Penderfyniadau Cynllunio ac Amgylchedd Cymru

Planning & Environment Decisions Wales

# Casework Team – Appeals Processing Guide

## Contents

## Introduction

1. This guide is aimed mainly at the Casework Team and the work of Case Officers but may also be of use to others in PEDW. Its purpose is to set out the basic principles and required steps for the administration of appeals casework. It does not repeat information found in other guidance, for example the PEDW CRM Manual. Where relevant, other documents will be signposted in this guide.

2. Any uncertainty over the correct approach or action to be taken should always be raised with a Casework Team Lead or the Casework Team Manager in the first instance.

## Golden Rules for File Management

3. **Precision** – Anything added to a case file should be clear and free from spelling and grammatical errors. Ensure documents are imported to the correct location and linked to CRM for publishing if necessary. Leave the file as you would want to find it.

4. **Consistency** – Agreed standards such as the PEDW File Naming Convention should always be followed, by everyone who uses the file. Having things standardised makes it easier for different people to navigate the file more easily.

5. **Timeliness** – Take any necessary actions such as importing documents and adding CRM notes immediately. The task is not complete until you have done this. Having the file completely up to date at all times avoids duplication of work and time spent trying to establish what is happening with a case.

6. **Record Keeping** – Leave a case note on CRM to record any significant action or anything that is currently going on with the case, so that anyone in PEDW can pick it up and see what's happening with it. Ensure that important facts about the case are captured in the 'Important Information' box on CRM.

7. **Communication** – Whenever you take an action on a file, ask yourself 'who else needs to know?' and ensure that other individuals or teams are informed as appropriate. You can always rely on your manager to point you in the right direction!

## Document Templates

8. All document templates can be found at the following iShare folder, if you are using a template that is not in this folder, please let Sean know so it can be moved.
[https://documents.hf.wales.gov.uk/documents/qA2195362](https://documents.hf.wales.gov.uk/documents/qA2195362)

# File Preparation

9. File preparation is the process of ensuring that PEDW's electronic case file is in good order for use during the life of the case by both the Office and the Inspector, as well as for publishing for external parties to view where necessary.

10. The tasks set out below should be carried out before any further steps are taken. The checklist at Annex 1 should be filled in and added to the 'Correspondence' eClip and a file note added confirming these steps have been completed.

    **The principles set out in this section should be applied whenever actions are taken on a case file.**

## Ensuring documents to be published are linked from iShare to CRM

11. Compare the documents listed in the "iShare document" page within the CRM record to those in the iShare folder for the case. Ensure any missing documents are linked.
    Note: Not all documents are required to be linked to CRM, but any document that is to be published must be present in CRM. For assistance in linking existing iShare documents to CRM, see the following document: https://documents.hf.wales.gov.uk/documents/A38330961

## Applying the File Naming Convention

12. Ensure all files within iShare and CRM follow the PEDW naming convention. Examples and details on the naming convention are found in the following document: https://documents.hf.wales.gov.uk/documents/A47069042

13. If a file is renamed in iShare, be sure to 'refresh' the document record in CRM for the name to update across all systems.

## GDPR Reading, redaction and preparing for publication

14. Before any document is published, it must be checked to ensure compliance with GDPR. This means checking and redacting personal data, special category data, and other data that falls within the scope of GDPR. PEDW's privacy policy states that all personal data apart from names and addresses are normally redacted as part of our usual processes.

15. Some documents that are handled by business support prior to casework teams will be partially redacted. They aim to remove personal telephone numbers, personal emails, signatures, and any personal data contained in photographs. However, no process is perfect, and it is important to double-check that this has been done.

16. Any identified personal data in PDF files must then be redacted and sanitized using the redaction tools in Adobe Acrobat. No other redaction tool is suitable for this purpose.

17. Any potentially libellous material must be returned and will not be accepted, if you come across such material contact your line manager for advice. Do not simply redact such material.

Effective from 1 January 2026, we will only publish the following appeal documentation:

- The appeal form
- The statement of case
- Any additional documents that were not previously submitted to the Local Planning Authority (LPA)

Each publication will also include a link to the relevant LPA planning portal.

18. Please note, PEDW does not publish any documents relating to Gypsy and Traveller cases, including inspector decisions.

