



Decision by <INSERT NAME(no title, no qualifications)>, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: <INSERT REFERENCE>
- Site address: <INSERT ADDRESS> [*include post code*]
- Appeal by <INSERT TEXT> against the decision by <INSERT PA NAME> to grant planning permission reference <INSERT REFERENCE> dated <INSERT DATE> subject to conditions.
- The development proposed: <INSERT REFERENCE>
- The conditions appealed against are: <INSERT TEXT> [*include reasons*]
- Date of site visit by Reporter: <INSERT DATE>

Date of appeal decision: <INSERT DATE>

Decision

I ALLOW/DISMISS the appeal (*only use dismiss if all the conditions are to remain unaltered; use allow even if more onerous conditions are being imposed*) and VARY/REFUSE TO VARY the terms of the planning permission (*stop here if appeal is being dismissed*) by deleting condition(s) ... and substituting therefore the following condition(s) (*if applicable*).

[*If after proper procedure under section 48(3) the planning permission is to be cancelled.*] I dismiss the appeal and refuse in terms of section 48 (1) of the Act to grant planning permission for the development and direct that the planning permission [ref] granted by ... Council dated [] shall be of no effect.

Reasoning

[*If necessary, explain the type of conditions appeal*]

1. The determining issues in this appeal are (*list the issues in summary form, to convey clearly and concisely what are the essential matters in dispute – e.g. the effect on the conservation area, the impact on road safety*). Where there is an issue related to the development plan, the approach in the relevant PPA template should be followed.

[*Your reasoning should also examine whether the conditions meet the 6 tests in Circular 4/1998. To do this you may need to refer to representations made on the original application for permission*]



[Only if you consider that planning permission should not have been granted at all should you consider using your powers under section 48(1) to review the whole permission. If you do so, the parties must be consulted under s 48(3).]

Signature

Reporter

[Insert after reasoning and conclusions but before list of conditions (if any). List of conditions should follow on without a page break]



Decision by <INSERT NAME(no title, no qualifications)>, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: <INSERT REFERENCE>
- Site address: <INSERT ADDRESS> [*include post code*]
- Appeal by <INSERT TEXT> against the decision by <INSERT PA NAME>
- Application for planning permission reference <INSERT REFERENCE>, (*application that is the subject of the appeal*) dated <INSERT DATE>, to carry out the development without compliance with condition(s) <INSERT TEXT> imposed in the grant of planning permission <INSERT REFERENCE> dated <INSERT DATE> (*the original application*).
- The development proposed: <INSERT TEXT>
- Date of site visit by Reporter: <INSERT DATE>

Date of appeal decision: <INSERT DATE>

Decision

I dismiss the appeal and refuse to grant planning permission as sought in the application **OR** I allow the appeal and grant planning permission for <INSERT description of original development, not that on application form the subject of the appeal > in accordance with the application No <INSERT number for the application subject of the appeal, not the original application number>, subject to the following conditions <LIST all the conditions to which the new permission will be subject, including any relevant ones not affected by the appeal and any new ones to be imposed > [without compliance with the conditions previously imposed on the planning permission dated ...] (This last part should be used only where all of the conditions previously imposed are removed).

Reasoning

[You may need to describe more fully the nature of the development for which planning permission has been granted, and the background to any conditions(s) and you should refer to the advice in the handbook which explains that you are in effect issuing a new decision.]

1. The determining issues in this appeal are (*list the issues in summary form, to convey clearly and concisely what are the essential matters in dispute in relation to the conditions. Where there is an issue related to the development plan, the approach in the relevant PPA template should be followed.*)



[Your reasoning should also examine whether the conditions meet the 6 tests in Circular 4/1998. To do this you may need to refer to representations made on the original application for permission]

Signature

Reporter

[Insert after reasoning and conclusions but before list of conditions (if any). List of conditions should follow on without a page break]



Decision by <INSERT NAME(no title, no qualifications >, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: <INSERT REFERENCE>
- Site address: <INSERT ADDRESS> [*include post code*]
- Appeal by <INSERT TEXT> against the decision by <INSERT TEXT>
- Application for retrospective [*outline*] planning permission <INSERT REFERENCE> dated [*REFUSED/GRANTED subject to conditions*] by notice dated <INSERT DATE>
- The development proposed: <INSERT DESCRIPTION OF DEVELOPMENT> without complying with condition(s) <INSERT CONDITIONS> imposed on the grant of permission
- The conditions appealed against are: <INSERT TEXT> [*include reasons*]
- Date of site visit by Reporter: <INSERT DATE>

