

Do I need Planning Permission?

Before carrying out any development you must first obtain full planning permission 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 2 or more;
- Building an extension, or adding an additional storey to your dwelling;
- Refurbishing a shopfront.

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 planning permission contact the Department of Town Planning and Building Control.

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.

Form 1: Used for Outline and 'full' planning applications -. This can be submitted via the e-Planning service by accessing 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 of the Town Planning page at www.gibraltar.gov.gi . 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 – Applications seeking approval for the demolition of buildings or structures. This can be submitted via the e-Planning service by accessing 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 of the Town Planning page at www.gibraltar.gov.gi. 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.

NB: When Form 1 is used for a ‘full’ planning application it is simultaneously considered as an application for approval under the Building Regulations. 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 permission** and an **approval** under the Building Regulations. However, please take note that in some cases you may receive your planning permission before your approval under the Building Regulations. This may occur, for example, where planning permission has been approved but the structural details of the proposed development have not yet been cleared.

The introduction of the new Town Planning Act means that some types of minor internal alterations do not require planning permission but will still require Building Control Approval. If your proposed works fall within this category you will be notified and you will therefore not receive any planning permission but you will still receive your Building Control approval. You should contact the Building Control section (see contact details) regarding any queries relating to Building Regulations.

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

- Planning Statement (for any applications that are more than minor in nature) - to summarise the main elements of the proposed works, background information, planning history and summary of vehicular and pedestrian access arrangements.
- 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. Surrounding buildings, roads, etc should be clearly shown.
- Proposed site layout (approx 1:200) showing siting of buildings, vehicular/pedestrian access, levels, landscaping, boundaries, 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. Windows in properties immediately adjacent to the application site which might be affected by the proposal should be clearly shown on the relevant floorplans.
- 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

Information Sheet 2 – A Guide to Making Applications for Planning Permission

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.

As part of your application you will need to serve a notice on anybody who has a freehold, leasehold or is a tenant of the site in question. You will need to complete a certificate confirming that this has been done (this is known as a Section 22 Certificate).

In addition to notifying “owners”, certain applications will also require to be advertised for a specified period prior to submitting your application. Again, you will be required to complete a certificate confirming that the necessary steps have been taken (this is known as a Section 23 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:

- Review your application to determine whether or not it can be validated. Validation is a very important step because it confirms when an application has been accepted for consideration. Applications will only be validated if the form has been completed correctly, acceptable drawings have been included, all necessary certificates and copies of newspaper notices have been included, and that all other information submitted with the application is sufficient. We aim to validate applications (or advise you if the application is not validated) within 7 working days of receiving the application. The review undertaken at the validation stage is an initial review only and we may need to request additional information once the application is considered in further detail.
- Send you an acknowledgement that will include details of the fee you must pay. The fee must be paid immediately at the offices of the Department of Town Planning and Building Control (see contact details below). Your application cannot be processed until we have received payment of the fee.
- Request additional information if it is considered necessary.
- Consult other specialists as appropriate e.g. Ministry for Heritage, Ministry for the Environment, Environmental Agency, Technical Services Department and public utilities.
- Visit the site to assess your proposal.

Information Sheet 2 – A Guide to Making Applications for Planning Permission

Your application will be presented to the Development and Planning Commission (DPC) which is the decision making body. The DPC normally meets monthly. Some types of application can be determined by a sub committee of the DPC. These are normally applications that are of a minor nature for which delegated powers have been granted to the sub committee. The sub committee normally meets every 1-2 weeks. 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. All applications are made available online in the e-Planning portal.
- You can withdraw your application at any time prior to its determination.

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.
- Check you have filled in the forms correctly. Remember to provide the estimated costs of the works.
- Check that you have included with your application form the certificate confirming that all ‘owners’ have been notified (Section 22 Certificate), and if appropriate, certificate confirming that a notice has been duly published and a site notice placed on site (Section 23 Certificate). If notices have been published copies of the publication

Information Sheet 2 – A Guide to Making Applications for Planning Permission

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:

Department of Town Planning and Building Control
Suite 631
Europort,
Gibraltar

Tel.(350) 20075483, Fax: (350) 20074086.
Email: eplanningtechs@gibraltar.gov.gi

Building Control section
(contact details as for above).