

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



## PLANNING AUTHORITY APPEAL RESPONSE FORM

For completion by the planning authority in connection with appeals under Sections 47, 75, 130, 154, 169 and 180 of the Town and Country Planning (Scotland) Act 1997 and Regulations 21 and 25 of the Town and Country Planning (Control of Advertisements) Regulations 1984

Regulations 4(2) and 14(2): The planning authority response, copy of documents, report on handling and suggested conditions must be provided to DPEA **within 21 days** of being notified of the appeal

*Please note that the text boxes throughout this form are limited. Please use additional space on page 6 if required, or attach additional information on a separate word document when submitting by email.*

**Address/location of appeal site:**

1 Redheughs Avenue, Edinburgh

**Postcode:**

EH12 9RH

**Planning authority ref:**

25/04239/PPP

**DPEA ref:**

PPA-230-2794

### 1. PLANNING AUTHORITY CONTACT

Please provide the following information about the authority official who will be lead contact regarding the appeal:

**Name:**

[Redacted]

**Role/Job title:**

Service & Policy Advisor

**Postal address:**

4 East Market Street, Edinburgh, EH8 8BG

**Telephone no:**

[Redacted]

**Fax no:**

[Redacted]

**E-mail address\*:**

[Redacted]@edinburgh.gov.uk

\* In general, DPEA contact with the planning authority will be by **e-mail**.

**2. RIGHT OF APPEAL** (complete for planning permission appeals only)

Under the Hierarchy of developments, is this development:

National Development

For local developments only: has the appellant correctly made an appeal to the Scottish Ministers (rather than the local review body)?

N/A

If Yes, please explain why, with reference to your authority's Scheme of Delegation.

N/A

**3. NOTIFICATION REQUIREMENTS OF PLANNING AUTHORITY**

The Appeals Regulations require the planning authority, not later than 14 days after it receives notification of the appeal, to send a notice to each interested party informing them of the appeal and providing them with the information specified in the regulations.

**Consent Appeals**

Date of notice to interested parties:

15/04/2026

*\*Please provide one copy of this notice and, where relevant, the newspaper advertisement.*

Please indicate the number of interested parties here (do not include consultees):

3

*(You must provide a copy of the original letters of representation and, if more than 50 interested parties, please provide a list of names, addresses on an excel spreadsheet listing the addresses on individual lines)*

**Enforcement Notice Appeals**

Date of notice to each person served the notice of appeal

N/A

**4. REPORT ON HANDLING** (Planning Permission Appeals only)

Have you provided a Report on Handling?

Yes

Did the committee accept the Planning Officer's recommendations?

No

If you have not provided a Report on Handling, please provide details of the provisions of the **development plan** and any other material considerations relevant to the development here.

Copy of Report of Handling provided in addition to Authority Written Statement.

If you have not provided a Report on Handling, please provide details of the **consultations**, including internal, carried out by the planning authority next. *Please also include details of any body or person the planning authority would have consulted before making a decision, had the appeal not been lodged (i.e. for appeals against non-determination).*



### EIA applications - other opportunities for the public to participate in decision-making

For any EIA application, if the planning authority took any steps to ensure the public had the opportunity to participate in decision-making procedures other than (a) the statutory requirements set out above or (b) any steps already narrated in the planning authority's decision notice, please detail those steps below:

N/A

### 7. MATTERS RELEVANT TO THE APPEAL

The planning authority is required to send DPEA and the appellant a note of matters it considers are to be taken into account in determining the appeal. Please do so here.

Please see attached Authority Written Statement.

### 8. DOCUMENTS BEFORE THE PLANNING AUTHORITY

Please provide a list and copies of all documents which were before the planning authority and which were taken into account in reaching the authority's decision on the application (or decision to issue the notice) which is the subject of the appeal.

*Note: DPEA will only accept links to documents which are available in their Core Document Library*

Please see attached Authority Document List.

#### Appeal plans (complete for planning permission appeals only)

The documents provided by the appellant have been published on the DPEA website at [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk) Section 32A of the Town and Country Planning (Scotland) Act 1997 prevents a proposed development from being varied through the appeal process.

Are the plans provided with this appeal the same as those which were before your authority when it considered the planning application?

Yes

If 'no', you should now provide a copy of the plans relevant to this appeal.

#### Note - Plan Numbers

If the plan numbers on the decision notice are different from the numbers shown on the appellant's plans, please attach a cross-reference of numbers to make it clear which of the appellant's plans were the subject of the Council's decision (or, in the case of failure to determine cases, which plans were under consideration by the Council at the time the appeal was made).

**9. ADDITIONAL MATTERS** (only applies to appeals under section 47(1) of the Town and Country Planning Act)

In your response, have you raised any matters which were not before the planning authority at the time the decision now subject of the appeal was made?

Yes

If yes, you should explain in the box below why the matters were not raised at that time and why you consider they should now be taken into account:

Please see Section 6. Other Matters of Authority Written Statement.

**10. CONDITIONS** (Not required for Planning Obligation Appeals or for Good Neighbour Agreement Appeals)

State any conditions which the planning authority considers should be imposed in the event that permission is granted.

Please see Appendix 1 – Proposed Conditions and Planning Obligations of Authority Written Statement.

**11. APPEAL PROCEDURE**

The person appointed by the Scottish Ministers will determine the appeal following an initial exchange of information.

