

**THE TOWN AND COUNTRY PLANNING (APPEALS)
(SCOTLAND) REGULATIONS 2013**



**PLANNING AUTHORITY APPEAL RESPONSE FORM
LISTED BUILDING AND CONSERVATION AREA CONSENTS AND NOTICES**

For completion by the planning authority in connection with appeals under Sections 18(1), 18(2), and 35 the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

Regulation 15(2): The planning authority response, copy of documents and suggested conditions must be provided to DPEA **within 21 days** of being notified of the appeal

Please note that the text boxes throughout this form are limited. Please use additional space on page 6 if required, or attach additional information on a separate word document when submitting by email.

**Address/location
of appeal site:**

Postcode:

**Planning authority
ref:**

DPEA ref:

1. PLANNING AUTHORITY CONTACT

Please provide the following information about the authority official who will be lead contact regarding the appeal:

Name:

Role/Job title:

Postal address:

Telephone no:

Fax no:

E-mail address*:

* In general, DPEA contact with the planning authority will be by **e-mail**.

2. NOTIFICATION REQUIREMENTS OF PLANNING AUTHORITY

Listed Buildings and Conservation Area Consent Appeals

Regulation 5 requires the planning authority to give notice of appeals, made under section 18 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 including matters set out in regulation 5(3), **not later than 14 days** following notification of the appeal.

Date of notice to interested parties:

(Please provide one copy of this notice and, where relevant, the newspaper advertisement.)

Please indicate the number of interested parties here (do not include consultees):

(You must provide DPEA the original letter of representation and if more than 50 interested parties, please provide a list of names/addresses.)

Listed Building and Conservation Area Enforcement Notice Appeals

Regulation 16 requires the planning authority to give notice of the appeal to each person on whom the enforcement notice was served (other than the appellant), including the matters set out in regulation 15(2), **not later than 14 days** following notification of the appeal.

Date of notice to each person served the notice of appeal:

3. SCHEDULED MONUMENTS/LISTED BUILDINGS/CONSERVATION AREAS

Does the proposal affect, or does the notice relate, to a scheduled monument?

If Yes, what is the name of scheduled monument?

Does the proposal affect, or does the notice relate to: 1) a listed building?

2) the setting of a listed building?

If the answer to either of the above two questions is yes, what is the name and address of the listed building and what is its listed building category?

Is the appeal site in a conservation area?

If Yes, what is the name of the conservation area?

Has a conservation area appraisal been completed?

If Yes, confirm below if it has been referred to, or a copy/extract included

Was the application advertised?

Please give details

4. DEVELOPMENT PLAN

Please provide details of the provisions of the **development plan** and any other material considerations relevant to the development here.

5. CONSULTATION RESPONSES

Please provide details of the **consultations** carried out by the planning authority here. *Please also include details of any body or person the planning authority would have consulted before making a decision, had the appeal not been lodged (i.e. for appeals against non-determination).*

Consultee

Response? Objection?

6. MATTERS RELEVANT TO THE APPEAL

Regulation 15(2) require the planning authority to send to DPEA and the appellant, a note of matters it considers require to be taken into account in determining the appeal. Please do so here and include any other matters that you consider relevant to this case.

7. DOCUMENTS BEFORE THE PLANNING AUTHORITY

Please provide a list and copies of all documents which were before the planning authority and which were taken into account in reaching the authority's decision on the application (or decision to issue the notice) which is the subject of appeal. *Note: DPEA cannot accept links to any website in place of the formal submission of documents.*

If the plan numbers on the decision notice are different from the numbers shown on the applicant's drawings, please attach a cross-reference of numbers to make it clear which of the applicant's plans were the subject of the Council's decision (or, in the case of failure to determine cases, which plans were under consideration by the Council at the time the appeal was made).

8. LIST DESCRIPTION

Please provide a copy of the statutory list of the building.

9. IMPACT OF DEVELOPMENT

Please, if not provided elsewhere, give the planning authority's assessment of the impact of the works on the listed building or its setting or any features of special architectural or historic interest which it possesses.

10. CONDITIONS

State any conditions which the planning authority considers should be imposed in the event that consent is granted.

11. APPEAL PROCEDURE

Regulation 9 enables the Scottish Ministers, or the appointed person, to determine the appeal following an initial exchange of information (as set out in regulations 3 to 5).

On some occasions the appointed person may consider further procedure to be necessary, to examine any specific matters, before reaching a decision. This is your opportunity to indicate what procedure your authority considers is most appropriate for the handling of this appeal.

- 1 Review of all relevant information provided by yourself and other parties only, with no further procedure
- 2 Inspection of the land subject of the appeal
- 3 Further written submissions on specific matters
- 4 Holding of one or more hearing sessions (i.e. round table discussions) on specific matters
- 5 Holding of one or more formal inquiry sessions on specific matters

** You can suggest a combination involving more than one further procedure, if necessary*

If you have marked boxes 3,4 or 5, please explain here which of the matters (as set out in your statement above) you believe ought to be the subject of that procedure, and why.

12. SITE INSPECTION

If a site inspection is held do you have any views on whether it should be accompanied or unaccompanied? Please give reasons.

13. OTHER MATTERS BEFORE THE SCOTTISH GOVERNMENT OR THE PLANNING AUTHORITY FOR DECISION

Related cases

Are there any other applications or appeals or other planning matters relating to the site or area currently being considered by Scottish Ministers?

Are there any other applications or reviews relating to the site or area currently being considered by the planning authority?

If yes, please give details here (including any Scottish Government reference where appropriate):

Emerging Development Plan

Does the proposed development have significant implications for a policy local plan/local development plan and or a structure plan/alteration or a strategic development plan currently before Scottish Ministers for consideration?

If yes, please give details here:

14. ADDITIONAL INFORMATION:

15. CHECKLIST

Please confirm that this form and the documents attached* comprise the planning authority's full submission on the appeal, as required by regulation 15(2) of the Town and Country Planning (Appeals) (Scotland) Regulations 2013:

(a) Planning Authority Response: a note of the matters that the planning authority considers should be taken into account in determining the appeal, and by what procedure (or combination of procedures the authority thinks these should be examined.

(b) Documents: a copy of the documents (other than those specified in the appellant's list of documents, materials and evidence) which were taken into account by the planning authority in reaching its decision.

(c) Conditions: where applicable, the conditions which the planning authority considers should be imposed in the event that consent is granted.

*Note: Copies of documents can be submitted to DEPA as electronic attachments, zip files, or on a CD and all documents must be clearly named and referenced. Alternatively we can accept documents in hard copy. DPEA cannot accept links to documents held on any website as part of this submission.

This form and all supporting documents should be sent to:

E-mail: dpea@gov.scot

Post: Planning and Environmental Appeals

Hadrian House

Callendar Business Park

Falkirk

FK1 1XR

You must also send this form and the supporting documents to the appellant (or agent) – contact details are on the front page of the appeal form.

After selecting "submit by email" button, you will have the opportunity to attach additional documents to your email.