19. Further information on data handling can be found in this document: https://documents.hf.wales.gov.uk/documents/A54234510

### Organising the iShare File

20. iShare files for cases are organised into several eClips for various document types, following the standard agreed approach to arranging iShare files makes things easier for all involved.

21. Ensure all documents are placed into the relevant eClip, and follow the correct naming standards.

22. Further information on casework iShare file structure can be found in this document: https://documents.hf.wales.gov.uk/documents/A47069042

### Case Involvements and Contact Details

23. Ensure that CRM case involvements and contact details have been properly set up.

24. Check that all relevant parties have been added to case involvements, and ensure their contact details are accurate and reflect what was provided in submitted documents or emails.

## Validation and Starting the Timetable

25. Before starting an appeal, Case Officers must confirm the validity of the appeal (See “The Validation (Master) Checklist” section).
    Each appeal requires essential documents to be received within the deadline for appealing a refusal to grant planning permission (or other type of appeal).

26. While business support undertakes a first pass on GDPR issues, we have a "belt and braces" approach to ensure nothing slips through. Follow the "Guide to Data Handling" and "Guide to Publishing" to ensure all published documents are GDPR-compliant.

27. Planning appeals are usually required to be received by PEDW within 6 months of the date of refusal, and most appeal types will require a completed copy of the following:
    - Appeal Form
    - Application Form
    - Decision Notice
    - Plans / Documents considered by the LPA at application stage.

    However, this is not always the case. For non-determination appeals, there is no time limit. Enforcement appeals must be received before the effective date of the notice. For a full breakdown of dates, please see the "Appeal Submission Deadlines" table at the following document: https://www.gov.wales/sites/default/files/publications/2021-11/how-to-complete-and-submit-your-appeal-form.pdf

28. Appeals are validated by completing the Master Checklist **(See next subheading)** and ensuring all requirements are met. Where there is any missing information or further documents required, these must be requested from the Appellant by the deadline for the submission of their appeal.

29. Once an appeal is found valid, the master checklist is added to iShare and the CRM record is completed to reflect the appeals validity. The appeal can then be started, this is done by issuing the start date letters to main parties and completing the allocation activity (see 31).

30. If essential documents are missing and not received in time, or the appeal is for any other reason found invalid, both parties are notified of the appeal's invalidity and that the case will be closed.

## The Validation (Master) Checklist

31. The master checklist is usually placed within the correspondence eClip, various appeal case types have tabs within the excel workbook that contain bespoke checklist items for said appeal type.

32. Carefully check each item in order and complete the checklist using the dropdown selectors and comments box where appropriate.

## The Appeal Procedure and Allocation

33. This exercise informs inspector scheduling of how much time and what complexity to expect from any given case, it is run using the "Allocation Matrix" and guidance can be found in the "PEDW Guide to Casework Allocation Matrix

Scoring and Time Allocation”. It is also a good time to determine what procedure this appeal should be run under, the document “Determining the procedure guidance note V2” assists with this.

34. New allocations **must** be sent through to Inspector Scheduling using an activity on CRM (see below for more information on activities). The activity should be created and assigned to Chart as the owner. If no activity is sent, the case will not be assigned to an Inspector, causing delays to the appeal process.

35. When sending the activity, the following information must be included:

    **Subject:** New Allocation – Case Ref – Case Type

    **Description:** Procedure – Time Allocation (H or INQ only) – Start date – Health and Safety Issues – Other Issues to note.

36. Inspector Scheduling will also need to access other information which is found on the associated view page for the case (enforcement grounds, costs, case dates etc). When allocating, you **must** check those details to ensure they are correct.

### EIA Screening

37. When validating an appeal, consideration must be given to the Environmental Impact Assessment (EIA).
    An EIA form must be completed on all appeals (minus one or two which are exempt as they will not result in any new development) to confirm whether the appeal passes a threshold which will require further Environmental Assessment (EA) from the PETs team.

38. Further EA will be required on appeals over a certain size or of a certain development type, however, most appeals will not require any further EA.

39. If further EA is required, a copy of the completed EIA form is sent to PETs with a request to undertake further EA on the appeal. If no further EA is required, no further action is needed.
    A copy of the completed EIA is added to iShare along with the other validation documents.

## Environmental Statements accompanying a case

40. For larger or more complex cases, it is not uncommon to have Environmental Statements (ES) submitted with the appeal/application. Special steps are required when ES info is present.

