

# NOTE: THIS APPEAL FORM APPLIES IN WALES ONLY



The Planning Inspectorate  
Yr Arolygiaeth Gynllunio

For official use only  
Date received:

Further information about us is available on the Planning Portal at  
<http://www.planningportal.gov.uk/planning/appeals/planninginspectorate>

## MODIFICATION OR DISCHARGE OF PLANNING OBLIGATIONS APPEAL

*(N.B. The right of appeal only applies to planning obligations signed since 25 October 1991)*

If you need this document in large print, on audio tape, in Braille or in another language, please contact our Helpline on 02920 823866. **To help you fill in this form correctly please refer to guidance leaflet "How to complete your planning appeal form".**

Please use a separate form for each appeal

**WARNING:** Your appeal must reach The Planning Inspectorate within 6 months of the date shown on the Local Planning Authority's decision notice, or within 6 months of the date by which they should have decided the application.

**PLEASE PRINT CLEARLY IN CAPITAL USING BLACK INK**

**A. APPELLANT** – The name of the person(s) making the appeal **must** appear as an applicant on the application form. **If this is not the case the appeal cannot be registered.**

Name

Organisation Name (if applicable)

**B. AGENT (if any) FOR THE APPEAL**

Name

Organisation Name (if applicable)

Your Reference

**C. LOCAL PLANNING AUTHORITY (LPA)**

Name of the LPA

LPA's application reference number

Application form dated

Date of LPA's Decision notice (if issued)



## G. CHOICE OF PROCEDURE

It is important that you read section G of the guidance leaflet before you complete this section

There are 3 possible procedures: - written representations, hearings and inquiries. You should consider carefully which procedure suits your circumstances before selecting your preferred option by ticking the box .

### 1. THE WRITTEN REPRESENTATIONS PROCEDURE

w

This is normally the simplest, quickest and most straightforward way of making an Appeal. The written procedure is particularly suited to small-scale developments (e.g. individual houses or small groups of houses).

*If you have chosen the written procedure, please answer the questions a & b below:*

- a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes  No
- b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes  No

*If yes, please give reasons below or on a separate sheet.*

### 2. THE HEARING PROCEDURE

h

This procedure is likely to be suited to more complicated cases which require detailed discussion about the merits of a proposal. At the hearing the Inspector will lead a discussion on the matters already presented in the written statements and supporting documents. *Although you may indicate a preference for a hearing, The Planning Inspectorate must also consider that your appeal is suitable for this procedure.*

*If you have chosen the hearing procedure, please answer question a below:*

- a) Is there any further information relevant to the hearing which you need to tell us about? Yes  No

*If yes, please explain below or on a separate sheet.*

### 3. THE INQUIRY PROCEDURE

i

This is the most formal of the procedures. Although it is not a court of law, the proceedings will often seem to be quite similar, as the parties to the appeal will usually be legally represented and expert witnesses may be called to give evidence. Although you may indicate a preference for an inquiry The Planning Inspectorate must also consider that your appeal is suitable for the procedure.

*If you have chosen the inquiry procedure, please answer questions a-c below:*

- a) How long do you estimate the inquiry will last? \_\_\_\_\_ days

*N.B We will take this into consideration, but our estimate will also be informed by others' advice and our own assessment*

### 3. THE INQUIRY PROCEDURE (CONTINUED)

b) How many witnesses do you intend to call? \_\_\_\_\_ *witnesses*

c) Is there any further information relevant to the inquiry which you need to tell us about? **Yes**  **No**

*If yes, please explain below or on a separate sheet.*

### H. GROUNDS OF APPEAL

See section H of the guidance leaflet to help you decide what to include in your grounds of appeal

**H. GROUNDS OF APPEAL (CONTINUED)**

*Please continue on a separate sheet if necessary*

## I. ESSENTIAL SUPPORTING DOCUMENTS

See section J of the guidance leaflet. If we do not receive *all* your appeal documents by the end of the 6 month appeal period we will **NOT** accept your appeal.

