



THE CITY OF EDINBURGH COUNCIL

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100636162-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

[X] Applicant [] Agent

Applicant Details

Please enter Applicant details

Form fields for Applicant Details including Title, Name, Address, and Contact Information.

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

FLAT 12

Address 2:

6 COMMERCIAL WHARF

Address 3:

NORTH LEITH

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH6 6LF

Please identify/describe the location of the site or sites

Northing

676520

Easting

327026

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Allow permission to continue to use residential apartment for short-term letting. At Flat 12 6 Commercial Wharf Edinburgh EH6 6LF

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of 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 review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to 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 should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see supporting documents.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Until the decision notice was received i didnt know the relevance of this.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Request for Review of Planning Application - JN

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/04892/FUL

What date was the application submitted to the planning authority? *

17/10/2022

What date was the decision issued by the planning authority? *

20/04/2023

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

Further written submissions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

See attached document for this.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

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

Yes No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Access through locked external door.

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Jon Nicholas

Declaration Date: 19/07/2023

Request for Review of Planning Application REF 22/04892/FUL

Following the receipt of my Decision Notice to reject the above mentioned application to use a residential apartment as an STL at flat 12, 6 Commercial Wharf, Edinburgh, EH6 6LF, I would like to point out the following:

Original application submission was confirmed as received and registered by City of Edinburgh Council on 17th October 2022.

The statutory target date for the application, on the confirmation of receipt, was 16th December 2022.

It stated on the confirmation of receipt that I will be contacted if:

- 1) Additional information is required to allow a full assessment to be made
- 2) Changes are needed to make the proposals acceptable

I received an email from Jon.McSherry@edinburgh.gov.uk on 13th of October, prior to the receipt asking me to add some drawings (location plan with red line around property and floor plan), on the 17th of October he said the information provided was enough to move forward.

On 10th of January 2023 I emailed planning support asking for an update as the target date had passed. I received a reply from Lesley.Porteous@edinburgh.gov.uk on the 19th of January 2023 stating the location plan provided was not clear due to colouring. This plan supplied was from one of the companies suggested on the planning website. The colours I think were pretty standard but I had also provided the title plan in original submission. On 23rd January I was advised the title plan was sufficient after sending by email. This should have been irrelevant as the plan submitted previously was deemed acceptable to proceed with the application, so just seems like a means to delay.

On 13th of February I was then advised that the planning application I had submitted originally was not correct, a householder form had been used where it should have been a 'full planning submission'. This was confirmed as resolved on the 3rd of March 2023 and I was told I would be contacted if any further information is required.

During this process I received an email on 1st February 2023, advising that the NPF 4 had been approved by the Scottish Parliament on 11th January and from 13th February all planning applications would be considered against the relevant policies contained within, meaning mines would fall into that category as well. It gave me a deadline of 15th of February to provide a planning statement to show how my proposal would comply with the relevant policies. This is not something I was in a position to provide within the timeframe due to work commitments.

Guidance relating to the Edinburgh Local Development Plan was released in April 2023, with information relating to applying for planning consent to change a residential property to STL accommodation.

This application cost me £600, I feel like the review of my application was delayed until such time these new measures were applicable, based on which my application was rejected. My understanding from correspondence from 13th to 17th October was that my application was appropriate for submission, only once I emailed checking on the status was I then requested to change some things, from 19th of January onwards, and only a couple of days after entry into force my application was reviewed and it was established I had used the wrong form. I wouldn't have stood a chance without the planning statement, and very little chance it seems from the guidance

released in April even with the statement, so I don't think points 1 and 2 in the confirmation of receipt as highlighted above in red were fulfilled, a full assessment cant have been made and the proposal could never have been acceptable according to the relevant policies from NPF 4 which were the policies against which my application was measured and rejected.

Based on this I would like to request my application decision should be reviewed and either measured against the criteria relevant prior to NPF 4, and the opportunity to provide additional information to allow a full assessment.

If it is to be assessed against the relevant policies in NPF 4 then I should be given the opportunity to submit the application again with reference to the policies and guidance document, or refunded.

Sincerely

Jon Nicholas

19th July 2023