41. An inspector will be required to assess the ES to check whether it meets the minimum requirements set out in the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017

### Provision of further information following incomplete ES

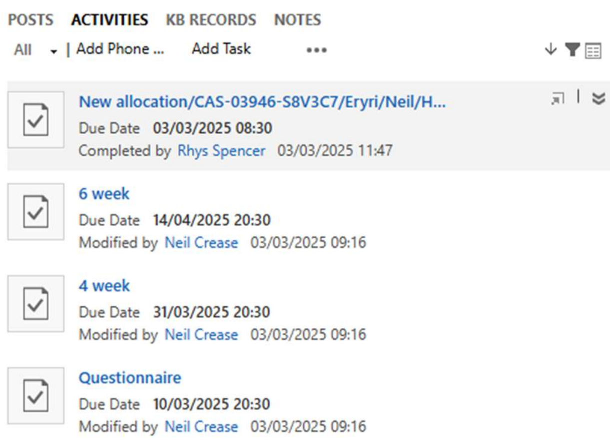
42. If an inspector determines that an ES is incomplete, you must write to the appellant (Cc LPA) informing them of this and requesting they inform us if they intend to submit the required information, and by when. There is no deadline we can impose on submitting this information, but chasing the appellant for updates is appropriate.

43. When we receive additional information, a process is set out in Regulation 24 of the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017. The following must take place:
    - Any ongoing determination, including scheduled events, are to be suspended.
    - All parties who were originally sent the ES must be sent copies of the further information.
    - The appellant must make sure copies of the further information are available to the public at a suitable location as per Reg 24(2)(f), (g), and (i).
    - A notice must be placed in the press regarding the further information.
    - A consultation period of at least 30 days must be held for anyone who sees the notice in the press to submit comments solely on the further information.

## Keeping Track – ‘BFs’ and CRM Activities

44. When any task or action is made that requires a follow-up action, a reminder must be set in the form of a CRM activity assigned to your casework team, and an entry in the outlook BF calendar. This outlook event should be on the day of the deadline and be scheduled for the entire day. A naming convention is applied as follows: “CAS-12345-ABCD - LPA NAME – TASK NAME”. If the case is specialist or enforcement, it should be marked with the relevant category.

45. A new CRM task should also be created and assigned to the relevant casework team. An example of a standard S78 case activity sheet would be the following:




Each task should be assigned to the relevant team. Assigning is done by changing the owner of the task. The new allocation task is assigned to the **inspector scheduling team** and all others to a **casework team**.

These tasks will then appear in the relevant dashboard/homepage for team members when the tasks are due.

## The Questionnaire

46. Questionnaires are submitted by the LPA after 5 working days of the appeal being started, and when received will be found in the CW 1&2 outlook folder.

47. The Questionnaire should be checked to ensure that any URL links to documents are working correctly, and all the required information is present. The Questionnaire generally must include:

    - the plans considered by the LPA at application stage.
    - a copy of the delegated / officer report.
    - copies of the notification letters to IPs and a list of the IPs notified.
    - copies of the policies considered by the LPA at application stage.

    They may also contain suggested conditions or the LPA’s Statement. Most supporting documents are submitted to us via links to the LPA’s planning portal.

48. Once completed, the Questionnaire and supporting documents are added to iShare and the Questionnaire form **only** is published to our online portal.

49. A note should be made regarding the LPA’s advice on the Site Visit and an email sent to Inspector Scheduling if an ARSV is required and the appeal started as USV.

50. A note should be left once all above tasks are completed to confirm the Questionnaire was received and added to iShare.

## Welsh Language Correspondence

51. If correspondence is received in the Welsh language, care must be taken to avoid unfairness.

52. For representations, they are to be sent for translation at PEDW.CentralServices@gov.wales for the benefit of the Inspector. They can then be sent to a Welsh speaking staff member for GDPR checking before following the usual process for uploading to CRM/iShare.
Note: We do not **publish** translations of documents, as we are not a translation service. However, it is acceptable to send parties copies of their own translated documents so they can verify the translation, this is done on request only.

53. When adding a party to a case on CRM, ensure the language preference is changed from English to Welsh if the party has corresponded in Welsh only.

54. Standard correspondence from templates should always be bilingual, if you come across a template in one language only, please inform a manager.

## Representations and Other Correspondence

55. All correspondence received in relation to a case should be saved to the Correspondence eClip on iShare for that case. This allows others to step in to the case and get a full picture of events.

