

◆ EDINBURGH ◆

THE CITY OF EDINBURGH COUNCIL

PLACE Development

Date: 6 June 2024

Our Ref: 23/00188/REVREF

Dear Sir/Madam

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997 AS AMENDED BY THE PLANNING ETC (SCOTLAND) ACT 2006.

NOTIFICATION OF NOTICE OF REVIEW

Name: Gregory Favier.

Site: 19 Inveralmond Drive Edinburgh EH4 6JX

Description: The erection of a perimeter fence (dark wood) vertical slats along the west, south and north of our property boundary. The installation of electric gates at the top of the drive to Inveralmond Drive.

Planning Application: 23/00418/FUL

We write in respect of the decision to refuse planning application ref: 23/00418/FUL by the Local Review Body (LRB) on 13th December 2023.

The LRB's decision to refuse was not consistent with the Local Development Plan 2016 (LDP) specifically in respect of the LDP Proposals Map - August 2016. It has since come to light that following the LRB's decision to refuse, that there was a discrepancy between the copy of the LDP Proposals Map - August 2016 forming part of the Local Development Plan 2016, and the online interactive version of the LDP Proposals Map - August 2016. These two versions of the LDP Proposals Map should be identical and such a discrepancy should not occur.

The Planning Officer responsible for this particular application relied solely on the online interactive version of the map and in turn the Planning Adviser to the LRB directed the LRB in good faith. Members also made their decision in good faith based on the information before them and the advice from the Planning Adviser provided at the time. Regrettably, the version of map used contained a discrepancy making it inaccurate and not consistent with the Local Development Plan 2016. As a result, the LRB's decision was based on erroneous, incorrect, or incomplete information and Members of the LRB have (albeit entirely unintentionally) been misdirected. It is therefore arguable that such misdirection in law could render the relevant decision unlawful and a nullity.

A decision has therefore been made to return this Request for a Local Review to the Local Review Body, for a decision based on the correct LDP proposals map.

The review will be considered again in public by the Local Review Body on **19 June 2024** at 10.00am in the Dean of Guild Room, City Chambers, High Street, Edinburgh. The review body

will either make a decision on the case on that day based on the evidence submitted or continue the case further. This may be for a site visit, further information or to convene a hearing where all parties will be invited to speak. You will be advised if the case is continued again.

Please note the Local Review Body may carry out an unaccompanied site visit on the date of the meeting.

If you have an enquiry regarding this review, please email localreviewbody@edinburgh.gov.uk

Yours sincerely

Gina Bellhouse

Gina Bellhouse
Planning Advisor
Local Review Body
City Of Edinburgh Council