

## Do I need Planning Permission?

Before carrying out any development you must obtain a permit from the Development and Planning Commission. The definition of 'development' includes a change in the use of land, demolition, building, engineering, mining or other operations. Examples of development include:

Changing the use of a building to a different use (such as changing from an office to a flat);

- Converting a single house/flat into two or more;
- Building an extension, or adding an additional storey to your dwelling;
- Refurbishing a shop front.

DO NOT forget that if the property is not yours you will also need your landlord's approval. If you are in any doubt as to whether you need a permit, contact the Town Planning Department.

## How do I apply?

You can either make an application yourself or employ a professional agent. Please note, however, that even if you apply yourself, you will need to submit scaled technical drawings and obtain the appropriate form from the Town Planning Division (see contact details), or you can download these by clicking here.

- **Form 1** – Used for outline and 'full' planning applications. This can be submitted via the e-Planning service by accessing [www.egov.gi](http://www.egov.gi). Alternatively, a hard copy of this form can be submitted to the Town Planning Office. A copy of Form 1 can be found in the *Planning Forms* tab in [www.gibraltar.gov.gi](http://www.gibraltar.gov.gi) → Town Planning section. Return the completed form, together with any accompanying drawings and other documents, to the address at the end of this document. For major applications you must submit one set of drawings at A1 size and one set at A3 size. All other types of application please submit one set at A3 size.
- **Form 2** – Used for demolition applications for those seeking approval for the demolition of buildings or structures. This can be submitted via the e-Planning service by accessing [www.egov.gi](http://www.egov.gi). Alternatively, a hard copy of this form can be submitted to the Town Planning Office. A copy of Form 1 can be found in the *Planning Forms* tab in [www.gibraltar.gov.gi](http://www.gibraltar.gov.gi) → Town Planning section. The form is to be filled in by the person who intends to carry out demolition works not the Agent. Return the completed form, together with any accompanying drawings and other documents, to the address at the end of this document. For major applications you must submit one set of drawings at A1 size and one set at A3 size. All other types of application please submit one set at A3 size.

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There is therefore no need to make a separate application for Building Regulations Approval. If the application is approved you will receive both a Planning Permit and an Approval under the Building Regulations.

Please take note that you may receive your Planning Permit before your Approval under the Building Regulations. This may occur, for example, where Planning Permission has been approved but proposed structural details of the have not yet been cleared. Contact the Building Control Section (see contact details at the end of this document) for queries relating to Building Regulations.

In most cases, professional drawings will need to be submitted with your application:

- Location plan to scale (1:1250 approx) – to show the exact location of the site;
- Site Plan to scale (1:200 approx) ‘as existing’ – to show clearly the boundaries of the application site, all buildings, open space, car parking, existing trees and other natural features;
- Proposed site layout (approx 1:200) showing siting of buildings, vehicular/pedestrian access, levels, landscaping, boundaries, and open space.
- Block Plans, elevations, floorplans, roof plans, sections to appropriate scales- to show the layout of the site, the existing building and the changes you intend to make to it in relation to adjoining buildings;
- Details of proposed materials and colour schemes;
- Other – If you wish, you may also submit an artist’s impression or sketch of your proposal. Photographs of the building/land as existing are also helpful as are photomontages showing the proposal superimposed on a photograph. For larger developments a scale model showing your proposal in relation to the surrounding area is often useful;
- Design Statement – For major proposals. The Statement should clearly show the thought process that has led to the submitted design;
- Statement of energy efficiency – for major proposals – to summarise the energy efficiency measures being proposed. Applicants will need to serve a notice on anybody who has a freehold, leasehold or is a tenant of the site in question, and must complete a certificate confirming that this has been done (this is known as a Section 21 Certificate). In addition to notifying “owners”, certain applications must be advertised for a specified period prior to being submitted. Again, you will be required to complete a certificate confirming that the necessary steps have been taken (this is known as a Section 19 Certificate).

Further information on notification requirements is contained in information sheet 3 “Guidance Notes On Public Participation Requirements When Submitting a Planning Application”.

## What happens to your Application?

### **We will:**

- Send you an acknowledgement that will include details of the fee (if submitted online, then you will also receive a validated e-mail) This must be paid immediately at the offices of the **Department of Town Planning & Building Control** and a copy of the receipt provided as soon as possible. Your application cannot be processed until we have received confirmation that the fee has been paid;
- Request additional information if it is considered necessary;
- Consult other specialists as appropriate e.g. Heritage & Conservation Officer, Ministry for the Environment, Environmental Agency, Technical Services Department and public utilities;
- Visit the site to assess your proposal. Your application will be presented to the Development and Planning Commission (DPC) which is the decision making body. The DPC normally meets monthly. We will send you a decision notice as soon as possible after the decision has been made.

### **Points to remember:**

- Applications are not confidential and anyone can look at them. The application will also be made available online in the e-Planning Portal;
- You can withdraw your application at any time;

### **The decision:**

- a) If you get an approval you must:
  - Check the conditions (if any) carefully;
  - Comply with all conditions. You can appeal against any of the conditions (within 28 days of being notified);
- b) If your proposal is refused you can:
  - Ask the planning officers what would be acceptable.
  - Make a new application.
  - Appeal against the decision (within 28 days of being notified). Further information on how to make an appeal is contained in Information Sheet 4 “How to Appeal”.

## Help us to help you

- Consult a planning officer before submitting an application. You would need to make an appointment to do this. You can also write to us, enclosing a sketch of your proposal;

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- Check you have filled in the forms correctly. Remember to provide estimated costs of the works;
- Check you have sent us the right number of plans;
- Check that you have included with your application form the certificate confirming that all 'owners' have been notified (Section 21 Certificate) and, if appropriate, certificate confirming that a notice has been duly published and a site notice placed on site (Section 19 Certificate). Where published, copies clearly showing the name of the publication, date of publication and the actual notice, must be submitted with your application.

### Contact Details

For further information contact:

**Town Planning & Building Control**

Suite 631 Europort, Gibraltar

Tel: (350) 20075483

Fax: (350) 20074086