

T: [REDACTED]
[REDACTED]

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Principal, DC2 Planning
[REDACTED]

Our refs: **PPA-230-2178, PPA-230-2213, LBA-230-2076, LBA-230-2118**

10 November 2020

Dear [REDACTED]

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997
PLANNING PERMISSION APPEAL REFERENCES: PPA-230-2178 & PPA-230-2213
LISTED BUILDING CONSENT APPEAL REFERENCES: LBA-230-2076 & LBA-230-2118
NEW PARLIAMENT HOUSE, 5-7 REGENT ROAD, EDINBURGH EH7 5HL
CLAIM FOR AN AWARD OF EXPENSES**

1. I refer to your claim for an award of expenses, on behalf of the Architectural Heritage Society of Scotland ('the AHSS') against Duddingston House Properties and Urbanist Hotels ('the appellants') in respect of the above planning appeals and listed building consent appeals. This letter contains Ministers' decision on that claim for expenses.

Consideration by the Reporters

2. I attach a copy of the Reporters' report which sets out the background to, and summary of, the claim and the Reporters' reasoning, conclusions and recommendation.

Ministers' Decision

3. It is normal practice in planning appeals that all parties are expected to meet their own expenses unless one party can be shown to have acted unreasonably. In considering whether an award of expenses might be made on the grounds of unreasonable behaviour, the main criterion is whether one party has been put to unnecessary expense. Further information can be found in Circular 6/1990 at the following link
<http://www.scotland.gov.uk/Publications/1990/03/circular-6-1990>

4. After careful consideration of the detail set out in the Reporters' report, Ministers agree with the reporters' reasoning and findings that the appellants have not acted in an unreasonable manner resulting in liability for expenses, and accept the recommendation that no award of expenses is made in regard to the AHSS's claim against the appellants. The claim for an award of expenses made by the AHSS is therefore dismissed and Ministers decline to make any award.

5. A copy of this letter and the report have been sent to the appellants.

Yours sincerely




Chief Planner