



## GOOD NEIGHBOUR AGREEMENTS APPEAL TO SCOTTISH MINISTERS

UNDER SECTION 75F OF THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

IN RESPECT OF GOOD NEIGHBOUR AGREEMENTS

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

**IMPORTANT: Please read and follow the notes provided when completing this form -  
failure to supply all relevant information could invalidate your appeal**

**Use BLOCK CAPITALS if completing in manuscript**

<u><b>Appellant(s)</b></u>	<u><b>Agent (if any)</b></u>
Name	Name
Address	Address
Postcode	Postcode
Contact Tel No 1	Contact Tel No 1
Contact Tel No 2	Contact Tel No 2
Fax No	Fax No
E-mail	E-mail
	Mark this box to confirm all contact should be through this representative

\*Do you agree to all correspondence regarding your appeal being sent **by e-mail?**

Yes

No

Planning Authority	
Planning Authority's Application Reference Number	
Postal Address of Land to Which the Obligation Relates to, or if Land Has No Postal Address, Provide a Description of Location of the Land	
Date Application Deemed Valid	Date of Authority's Decision
OS Map Grid Ref or Postcode	Area of Appeal Site (m <sup>2</sup> /ha)

<p><b><u>Nature of Application:</u></b> (Select <u>one</u> option only)</p> <p>Modify an Agreement</p> <p>Discharge an Agreement</p>	<p><b><u>Appeal Against:</u></b> (Select <u>one</u> option only)</p> <p>Refusal of Application</p> <p>Failure to give a decision (deemed refusal)</p>
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Give the name of Community Body you represent or, if you are not a community body, state your relationship to the land to which the obligation relates.

Please also say why you think the obligation is enforceable against you

State the names of all the other parties to the good neighbor agreement and also their contact address

Is the obligation against which this appeal was submitted recorded in the Register of Sasines or registered in the Land Register of Scotland? - If so, provide details in the box below.

Yes

No

State which register and also the date of registration or recording/or the Land Register Title Number for the Land

**Statement of Appeal:**

You **MUST** state, in full, why you are appealing against the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your appeal, and must set out the grounds on which you seek to modify or discharge the obligation.

If you want the obligation to be modified, please include the changes you wish to be made within your statement.

**Note:** you might not have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account. You will though, be entitled to comment on - (i) any additional matter which may be raised by the planning authority in its response to your appeal, or - (ii) any representations the Scottish Government might receive from any other person or body.

State the reasons for your appeal and all matters you wish to raise here. (If necessary, this can be continued or provided in full on a separate document.)

**List of Documents/Evidence:**

Provide a list of all documents, materials and evidence which you have provided with your appeal and intend to rely on in support of your appeal and ensure that the documents are clearly numbered. When listing plans and drawings, please quote the reference the Planning Authority gave them. If necessary, this can be continued or provided in full on a separate document.

**Appeal Procedure:**

The person appointed to determine your appeal will decide the procedure to be used. In general, a decision will be made based on your appeal documents and the Planning Authority's response. In some cases the appointed person may require further procedures to gain more information on specific matters before reaching a decision. This is your opportunity to indicate what procedure you think is most appropriate for the handling of your appeal. (See Notes for Appellants)

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 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 subject of that procedure, and why. (If necessary, this can be continued or provided in full on a separate document.)

Site inspection

In the event that the Scottish Government Reporter appointed to consider your appeal decides to inspect the appeal site, in your opinion:

Can the site be viewed entirely from public land?	Yes	No
Is it possible for the site to be accessed safely, and without barriers to entry?	Yes	No
Are there any biosecurity issues that affect the site? (for more information on biosecurity, please see the site inspection section in the notes for appellants)	Yes	No

If there are reasons why you think the Reporter would be unable to access and view the appeal site alone, please explain here:

### **Other Appeals**

Have you made any other appeals to Scottish Ministers concerning this land?

Yes

No

If yes, please give details, including our appeal reference numbers (if known):

### **CHECKLIST**

Please mark the appropriate boxes to confirm you have provided all supporting documents/evidence relevant to your appeal:

Full completion of all parts of this form

Full statement of appeal, including grounds on which modification or discharge are sought (where modification is requested ensure that details of the changes you wish to be made have been included)

All documents, materials and evidence which you intend to rely on

Application to planning authority, including all plans/drawings and other documents relevant to your application which is now subject of this appeal

Planning authority's decision notice (if any), which is the subject of your appeal

A copy of a plan sufficient to identify the land, which is subject of your appeal

A copy of the good neighbour agreement containing the obligation to which the application relates or otherwise contain sufficient information to identify that obligation

A copy of all evidence showing that you have attempted to reach agreement regarding the modification or discharge of the obligation

**\*Plan and Drawings** A copy of the location plan at a scale of 1:1250 or 1:2500) and scale copies of all of the drawings submitted as part of the application under appeal. It is not possible for electronic plans and drawings to be scaled and you should also provide these in hard copy.

**The Scottish Government routinely publishes all documents relating to each appeal on its website at [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk). You must advise DPEA if there are particular reasons why you think any document you have provided cannot be published.**

### **Declaration**

**I appeal to the Scottish Ministers as set out on this form and supporting documents. I can confirm that I have today sent a copy of my appeal to the Planning Authority.**

Signed

Date

If you take part in the appeals process, use DPEA websites, contact the division or attend a webcast, the DPEA may collect certain information about you. To find out more about what information is collected, how the information is used and managed please read the [DPEA's privacy notice](#).

This form and all supporting documents should be sent to:

E-mail: [dpea@gov.scot](mailto:dpea@gov.scot)

Post: Planning and Environmental Appeals Division  
Hadrian House  
Callendar Business Park  
Falkirk  
FK1 1XR

Contact Tel: 0300 244 6668