56. If multiple emails are sent/received as part of a chain within the same day, it is acceptable to only save the latest email in the chain so long as all information is appropriately captured in the chain. If you do this you should name the iShare file appropriately to indicate an email chain is present.

57. You should leave a note on CRM for every correspondence item sent or received. This should detail the date received, the name of the sender, and what actions you have taken.

58. Interested Party Representations will usually be received by email or by post, and when received will be found in the CW 1&2 outlook folder.

59. The representation (commonly called a “rep”) may either be the content of an email body, or in an attached Word or PDF document.

60. It is **essential** that email bodies are also checked when attachments are present, as it may also form part of the rep alongside said attachment.

61. The rep should be converted to PDF format, the contents read to ensure compliance with GDPR, and to confirm that they are actually reps.

62. Note: We confirm receipt of reps only if requested.

63. The rep is then added to iShare via CRM, the Interested Party and their contact info are added to the Contacts section of CRM, and a note is left on CRM to confirm the rep has been received, GDPR checked, and that it is ready to be exchanged. Note: When a contact is added to CRM ensure you record their language preference correctly.

64. If you suspect that any of the rep contains libel or other problematic information such as accusations of criminal activity, check with a manager before returning the rep in full requesting the party amend it before resubmitting to us.

65. In the case of final comments, care must be taken to ensure that no new matters are introduced. Submitting further information on points raised by other parties earlier in the process can be acceptable. If there is any uncertainty, contact a manager or the Duty Inspector (if no Inspector is assigned yet), avoid sending the material in question directly to inspectors unless they ask for it, as we may be introducing it into evidence unknowingly.

### Actions following representations submission via portal

66. When representations or comments are submitted through the portal, a new task is created on the case and will be visible in the relevant team's CRM dashboard. These are prompts to the team that the document requires a GDPR check before the exchange date.
67. Once the relevant document and any attachments have been checked and ready to be published, the task can be marked as complete and will be automatically removed from any dashboards.

### Avoiding duplication of work – Always edit task subjects

**68. When picking up a comment/representation from this list, you should initially edit the task subject by placing your initials at the start to indicate you are picking it up, this prevents doubling up of work.**

## Cases under the 2017 Regulations

69. The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017 sets out appeal procedures for many of our case types, those include:
    - S73 + S79 Condition Appeals
    - S77 Called-in Applications
    - S78 Planning Appeals (Including Householder and Minor Commercial)
    - S106 Planning Obligation Appeals
    - S117 + S118 + S119 Community Infrastructure Levy Appeals
    - S174 Enforcement Appeals
    - S195 Lawful Development Certificate Appeals
    - S217 Maintenance of Land Appeals
    - Advert Appeals
    - Listed Building and Conservation Area Consent Appeals
    - Enforcement Listed Building and Conservation Area Consent Appeals

- Harbour Revision and Empowerment Order Applications
- Environmental Permitting Appeals
- High Hedge Appeals
- Tree Preservation Order Appeals
- Hedgerows and Tree Replacement Notice Appeals

Many miscellaneous case types will also run under the 2017 Regulations, usually as a choice by PEDW to simplify matters. This is known as running a case “in the spirit of the 2017 regulations” as while we don’t have to run them like this we choose to follow the regs for consistency with other case types.

Some specialist and misc. cases have separate appeals regulations and have their own timetables, examples are Common Land Applications and Rights of Way Orders. These will be detailed elsewhere.

## The 4 Week Stage

70. After the 4-week deadline has passed on an appeal, we must exchange the LPA Statement (if received) and any Interested Party Representations received to each main party.

    There should be a note to confirm that each LPA Statement or IP rep has been GDPR checked and is ready to be exchanged, if this is not the case for a document then you must GDPR check the document before exchanging.

71. The outlook “BF diary” entry for any given 4-week exchange action should be marked as completed and placed into the yellow category once the below tasks are completed.

72. Representations after the due date will not normally be accepted (if anything does come in late, please refer to your line manager).

73. Copies of the LPA Statement and IP reps are sent to the appellant, and copies of the IP reps are sent to the LPA.

74. Any IPs are sent a link to our online portal where they may access copies of both the LPA Statement and any IP reps. There is no opportunity for the APP to submit any comments at this stage.

75. All parties are then advised of the 6-week deadline for their Final Comments. Instructions on what must be included in Final Comments are also provided.

