
APPEALS AGAINST NON-DETERMINATION IN RESPECT OF 17/00063/PPP AND 17/00064/CON, MARCH STREET MILLS, MARCH STREET, PEEBLES

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PLANNING AND BUILDING STANDARDS COMMITTEE

10 December 2018

BACKGROUND

The above applications for the erection of residential units, the formation of a dwellinghouse from the engine house, the formation of office/employment use, the relocation of allotment space, the erection of workshop units with associated access and infrastructure works, and the demolition of the mill buildings were considered by the Planning and Building Standards Committee at the meeting held on 5th November. Members resolved to continue consideration of the applications in order to carry out a site inspection.

Prior to the site inspection being carried out, the applicant lodged appeals with the Planning and Environmental Appeals Division of the Scottish Government (DPEA) against non-determination of the applications by the Planning Authority. Applicants are entitled to appeal against non-determination within three months of the expiry of the normal four month determination period for a major application, or within 3 months of the expiry of the date of any Planning Processing Agreement (PPA) which has been voluntarily entered into, if later. The PPA for the above applications expired on 5th November. Following the Committee's decision to continue the applications for a site inspection, the applicant was invited to extend the PPA until this meeting, but this was declined, and the appeals subsequently lodged.

EFFECT OF APPEAL SUBMISSIONS

The appeals have now been accepted by the DPEA (references PPA-140-2071 and CAC-140-2000). The effect of this is that the Reporter appointed by the Scottish Ministers will now determine the applications, and the Committee no longer has the remit to determine the applications. However, the Council has been asked to submit a Planning Authority Response Form (PARF) which will include a statement prepared by officers on behalf of the Committee providing the Committee's views on the appeals.

NEXT STEPS

While the Committee cannot determine the applications, Members should consider whether the applications before them are acceptable on the planning merits and provide officers with instructions on how to respond to the appeals on behalf of the Committee.