

PE1534/Q

Frank Cosgrove Letter of 12 January 2015

From 1995-2008, I worked as a self-employed Inquiry Reporter for the Scottish Office/Executive Inquiry Reporters' Unit after taking Voluntary Early Retirement from the English and Welsh Planning Inspectorate (1980-95) in which I was a Principal Planning Inspector.

From 2001, I was a consultant Planning Inspector in Ireland for An Bord Pleanála. I dealt with 249 appeals in Ireland – a significant proportion of which were from Third Parties. I remember only one of the latter to have been without planning merit. There was no significant difference between the percentages of recommendations I made to allow or dismiss third party appeals and those in relation to first party appeals.

In the UK, local planning authorities have to spend a great deal of time considering proposals which are clearly contrary to the democratically approved development plan – something that is not permitted in many European countries. Then if the proposal is refused planning permission, the applicant has a second bite at the cherry – the right to appeal to overturn that democratic decision. Third Parties have no corresponding rights.

The reasons why the TPRA works so well in Ireland include:

- there is no absolute right for anyone to have their appeal dealt with by public inquiry or hearing (less than 1% of appeals go to hearings); and
- the vast majority of appeals are dealt with on the basis of written submissions and the Inspector (equivalent to Inquiry Reporters) carries out the site visit unaccompanied which saves a great deal of time.

The presence of the applicant and the planning authority representative at the site inspection serves no useful purpose as they have already had the opportunity to make their case in full, to draw the attention of the Inquiry Reporter to viewpoints that they consider significant and are not allowed to make additional comments.

I carried out about 1,000 site visits in Scotland, England and Wales, but cannot remember a single case where the presence of the appellant or planning authority representative at the site inspection was at all helpful. Unaccompanied site inspections would enable a very considerable amount of time to be saved without affecting the quality of appeal decisions. The time saving would, in my opinion, be more than enough to compensate for the time needed to deal with TPAs.

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