76. Once exchanged, the LPA Statement and IP reps are published to our online portal and the emails exchanging the documents are added to iShare for our records.

## The 6 Week Stage

77. After the 6-week deadline has passed on an appeal, we must exchange any valid final comments/reps received to each main party.

There should be a note to confirm that each final comment/rep has been GDPR checked and is ready to be exchanged.

78. Representations after the due date will not normally be accepted (if anything does come in late, please refer to your line manager).

79. Any party can make final comments, even if they have not previously made comment, the most important aspect however is to ensure that the representations received are in relation to the comments made at the 4-week stage, this is not an opportunity to make comment on the original appeal.

80. If representations and received and do not relate to matters submitted at the 4-week stage, the representations must be returned. If in doubt, contact a manager.

81. When saving any final comments/representations into iShare, ensure that they are clearly labelled as “Final Comments” and keep them in the appropriate eClip to avoid confusion with other documents and representations.

## Extension Requests

82. Parties will at times request an extension for deadlines such as the 4 or 6 week stages. Extension requests are usually only granted in exceptional circumstances, such as a bereavement or other unanticipated event.

83. If an extension is granted by a manager, a note must be left on the CRM case file setting out the reason and date agreed. Emails must be stored in the correspondence eClip for audit purposes.

84. If an extension is granted to any stage of the process before final comments, either a separate set of BF dates must be maintained for the relevant exchanges, giving the same opportunity for others to comment as before, or the appeal timetable can be amended. Consult with a manager if you are unsure.

## Inspector Requests

85. At times, inspectors may make various requests that the casework team will action. The scope of each request will be different, as such there is no one guide to handling inspector requests, however if anything is unclear, please consult with your line manager.

86. It is the responsibility of the casework team to set reminders to follow up on any deadlines linked with inspector requests. This is done through the BF diary and CRM activities. Thorough case notes are important for any such requests.

## Correspondence of note

87. At times, correspondence is received by the casework team that does not form part of the appeal documents but still requires attention from the inspector. Examples of such correspondence is an email from the LPA with information on decisions made in linked or similar cases.

88. The emails containing such correspondence is to be forwarded to the inspector, placed in the Correspondence eClip and marked with a “Sticky note” on iShare, and a CRM case note is to be added.
    The sticky note in iShare signals to the inspector that the correspondence requires their attention.

## The Event

89. PEDW has shifted much of the responsibility for running events to the relevant LPA or authority, as such only specialist casework calls for event admin duties in normal circumstances.

90. Event management involves displaying slides during breaks and before the event, being attentive to any submitted documents or requests approved by the inspector that will need to be shared as a matter of urgency, and generally being ready to step in should technical issues arise.

91. One week prior to the main event, a test event will be held where the event admin runs participants through a short checklist to ensure they understand the functionality of Microsoft teams. The script for test events can be found here: https://documents.hf.wales.gov.uk/documents/A36882810

# ANNEX 1 – File Preparation Checklist

PCAC PEDW
Penderfyniadau Cynllunio ac Amgylchedd Cymru
Planning & Environment Decisions Wales

## File Preparation Checklist

| | TASK | Y/N |
|---|---|---|
| 1 | All documents that need to be published are linked to iShare from CRM. | |
| | | |
| 2 | All documents for publication have been GDPR read. | |
| | | |
| 3 | All necessary redactions have been applied. | |
| | | |
| 4 | All documents for publication have been marked ‘yes’ for publishing on CRM (**Do not publish the case at this stage**). | |
| | | |
| 5 | All files have been renamed in accordance with the PEDW Naming Convention. | |
| | | |
| 6 | The iShare file is organised using both standard and non-standard eClips as necessary, in accordance with the PEDW file structure guide. | |
| | | |
| 7 | All relevant parties are added as ‘Case Involvements’ on CRM and the contact details are all entered correctly. | |
| | | |
| 8 | The case has been validated and / or any missing documents have been requested. | |
| | | |
| 9 | Add a file “Note” to CRM confirming what actions have been completed, by who and when. If all actions completed, state ‘Case ready to be started’. | |

Note any unusual issues or reasons for tasks not being completed in the box below.

| **Notes** | |
|---|---|
| | |
| Completed by: | |
| Date: | |

****Once completed, add this checklist to iShare in the ‘Internal Correspondence’ eClip****