On some occasions the appointed person may consider further procedure to be necessary, to examine any specific matters, before reaching a decision. This is your opportunity to indicate what procedure your authority considers is most appropriate for the handling of this appeal.

- 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 of 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 the subject of that procedure, and why.

N/A

In the event that a hearing or inquiry session might be needed, please suggest any suitable venue(s) in the local area.

## 12. SITE INSPECTION

The person appointed by the Scottish Ministers, may consider it necessary to make an inspection of the appeal site prior to determining the appeal. The following information would be helpful in guiding the appointed person as to the nature of any site inspection.

Can the site be viewed entirely from public land?

Yes

Is it possible for the site to be accessed safely, and without barriers to entry?

No

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

Note guidance from the Appellant regarding site access being restricted due to perimeter gates being locked.

## 13. FEE INFORMATION

What type of application was made to the planning authority?

Planning application for planning permission in principle.

Did the planning authority receive a fee for the application?

Yes

How much was the fee: £29,631

## 14. DIRECTIONS BY THE SCOTTISH GOVERNMENT

Have the Scottish Ministers made a direction under regulation 31 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013\* relating to the application?

No

*(This might be a direction specific to the application, or a general direction requiring the planning authority to notify Scottish Ministers before it could have granted planning permission.)*

If so, what is the title and date of the direction?

Title:

Date:

\* or a direction under Article 17 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992

## 15. OTHER MATTERS BEFORE THE SCOTTISH GOVERNMENT OR THE PLANNING AUTHORITY FOR DECISION

### Related cases

Are there any other applications or appeals or other planning matters relating to the site or area currently being considered by Scottish Ministers?

No

Are there any other applications or reviews relating to the site or area currently being considered by the planning authority?

No

If **yes to either of the above**, please give details here (including any Scottish Government and/or planning authority reference where appropriate): *Limit 160 Characters*

Emerging Development Plan

Does the proposed development have significant implications for a local plan/local development plan and or a structure plan/alteration or a strategic development plan currently before Scottish Ministers for consideration?

No

If yes, please give details here:

**16. NEWSPAPER**

Which is the appropriate local newspaper for the purpose of any advertisement that might be required?

Edinburgh Evening Gazette

**17. ADDITIONAL INFORMATION**

## 17. CHECKLIST

Please confirm that this form and the documents attached\* comprise the planning authority's full submission on the appeal, as required by regulation 4(2) or 14(2) of the Town and Country Planning (Appeals) (Scotland) Regulations 2013:

- |   |                          |
|---|--------------------------|
| (a) <u>Planning Authority's Response</u> : a note of the matters that the planning authority considers should be taken into account in determining the appeal, and by what procedure (or combination of procedures) the authority thinks these should be examined.  | <input type="checkbox"/> |
| (b) <u>Documents</u> : a copy of the documents (other than those specified in the appellants list of documents, materials and evidence) which were taken into account by the planning authority in reaching its decision.   | <input type="checkbox"/> |
| (c) <u>Notification requirements of planning authority</u> : a list of interested parties, a copy of the notice of the appeal sent to interested parties and, if applicable, a copy of the newspaper advertisement of the appeal.   | <input type="checkbox"/> |
| (d) <u>Report on Handling</u> : where applicable, a copy of any report on the authority's handling of the planning application (as required by Schedule 2, paragraph 3 (d) of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013)   | <input type="checkbox"/> |
| (e) <u>Conditions</u> : where applicable, the conditions which the planning authority considers should be imposed in the event that planning permission is granted.   | <input type="checkbox"/> |
| (f) <u>Environmental Impact Assessment</u> : where applicable a copy of any screening opinion issued  | <input type="checkbox"/> |
| (g) <u>Environmental Impact Assessment</u> : where applicable a copy of any request for a scoping opinion or scoping direction made before 16 May 2017 and the scoping opinion or scoping direction issued.   | <input type="checkbox"/> |
| (h) <u>Opportunities for the public to participate in decision-making</u> : where applicable a copy of any neighbour notification, list of neighbours notified and published notification under regulations 18,19 or 20 of the Town and Country Planning (Development Management) (Scotland) Regulations 2013 or Sections 60 (2)(a) or 65 (2)(a) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. | <input type="checkbox"/> |
| (i) <u>Opportunities for the public to participate in decision-making</u> : for any EIA report or additional information, a copy of any neighbour notification, list of neighbours notified and the notification published under regulations 20 and 21 of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 or equivalent under previous EIA legislation                              | <input type="checkbox"/> |
| (j) <u>Opportunities for the public to participate in decision-making</u> : where applicable a copy of any pre-determination hearing report and minutes of meeting  | <input type="checkbox"/> |
| (k) <u>Fee Information</u> : confirm the type of application to the authority and the fee paid to the Authority   | <input type="checkbox"/> |

### \*Note:

Documents can be submitted to DPEA as electronic attachments, as zip files, via authorised file transfer websites or on a CD. Alternatively we can accept documents in hard copy.

All documents must be clearly named and referenced.

DPEA cannot accept links to documents held on websites as part of this submission other than those to specific documents on the DPEA core document library.

This form and all supporting documents should be sent to:

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

[Submit by Email](#)

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

[Print Form](#)

**You must also send this form and the supporting documents to the appellant (or agent) – contact details are on the front page of the appeal form.**

*After selecting "submit by email" button, you will have the opportunity to attach additional documents to your email.*