

**From:** [Redact  
**To:** [Redacte]

**Subject:** Sisting of NPF4 Policy 16 exceptional release appeals  
**Date:** 26 April 2023 13:31:22  
**Attachments:** [Redacted  
]  
**Importance:** High

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Colleagues,

Ministers have now recalled PPA-400-2147 for their own determination (direction attached for information). This is one of Robert's exceptional release housing cases in West Lothian. The case was selected for recall due to an opinion of senior counsel submitted in that case, which directly challenges the application of all elements of Policy 16 prior to adoption of 'new style' LDPs.

I have decided, and informed the Chief Planner and the Minister, that we ought now to sist all like cases pending a Ministerial decision in the recalled case. This is because we mustn't prejudice or otherwise undermine the ministerial decision by issuing related appeal decisions in advance of that. The decision also reflects the need to protect scarce public resource, which could quickly be consumed by further appeals to the Inner House.

Attached is a spreadsheet of live 10+ housing cases, with those that I'm aware of and currently think need to go into sist highlighted in orange. Could you all please check this for additions or deletions and let me know?

I include below suggested wording for issuing to affected parties. We should sist any case where an argument about exceptional release, based on the application or otherwise of Policy 16 is in contention, and where ongoing process has gone as far as it sensibly can pending the ministerial decision. Please do speak to me or an ACR about deciding which cases ought now go into sist, and any need to tweak the standard wording below to suit the specific circumstances of each case.

All best,

{RED  
NOTE

I am writing to advise you that Ministers have now recalled a residential development appeal in West Lothian (PPA-400-2147) for their own determination. Submissions in that case directly challenge the application of all elements of NPF4 Policy 16 prior to adoption of 'new style' LDPs. Ministers consider that this raises national issues in terms of the application of NPF4.

Recalling the appeal for Ministers' own determination will provide an opportunity for Ministers to set out, in their decision letter, more detail on how the policy should be applied.

DPEA currently has before it other appeals which will now need to be placed in sist pending the issue of the Ministerial decision in that case. This is because decisions by individual Reporters in those other cases mustn't prejudice or otherwise undermine the pending ministerial decision.

The Reporter in this case, in consultation with the Chief Reporter, has decided that this case will now be placed in sist pending issue of the Ministerial decision. Once that is issued, parties in this case will have the opportunity to comment on the Ministerial decision prior to determination of the appeal.

DPEA apologises for the unavoidable delay in this case. Please do not hesitate to contact me if any further information is required.

{REDACTE

{REDACTED}

Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

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Email: [Redacted]

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



## **TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

### **PLANNING APPEAL: RESIDENTIAL DEVELOPMENT WITH ASSOCIATED INFRASTRUCTURE, LANDSCAPING AND ENGINEERING WORKS, ON LAND NORTH OF B792, MOSSEND, WEST CALDER, WEST LOTHIAN (PPA-400-2147)**

#### **DIRECTION THAT APPEAL WILL BE DETERMINED BY THE SCOTTISH MINISTERS**

The Scottish Ministers, in exercise of the powers conferred on them by paragraph 3(1) of Schedule 4 to the Town and Country Planning (Scotland) Act 1997, hereby direct that they will determine the above-mentioned appeal instead of a person appointed by them.

Ministers have given this Direction as the appeal raises national issues in terms of the application of National Planning Framework 4. Ministers therefore recall the appeal for their own determination.

A copy of this Direction has been served on the appellant, the planning authority and any other parties as required by paragraph 3(2) of Schedule 4.

ELAINE RAMSAY  
26 April 2023

**From:** {REDACTE  
**To:** [Redacted]  
**Subject:** Sist appeals  
**Date:** 26 April 2023 13:57:00

---

Hi

A number of housing cases are about to be sisted.

You will get an instruction from the reporter re wording.

No letters should go out until {RED issues the recall direction to the main parties on a case he has – {RED will <sup>ACTE</sup> advise when ok to issues sist letters.

