receive feedback

Ask clarifying questions - when accepting feedback, make sure you understand the Reader's true intent. If anything is unclear, ask questions to shed light on what specifically you can do to address the issue or improve your Decision / Report.

Know that negative feedback isn't a personal attack. Good negative feedback is about your approach to decision writing on a case, not about who you are as a person. Don't let difficult feedback lower your self-confidence because your self-worth isn't related to someone else's opinion of your work.

Take time to process your emotions. It's easy to have an emotional reaction when hearing negative comments. If your immediate reaction is anger or defensiveness, take a deep breath, remain calm, and keep your feelings in check to maintain effective professional relations with the Reader.

View the feedback from the Reader's point of view. To avoid receiving feedback in a negative way, put yourself in the shoes of the Reader. Seeing the situation from a different perspective often helps you realise that what seems acceptable to you may not be to others.

Accept constructive feedback. Constructive criticism intends to create positive change, provides specific suggestions on how to improve, and comes from a place of clear good intentions.