

Development Management Sub-Committee

9:00am, Wednesday 20 June 2018

Applications for Planning Permission and Listed Building Consent (18/00563/FUL, 18/00568/LBC and 18/00569/LBC) at 42 Henderson Row, Edinburgh EH3 5BL: Appeals against non determination.

Item number	5.1
Report number	
Executive/routine	
Wards	All

Executive Summary

This report advises the Development Management Sub-Committee of the submission of appeals against the non-determination of the applications for planning permission and listed building consent at 42 Henderson Row, Edinburgh to The Planning and Environmental Appeals Division (DPEA) of the Scottish Government.

Applications for Planning Permission and Listed Building Consent (18/00563/FUL, 18/00568/LBC and 18/00569/LBC) at 42 Henderson Row, Edinburgh EH3 5BL: Appeals procedures: Appeals against non determination at 43 Henderson Row.

1. Recommendations

- 1.1 To note the submission of appeals against the non determination of the applications for planning permission and listed building consent at 42 Henderson Row, Edinburgh (references 18/00563/FUL, 18/00568/LBC and 18/00569/LBC).

2. Background

- 2.1 At its meeting on 23 May 2018, the Development Management Sub-Committee heard a presentation on the applications for planning permission and listed building consent for external alterations to the library and garden walls at 42 Henderson Row, Edinburgh (references 18/00563/FUL, 18/00568/LBC and 18/00569/LBC).
- 2.2 The Committee agreed that further information was required to enable an appropriate level of scrutiny of the proposals by members and subsequently agreed the continuation of the applications to be determined by way of a hearing at a future meeting of the Development Management Sub-Committee.

3. Main report

- 3.1 The Committee is asked to note that appeals against the non determination of the applications for planning permission and listed building consent at 42 Henderson Row, Edinburgh were received by the Planning and Environmental Appeals Division (DPEA) of the Scottish Government on 4 June 2018.
- 3.2 The Council as planning authority is required to submit its response to the appeals to the DPEA by 25 June 2018. The Council's response should include, *inter alia*, a note of the matters 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. The appellant/agent has already requested a hearing or inquiry. The reporter will consider this request and in doing so will take account of the planning authority's view on this matter. There is therefore an option for the Council to also request that the appeal be examined by a hearing or inquiry. The final decision will lie with the reporter.

4. Measures of success

4.1 Not applicable.

5. Financial impact

5.1 Not applicable.

6. Risk, policy, compliance and governance impact

6.1 Not applicable.

7. Equalities impact

7.1 Not applicable.

8. Sustainability impact

8.1 Not applicable.

9. Consultation and engagement

9.1 Not applicable.

10. Background reading/external references

10.1 [Report of handling for the application for planning permission \(ref: 18/00563/FUL\)](#)

10.2 [Report of handling for application for listed building consent \(ref: 18/00568/LBC\)](#)

10.3 [Report of handling for application for listed building consent \(ref 18/00569/LBC\)](#)

10.4 [Webcast of Development Management Sub-Committee of the 23 May 2018](#)

11. Appendices

11.1 None.

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