Happy to discuss.

{RED  
ACTE

{REDACTED}

{REDACTED}

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



**From:** [Redacted]  
**Cc:** [Redacted]  
**Subject:** RE: Sist appeals  
**Date:** 27 April 2023 08:48:34  
**Attachments:** [Redacted]

---

Morning all,

Further to {REDACTED} e-mail this morning please use APP39a for issuing letters with the wording provided from the reporter.

Subject line – “Case on hold pending Ministers’ decision on a housing case”

Please also change your case overview to – “ Case currently on hold pending the outcome of a recalled residential development appeal in West Lothian (PPA-400-2147) that Ministers have now recalled for their own determination.”

Any question please shout.

Thanks {REDACTED}

---

**From:** {REDACTED} [Redacted]  
**Sent:** 27 April 2023 08:36  
**To:** [Redacted]

**Subject:** RE: Sist appeals

Thank you {REDACTED}

So, everyone else who has received instruction from Reporters re their cases going into SIST, should ensure that these letters are sent out today. Remember to put the SIST in for 3 months initially.

Many thanks,  
{ {REDACTED}

{REDACTED}  
Section Manager  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Postal Address: Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Phone: [Redacted]

DPEA Website: [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk)  
DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



Working a hybrid work pattern. Days of work: Monday to Thursday, Friday is my non-working day.

---

**From:** {REDACTED} [Redacted]  
**Sent:** 26 April 2023 16:41  
**To:** {REDACTED} [Redacted]

**Subject:** RE: Sist appeals

Hi

E-mails have been sent to the main and interested parties today. The 185 postal letters to interested parties have been printed but won't be posted till tomorrow.

Cheers

{REDACTED} CASE OFFICER  
Planning and Environmental Appeals Division, Scottish Government, Ground Floor,  
Hadrian House, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR.  
Phone [Redacted]



Follow us on Twitter for Appeal and Decision Updates

---

**From:** {REDACTED} [Redacted]  
**Sent:** 26 April 2023 13:57  
**To:** PLEA : Admin Section [Redacted]  
**Subject:** Sist appeals

Hi

A number of housing cases are about to be sisted.

You will get an instruction from the reporter re wording.

No letters should go out until {REDACTED} issues the recall direction to the main parties on a case he has – {REDACTED} will advise when ok to issues sist letters.

Happy to discuss.

{REDACTED}

{REDACTED}

Head of Performance and Administration  
Planning and Environmental Appeals Division (DPEA)

Scottish Government

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



**From:** {REDACTED}  
**To:** {REDACTED}  
**Subject:** RE: PPA-390-2082 Thornhill  
**Date:** 27 April 2023 10:56:00  
**Attachments:** {REDACTED}

---

Hi {REDACTED}

I saw those too but have to admit I am not sure what {REDACTED} means by 'directions' .....

Could you ask {REDACTED} if {REDACTED} letters dated 26 April are directions?

Thanks

{REDACTED}

{REDACTED}

Reporter

Planning and Environmental Appeals Division (DPEA)

Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

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Email: {REDACTED}

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---

**From:** {REDACTED}

**Sent:** 27 April 2023 10:50

**To:** {REDACTED}

**Subject:** RE: PPA-390-2082 Thornhill

Hello {REDACTED}

On case PPA-400-2147 I can see letters which were issued to parties yesterday to advise of a recall direction dated 26 April 2023, is this what you mean?

{REDACTED}

{REDACTED}

Case Officer

Planning and Environmental Appeals Division (DPEA)

Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR



Tel: {REDACTED}

email: {REDACTED}

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---

**From:** {REDACTED}

**Sent:** 27 April 2023 10:14

**To:** {REDACTED}

**Subject:** PPA-390-2082 Thornhill

Morning {REDACTED}

As predicted, {REDACTED} case PPA-400-2147 has been recalled, and now all other exceptional release cases like ours are to be sisted.

