

DEVELOPMENT APPEALS TRIBUNAL

For Office Use Only
Date Recd

NOTICE OF APPEAL

Before completing this form please read the attached Guidance notes.

Please use a separate form for each appeal.

Your appeal and supporting documentation must reach the Secretary of the Development Appeals Tribunal within 28 days from the date you are notified in writing of the Development and Planning Commission's decision.

Please print clearly in capitals using black ink

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	<input type="text"/>		
Address	<input type="text"/>	Daytime Tel No	<input type="text"/>
	<input type="text"/>	Fax No	<input type="text"/>

B. AGENT DETAILS FOR THE APPEAL (IF ANY)

Name	<input type="text"/>		
Address	<input type="text"/>	Daytime Tel No	<input type="text"/>
	<input type="text"/>	Fax No	<input type="text"/>

C. APPLICATION DETAILS

Application reference no	<input type="text"/>	Date of DPC's decision	<input type="text"/>
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D. APPEAL SITE ADDRESS

Address	<input type="text"/>
	<input type="text"/>

E. DESCRIPTION OF THE PROPOSED DEVELOPMENT

Please describe the proposed development

F REASON FOR THE APPEAL

This appeal is against the decision of the DPC to:

Please tick **one** box only

- 1 Refuse permission for the development described on the application form.
- 2 Grant permission for the development subject to conditions to which you object.

G CHOICE OF PROCEDURE

Choose **one** procedure only (Refer to the attached Guidance Notes)

Please tick one box only

- Written representations
- Hearing

H. GROUNDS OF APPEAL

Please state your full grounds of appeal.
Please continue on a separate sheet if necessary.

I NOTIFICATION TO OTHER PARTIES

You are required to serve a copy of this notice of appeal on any person who made representations on the application to which the appeal relates. Please provide details of the names, addresses and date of service of those so notified:

Name	Address at which the notice was served	Date the notice was served
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>

J ESSENTIAL SUPPORTING DOCUMENTS

The following documents must be sent with your appeal form. Please tick the boxes to show the documents included.

- 1 A copy of the original planning application including all certificates.
- 2 A copy of the DPC's decision notice.
- 3 A list (stating drawing numbers) and copies of all plans, drawings and documents sent to the DPC in connection with the application.
- 4 Copies of all correspondence with the DPC relating to the application.
- 5 A copy (if relevant) of any Environmental Statement plus certificates and notices relating to publicity.

K PLEASE SIGN BELOW

(signed forms together with all supporting documents must be received by us within the 28 day time limit).

- 1 I confirm that I have sent a copy of this appeal form to all those persons listed in Section J.
- 2 I confirm that all sections have been fully completed are correct to the best of my knowledge.

Signature On behalf of
Name (in capitals) Date

NOW SEND

• **2 COPIES** to us at:
The Secretary
Development Appeals Tribunal
c/o Ministry of Health Care and Justice
Zone 1, Level 7
St Bernard's Hospital
Harbour View Road
Gibraltar

1 COPY for you to keep.

GUIDANCE NOTES FOR COMPLETION OF NOTICE OF APPEAL FORM

Please read these notes carefully before completing your appeal form.

We must receive your appeal and all supporting documentation within 28 days of the Development and Planning Commission's (DPC) written notification of its decision.

Section of Notice of Appeal form to which the notes refer	
B	<p>Agent details</p> <p>An appellant may, if he so wishes, employ an agent to act on his behalf. If this is the case his details must be provided in this section. Where an agent is employed all correspondence shall be addressed to him.</p>
G	<p>Choice of procedure</p> <p>Both the appellant and the DPC have the right to appear before the Tribunal. However, if both parties are in agreement the appeal can be determined by the Tribunal on the basis of the written evidence submitted by both parties without the need for either party to appear before the Tribunal. You should therefore indicate on your appeal form whether you wish your appeal to be in the form of 'Written Representations' (written evidence only) or whether you wish your appeal to be concluded by a 'Hearing'. In the latter case you will still need to provide your full written grounds of appeal in section H of the form.</p> <p>The Tribunal has adopted the following procedure for determining appeals:</p> <ol style="list-style-type: none"> 1. The appellant submits the Notice of Appeal and all supporting documentation to the Secretary of the Development Appeals Tribunal (DAT). 2. The Secretary of the DAT, having checked that all the necessary information has been submitted will then forward a copy to the Secretary of the Development and Planning Commission. The Secretary of the DAT shall advise the appellant when this has been done. All correspondence, from either party, relating to the appeal is to be addressed to the Secretary of the DAT. 3. The Development and Planning Commission, once it has considered the Notice of Appeal shall prepare its response (if necessary) and forward this to the Secretary to the DAT. If the Commission does not intend to submit a response it shall advise the Secretary to the DAT accordingly. 4. On receipt of the DPC's response the Secretary of DAT shall forward a copy to the appellant who will have the opportunity to submit further comments in response if he so desires. At this time the appellant shall be reminded of the option to request a hearing (if he has not already opted for this). A copy of any such further comments will be forwarded to the Secretary to DPC. If the appellant does not wish to make any further comments he must

	<p>advise the Secretary to DAT accordingly.</p> <p>5. In the case of the Written Representations procedure the DAT will consider the written evidence before them and determine the appeal.</p> <p>6. In the case of a Hearing, the DAT shall convene a date for a hearing and both parties shall attend to present their cases. The DAT will then consider all written and oral evidence and determine the appeal.</p>
H	<p>Grounds of appeal</p> <p>Please state clearly and concisely <u>all</u> the grounds of appeal.</p>
I	<p>Notification of interested parties</p> <p>As part of the process of submitting the application to which this appeal relates other owners of the land in question or members of the public may have made representations for or against the application. Copies of these representations would have been provided to the applicant. You must serve a copy of your notice of appeal on any person(s) who made representations on the application. You are only required to serve a copy of the <u>Notice of appeal form</u> and not all the supporting documentation that is required in section k of the form.</p>

If you need further advice or guidance please contact:

The Secretary
Development Appeals Tribunal
c/o Ministry of Health Care and Justice
Zone 1, Level 7
St Bernard's Hospital
Harbour View Road
Gibraltar

Tel: 20078640
Email: simongalliano@gibraltar.gov.gi