Date of appeal decision: <INSERT DATE>

Decision

[If dismissing the appeal]. I dismiss this appeal and refuse to grant planning permission as sought in the application the subject of this appeal. *This is the present appeal application, not the existing planning permission.*

[If allowing the appeal and the full set of retained and any new, less onerous conditions is not too large to be set out in full]. I allow this appeal and grant planning permission for the retention of/ continuation of use of <INSERT TEXT> at <INSERT TEXT> in accordance with the application no. <INSERT No> dated <INSERT DATE>, without complying with condition(s) <INSERT TEXT> set out in planning permission ref. <INSERT REFERENCE> dated <INSERT DATE>, but otherwise subject to the following conditions [*the conditions listed at the end of this notice*] :- [*list all those applying to the development or use, including those that are left intact; in the unusual case where all conditions are being removed, refer to the guidance note for adjusted wording*]

[If allowing the appeal and the full set of retained and new conditions is too large to be set out in full]. In exercise of the powers delegated to me I therefore allow this appeal and grant planning permission for the retention of/ continuation of use of <INSERT TEXT> at <INSERT TEXT> in accordance with the application no. <INSERT No> dated <INSERT DATE> [*this is the present appeal application*], without complying with condition(s) <INSERT TEXT> previously imposed on planning permission no. <INSERT REFERENCE> dated <INSERT DATES> but subject to the other conditions imposed thereon, so far as the same are still subsisting and capable of taking effect, and subject to the following new



conditions:- *[only if applicable, and only if a less onerous versions of condition(s) appealed against]*

Background paragraph could be included here or within the Reasoning section. Similarly any clarification of the status of plans, for example if they have been amended, should be set out at the beginning of the notice.

Reasoning

You may need to explain the type of “conditions” appeal this is, particularly if the description in the application is loosely worded, or it is evident that the parties are not clear on this

1. The determining issues in this appeal are *(list the issues in summary form, to convey clearly and concisely what are the essential matters in dispute by reference to the conditions in question. Where there is an issue related to the development plan, the approach in the relevant PPA template should be followed. The issue may be whether the development, without the condition(s) the subject of the appeal, would have certain impacts that would mean that it would not accord with the development plan.*

[Your reasoning should also examine whether the conditions meet the 6 tests in Circular 4/1998. To do this you may need to refer to representations made on the original application for permission]

Signature

Reporter

[Insert after reasoning and conclusions but before list of conditions (if any). List of conditions should follow on without a page break]



Decision by <INSERT NAME(no title, no qualifications >, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: <INSERT REFERENCE>
- Site address: <INSERT ADDRESS> *[include post code]*
- Appeal by <INSERT TEXT> against the decision by <INSERT PA NAME>
- Application for retrospective planning permission <INSERT REFERENCE> dated <INSERT DATE> *[refused/granted subject to conditions]* by notice dated <INSERT DATE>
- The development proposed: Continuation of use of <INSERT TEXT> for <INSERT TEXT> OR Retention of <INSERT BUILDING> without complying with condition <INSERT CONDITION> of planning permission ref <INSERT REFERENCE> dated <INSERT DATE>
- Condition <INSERT CONDITION> required *[give details of time limited condition]*
- Date of site visit by Reporter: <INSERT DATE>

Date of appeal decision: <INSERT DATE>

Decision

[If dismissing appeal] dismiss this appeal and refuse to grant planning permission for the development proposed in the application.

[If allowing appeal] allow this appeal and grant planning permission for the retention of/ continuation of use as <INSERT TEXT> at <INSERT TEXT> *[ie in accordance with the present appeal application]*, subject to the following conditions:- *[all must be stated; the previous planning permission is extinct and cannot be referred to]*

This permission shall take effect from <INSERT DATE> *[See Reporters Handbook on permissions being able to be back-dated to the expiry of the previous permission. Omit this paragraph if appeal is dismissed.]*

Reasoning

[You may need to describe the development/use, the time limit that has expired, and whether the application is for a further time-limited planning permission or a permanent permission.]

1. The determining issues in this appeal are *(list the issues in summary form, to convey clearly and concisely what are the essential matters in dispute – e.g. the effect on the conservation area, the impact on road safety)*. Where there is an issue related to the



development plan, the approach in the relevant PPA template should be followed. The issue may be whether the development, without the condition(s) the subject of the appeal, would have certain impacts that would mean that it would not accord with the development plan.

[Your reasoning should also examine whether the conditions meet the 6 tests in Circular 4/1998. To do this you may need to refer to representations made on the original application for permission]

Signature

Reporter

[Insert after reasoning and conclusions but before list of conditions (if any). List of conditions should follow on without a page break]