I am attaching some text to be sent to all parties to the appeal, but it can only be sent once Robert has issued his direction notifications for his case. I had a look at his case on CMS but can't see if they have been issued or not.

Could you please check to see if the directions have been issued, and once they have, could the attached text go as a letter / email to our parties?

Thanks,

{REDACTED}

{REDACTED}

Reporter

Planning and Environmental Appeals Division (DPEA)

Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



**From:** {REDA  
**To:** {REDAC  
**Subject:** RE: Sisting of NPF4 Policy 16 exceptional release appeals  
**Date:** 26 April 2023 14:48:00  
**Attachments:** {REDACT

---

Hi {REDACTED}

This one wasn't on my radar, but having looked at the appeal statement it's clear that it's an exceptional release site, so agree it needs to go into sist.

These sists don't all need to be notified at the same time, but just make sure with your caseworker that {REDACTED} direction notifications have been issued first.

{  
D

{REDACTED}

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**From:** {REDACTED}  
**Sent:** 26 April 2023 14:41  
**To:** {REDACTED}  
**Subject:** RE: Sisting of NPF4 Policy 16 exceptional release appeals

Hi {REDACTED}

Thank you for this, is it ok to send the wording to the parties today, or should all the parties to all the cases be advised of the sist at the same time?

Regards

{REDACTED}

{REDACTED}

Reporter

Planning and Environmental Appeals Division (DPEA)

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---

**From:** {REDACTED} >

**Sent:** 26 April 2023 13:31

**To:** PLEA : Reporters {REDACTED}

**Subject:** Sisting of NPF4 Policy 16 exceptional release appeals

**Importance:** High

Colleagues,

Ministers have now recalled PPA-400-2147 for their own determination (direction attached for information). This is one of Robert's exceptional release housing cases in West Lothian. The case was selected for recall due to an opinion of senior counsel submitted in that case, which directly challenges the application of all elements of Policy 16 prior to adoption of 'new style' LDPs.

I have decided, and informed the Chief Planner and the Minister, that we ought now to sist all like cases pending a Ministerial decision in the recalled case. This is because we mustn't prejudice or otherwise undermine the ministerial decision by issuing related appeal decisions in advance of that. The decision also reflects the need to protect scarce public resource, which could quickly be consumed by further appeals to the Inner House.

Attached is a spreadsheet of live 10+ housing cases, with those that I'm aware of and currently think need to go into sist highlighted in orange. Could you all please check this for additions or deletions and let me know?

I include below suggested wording for issuing to affected parties. We should sist any case where an argument about exceptional release, based on the application

or otherwise of Policy 16 is in contention, and where ongoing process has gone as far as it sensibly can pending the ministerial decision. Please do speak to me or an ACR about deciding which cases ought now go into sist, and any need to tweak the standard wording below to suit the specific circumstances of each case.

All best,

{RED  
ACTE

I am writing to advise you that Ministers have now recalled a residential development appeal in West Lothian (PPA-400-2147) for their own determination. Submissions in that case directly challenge the application of all elements of NPF4 Policy 16 prior to adoption of 'new style' LDPs. Ministers consider that this raises national issues in terms of the application of NPF4.

Recalling the appeal for Ministers' own determination will provide an opportunity for Ministers to set out, in their decision letter, more detail on how the policy should be applied.

DPEA currently has before it other appeals which will now need to be placed in sist pending the issue of the Ministerial decision in that case. This is because decisions by individual Reporters in those other cases mustn't prejudice or otherwise undermine the pending ministerial decision.

The Reporter in this case, in consultation with the Chief Reporter, has decided that this case will now be placed in sist pending issue of the Ministerial decision. Once that is issued, parties in this case will have the opportunity to comment on the Ministerial decision prior to determination of the appeal.

DPEA apologises for the unavoidable delay in this case. Please do not hesitate to contact me if any further information is required.