You must send the following documents with your appeal form:

- |  |  |
|--|--|
|  | <input checked="" type="checkbox"/>  |
| 1  | A copy of the <b>application</b> sent to the LPA. <input type="checkbox"/>   |
| 2  | The <b>notification certificate</b> (Regulation 4 (5) certificate) submitted to the LPA at application stage. <input type="checkbox"/>   |
| 3  | Copies of all <b>plans, drawings and documents</b> sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA. <input type="checkbox"/>  |
| <i>Please number them clearly and list the numbers below or on a separate sheet:</i> |  |
| <div style="border: 1px solid black; height: 50px;"></div>                           |  |
| 4  | The <b>LPA's decision notice</b> (if issued); or if the LPA failed to give a decision please (if possible) enclose a copy of the LPA's letter in which they acknowledged the application. <input type="checkbox"/>   |
| 5  | A copy of the <b>deed</b> creating the planning obligation. <input type="checkbox"/>   |
| 6  | A <b>site plan</b> (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show <u>two name roads</u> so as to assist the location of the appeal site or premises. The application site should be edged or shaded in <b>red</b> and any other adjoining land owned or controlled by the appellant (if any) edged or shaded <b>blue</b> . <input type="checkbox"/> |
| 7  | Any relevant <b>correspondence</b> with the LPA relating to the application. <input type="checkbox"/>  |

*Copies of the following should be enclosed if appropriate:*

- |   |  |
|---|--|
| 8   | Any other relevant plans, drawings and documents. Please number them clearly and list the numbers below or on a separate sheet: <input type="checkbox"/> |
| <div style="border: 1px solid black; height: 100px;"></div> |  |

## J. OTHER APPEALS

If you have sent other appeals for this or nearby sites to us and these have not been decided, please give details and our reference numbers.

# Personal Details

Telephone numbers, e-mail addresses and signatures will not be publicly available

## 1. APPELLANT PERSONAL DETAILS

Address

Postcode

Daytime Tel  Fax

E-mail

I prefer to be contacted by E-mail  Post

## 2. AGENT PERSONAL DETAILS (if any)

Address

Postcode

Daytime Tel  Fax

E-mail

I prefer to be contacted by E-mail  Post



The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 1998. Further information about our Data Protection Policy can be found on our website under "Privacy Policy" ([http://planninginspectorate.wales.gov.uk/privacy\\_policy](http://planninginspectorate.wales.gov.uk/privacy_policy))

**Please sign the form on Page 8– unsigned forms will be returned**

## PLEASE SIGN BELOW

	<input checked="" type="checkbox"/>
1. I confirm that all sections have been fully completed and are correct	<input type="checkbox"/>
2. I confirm that I have attached <b>all</b> the essential supporting documents listed in section I	<input type="checkbox"/>
3. I have completed the Personal details page at the end of this form	<input type="checkbox"/>
4. I have sent a copy of this form and relevant documents to the LPA	<input type="checkbox"/>
5. I have signed and dated the form (unsigned forms will be returned to you)	<input type="checkbox"/>

Signature:

Name (in capitals)  Date

On behalf of (if applicable)

## SEND

### 1 COPY to us at:

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
CARDIFF  
CF10 3NQ

E-mail: [wales@pins.gsi.gov.uk](mailto:wales@pins.gsi.gov.uk)

Helpline: 02920 823866

### 1 COPY to the LPA

Send a copy of the appeal form to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA). There is no need to send them all the supporting documents again, send them any supporting documents not previously sent as part of the application.

### 1 COPY for you to keep

**When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.**

© Crown copyright 2012

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or e-mail: [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk). Any enquiries regarding this document/publication should be sent to us at the address above or e-mail: [wales@pins.gsi.gov.uk](mailto:wales@pins.gsi.gov.uk)