{REDACTE  
D}

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Scottish Government

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



**From:** {REDACTED}  
**To:** {REDACTED} < >  
**Subject:** RE: PPA-390-2082 - Appeal on hold query  
**Date:** 28 April 2023 08:18:00  
**Attachments:** [image003.png](#)

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Morning {REDACTED}

I think you could say that 'The initial sist period is expected to be 12 weeks. Unfortunately we cannot provide a precise timescale for the process, but will update the parties as soon as we receive any pertinent information as to progress.'

Hope that s ok,

Thanks

{REDACTED}

{REDACTED}

Reporter  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Phone: {REDACTED}

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



---

**From:** {REDACTED}  
**Sent:** 27 April 2023 17:19  
**To:** {REDACTED}  
**Subject:** RE: PPA-390-2082 - Appeal on hold query

Hello {REDACTED}

Do I tell him that the case is sisted for 3 months?

{REDACTED}

Case Officer  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Tel: {REDACTED}

DPEA Website: [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk)

DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



---

**From:** {REDACTED}

**Sent:** 27 April 2023 17:10

**To:** {REDACTED}

**Subject:** RE: PPA-390-2082 - Appeal on hold query

Hi {REDACTED}

We have no idea on timeframes I am afraid.

You could respond as follows-

'Unfortunately we cannot provide any estimate of timescales associated with the process, but will update the parties as soon as we receive any pertinent information as to progress.'

Thanks,

{REDACTED}

Reporter  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



---

**From:** {REDACTED}

**Sent:** 27 April 2023 16:28

**To:** {REDACTED}

**Subject:** FW: PPA-390-2082 - Appeal on hold query

>

Hello {REDACTED}

Please see the e-mail below regarding PPA-390-2082.

{REDACTED}

Case Officer  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Tel: {REDACTED}

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



---

**From:** {REDACTED}

**Sent:** 27 April 2023 16:16

**To:** {REDACTED}

**Cc:** {REDACTED} {REDACTED}

**Subject:** PPA-390-2082 - Appeal on hold query

Good afternoon {REDACTED}

We note your letter of today stating the appeal case is now on hold, pending the outcome of the Scottish Ministers recall of the appeal at Mossend, West Lothian due to the NPF4 housing policy issue.

Can you provide any indication of timescales for this process and resultant timing for this appeal to be continued?

Regards,  
{REDACTED}

--  
{REDACTED}  
Director





PLANNING, DEVELOPMENT, URBAN DESIGN  
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Scott House, 10 South St Andrew Street, Edinburgh EH2 2AZ  
07817-295619



Associate Member [www.homesforscotland.com](http://www.homesforscotland.com)



**From:** {REDACTED}  
**To:** {REDACTED}  
**Subject:** RE: PPA-390-2082  
**Date:** 18 April 2023 09:24:00  
**Attachments:** [image003.png](#)

---

Hi {REDACTED}

Hope you had a good Easter break?

I am waiting to see what {REDACTED} says, I know we are currently holding any NPF4 housing decisions but I am not sure what we are saying when queried.

Let me find out and get back to you.

{REDACTED}

{REDACTED}

Reporter  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



---

**From:** {REDACTED}  
**Sent:** 17 April 2023 12:33  
**To:** {REDACTED}  
**Subject:** FW: PPA-390-2082

Hello {REDACTED}

I've received the e-mail below enquiring about the timescale for the decision for appeal PPA-390-2082. Are you able to give any indication on the timescale for the decision?

Thanks.

{REDACTED}

Case Officer  
Planning and Environmental Appeals Division (DPEA)

Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



---

**From:** {REDACTED} >

**Sent:** 03 April 2023 14:22

**To:** {REDACTED}

**Subject:** PPA-390-2082

Hi {REDACTED}

I am wondering if there is any update from the reporter regarding a timescale for reaching/issuing a decision on the above appeal?

Thanks,  
{REDACTED}

Planning and Building Standards | Stirling Council | Teith House | Stirling FK7 7QA  
{REDACTED} | **W:** [stirling.gov.uk](http://stirling.gov.uk)

Please note I am unavailable on Thursdays

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**From:** {REDA  
**To:** {REDACTED}  
**Subject:** Sisted cases update  
**Date:** 23 May 2023 16:27:44  
**Attachments:** {REDACTE{{REDACTED}}  
g

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Folks,

To see updated spreadsheet.

The only addition, {not in scope} won't need to go into sist,

{  
D

{REDACTE

Planning and Environmental Appeals Division (DPEA) | Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Email: [scott.ferrie@gov.scot](mailto:scott.ferrie@gov.scot) | DPEA Website: [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk) | DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



Scottish Government  
Riaghaltas na h-Alba

In the service  
**of Scotland**

Case Ref	Lead Authority	Site Address	Case Detail	Case Status	case overview	Lead Reporter	Appellant company	target date	Intentions issued
PPA-400-2126	West Lothian Council	Clarendon Farm, Manse Road, Linlithgow, EH49 6QR	Failure Of The Planning Authority To Give A Decision On Planning Application 0328/P/21: Proposed Residential Development, Access, Open Space, Landscaping And Associated Works On Land At Clarendon Farm, Linlithgow.	Allocated to reporter	**Case Update – 07/03/2023** The decision/report is being finalised and will be issued as soon as possible.	Stephen Hall	Gladman Developments Ltd	02/03/2022	
PPA-250-2368	File Council	Land To The East Of Red Path Brae, Orchard Terrace, Kinghorn, KY3 9XP	Planning Permission In Principle For Residential Development, Including Affordable Housing, Access, Landscaping, Open Space And Associated Engineering Work On Land At Mid Mire, Kinghorn. Fife (Upto 140 Units)	Allocated to reporter	**Case Update – 07/03/2023** The decision/report is being finalised and will be issued as soon as possible.	Trudi Craggs	Gladman Developments Ltd	28/05/2022	
PPA-400-2136	West Lothian Council	Land East Of New Calder Mill Road, Mid Calder, EH53 0AJ	Residential Development (Of Approximately 125 Homes) With Associated Infrastructure, Landscaping And Engineering Works	Allocated to reporter	**Case Update – 07/03/2023** The decision/report is being finalised and will be issued as soon as possible.	Trudi Craggs	Robertson Homes Ltd	12/07/2022	
PPA-320-2161	North Lanarkshire Council	173 Mill Road, Shotts, ML7 5DD	Residential Development Of 61 Dwellingshouses (Including Changes To Levels)	Allocated to reporter	**Case Update – 07/03/2023** The decision/report is being finalised and will be issued as soon as possible.	Stephen Hall	Dean Cochrane	18/09/2022	
PPA-390-2082	Stirling Council	Land North West Of And At Burnside Works, Main Street, Thornhill, FK8 3PR	Employment And Residential Use (Approximately 70 Units) Including Affordable Housing	Allocated to reporter	**Case Update – 07/03/2023** Further written information has been sought. Further details are available from the procedure notice on the case file.	Sinead Lynch	Inverdunning (Thomhill) Ltd	25/09/2022	
PPA-390-2083	Stirling Council	Land At Blairforke Drive, Bridge Of Allan, Stirling, FK9 4PH	Erection Of 46 No. Dwellings Comprising 34 Private And 12 Affordable Dwellings With Associated Access And Landscaping	Allocated to reporter	**Case Update – 16/03/2023** The decision is being finalised and will be issued as soon as possible.	David Buyla	Allan Water Homes Ltd.	01/12/2022	
PPA-400-2147	West Lothian Council	Land North Of B792, Mossend, West Calder, EH55 8PU	Residential Development With Associated Infrastructure, Landscaping And Engineering Works.	Allocated to reporter	**Case Update – 08/03/2023** Inquiry and/or hearing sessions were held. Following receipt of the parties' closing submissions, the reporter will go on to determine the appeal.	Robert Seaton	Miller Homes Ltd	30/01/2023	
PPA-230-2387	City of Edinburgh Council	Land 131 Metres Southeast Of 119 Ferniehill Drive, Edinburgh, EH17 7DD	Residential Development (Up To 150 New Homes) And Associated Works	Allocated to reporter	**Case Update – 07/03/2023** Further written information has been sought. Further details are available from the procedure notice on the case file.	Elsbeth Cook	Taylor Wimpey UK Limited and BL Chesser Limited	04/03/2023	
PPA-400-2131-1	West Lothian Council	Drumshoreland Garden Community Land North Of Old Clapperton Hall Cottages, East Calder, West Lothian, EH52 5PE	Planning Permission In Principle For A 108Ha Mixed Use Development Including Residential Development (Dwellings And Flatted - Upto 1800 Homes), Local Centre (Including Class 1, Class 2 And Class 3 Uses), Community Facilities (Including A Primary School), Ancillary Development, Public Open Space, And Associated Works And Infrastructure	Allocated to reporter	**Case Update – 07/03/2023** The decision is being finalised and will be issued as soon as possible.	Michael Shiel	Elan Homes (Scotland) Ltd	16/03/2023	
PPA-400-2132-1	West Lothian Council	Drumshoreland Garden Community Land North Of Old Clapperton Hall, East Calder, West Lothian, EH52 5PE	Planning Permission In Principle For A 58Ha Mixed Use Development Including Residential Development (Dwellings And Flatted - Upto 400 Units), Local Centre (Including Class 1, Class 2 And Class 3 Uses), Community Facilities, Public Open Space, And Associated Works And Infrastructure (Eia Development)	Allocated to reporter	**Case Update – 07/03/2023** The decision is being finalised and will be issued as soon as possible.	Michael Shiel	Elan Homes (Scotland) Ltd	16/03/2023	
PPA-400-2148	West Lothian Council	Land At Burnhouse Farm, Burnhouse, Dechmont, West Lothian, EH52 6NB	Planning Permission In Principle For A 12.3 Ha (Around 100 Homes) Residential Development With Associated Infrastructure, Landscaping And Engineering Works	Allocated to reporter	**Case Update – 10/02/2023** Further written information has been sought. Further details are available from the procedure notice on the case file.	Robert Seaton	Springfield Properties PLC	20/03/2023	
PPA-290-2067	Midlothian Council	Land At Junction Of Pentland Road And The A701, New Pentland, Midlothian, EH20 9NY	Proposed Mixed-Use Development Comprising Class 2, Class 3, Class 9, Class 10, Sui Generis (Mixed Use Of Retirement Flats And Assisted Living/Extra Care Flats), Affordable Housing And Associated Works, 3.78Ha.	Allocated to reporter	**Case Update – 02/03/2023** Further written information has been sought. Further details are available from the procedure notice on the case file.	Sue Bell	Pentland Park Marine Ltd	17/04/2023	
PPA-260-2144	Glasgow City Council	Site At Belth Street/Castlebank Street, Glasgow, G11 6PU	Erection Of Residential Development With Ancillary Resident's Facilities, Access, Parking, Landscaping, Drainage, Engineering/Infrastructure Works.(424 Residential Units)	Notice of Intention issued	**Case Update – 05/01/2023** The reporter is minded to grant permission subject to a legal agreement being reached. The final decision has therefore been deferred for the period detailed in the Notice of Intention to allow the conclusion of that agreement.	Rosie Leven	KR Developments Group Ltd	21/04/2023	05/01/2023
PPA-340-2151	Perth and Kinross Council	Land 70 Metres West Of Innerdownie, Crook Of Devon, KY13	Erection Of 10 Dwellingshouses, 6 Garages And Associated Works (Approval Of Matters Specified In Conditions Of 18/01855/lpl)	Allocated to reporter	**Case Update – 02/02/2023** Further written information has been sought. Further details are available from the procedure notice on the case file.	Andrew Fleming	Shand Architecture	24/04/2023	
PPA-230-2402	City of Edinburgh Council	24 & 25 Seafeld Road East, Edinburgh, EH15 1ED	Residential Led Mixed-Use Including Classes 1, 2 And 4, Development With Associated Infrastructure.	Allocated to reporter	**Case Update – 29/03/2023** The decision/report is being finalised and will be issued as soon as possible.	Rob Huntley	Manse (Seafeld) LLP and J. Smart & Co. (Contractors) PLC	11/05/2023	
PPA-120-2059-1	Angus Council	North East Of Garth Farm, Kiriemuir Road, Turfbeg West, Forfar, DD8 3FH	Proposed Erection Of 245 Dwelling Houses, Including 25% Affordable Homes With Associated, Roads, Drainage And Landscaping	Allocated to reporter	**Case Update – 21/10/2022** The reporter(s) is minded to grant permission subject to a legal agreement being reached. The final decision has therefore been deferred for the period detailed in the Notice of Intention to allow the conclusion of that agreement. Further written information has also been sought. Further details are available from the procedure notice on the case file.	Robert Seaton	Guild Homes (Tayside) Limited	01/06/2023	
PPA-270-2265	Highland Council	Land 80M East Of Balvonic Cottage, Inshes, Inverness, IV2 5JZ	Residential Development (Up To 130 Houses) With Associated Infrastructure	Hold Expired	**Case Update – 21/04/2023** This appeal has been allocated to a reporter. The period for written submissions from members of the public has ended. The authority has provided its response to the appeal and the applicant is now entitled to comment. The reporter is looking at the documents and submissions, and will consider what, if any, further procedures are necessary in order to consider this appeal. Further details will be forthcoming in due course.	Alison Kirkwood	Springfield Properties PLC	15/06/2023	21/10/2022
PPA-190-2088	East Ayrshire Council	Land Adjacent To Holm Farm, B7081 From Mote View To Gatehead, Crosshouse, KA2 0BQ	Proposed Residential Development Of 39 No. Detached And Semi-Detached Houses	Allocated to reporter	**Case Update – 06/03/2023** The reporter is minded to grant permission subject to a legal agreement being reached. The final decision has therefore been deferred for the period detailed in the 2nd Notice of Intention to allow the conclusion of that agreement.	Andrew Fleming	Dawn Homes	15/06/2023	
PPA-300-2069	Moray Council	Land At Barhill Road, Buckie, AB56 5AF	Residential Development (Of Approximately 101 Homes) Including 1No Retail Unit And Landscaping And Associated Infrastructure	Notice of Intention issued	**Case Update – 14/04/2023** This appeal has been allocated to a reporter and a response from the authority is due on 24 April 2023. Interested members of the public are entitled to make representation. Any representations received by the deadline of 1 May 2023 will be passed to the planning authority and agent/appellant for their comments.	Trevor Croft	Springfield Properties PLC	16/06/2023	25/05/2022
PPA-340-2154	Perth and Kinross Council	Land 70 Metres East Of 3 Losset Park, Losset Road, Alyth, PH11 8BT	Erection Of 20 Dwellingshouses And Associated Works	Allocated to reporter	**Case Update – 04/04/2023** Further written information has been sought. Further details are available from the procedure notice on the case file.	Lorna McCallum	Edinburgh Mairns Holdings Ltd	27/06/2023	
PPA-230-2407	City of Edinburgh Council	Granton Harbour, West Harbour Road, Edinburgh, EH5	Mixed-Use Development Comprising Houses, Flats And Commercial Units, Surrounding Roads, Public Realm Areas And Infill Of Land (Plot 35A)	Allocated to reporter	**Case Update – 18/04/2023** The appeal has been registered and the planning authority have been asked for their response to the appeal. The period for interested members of the public to make representation ends on 16 May 2023. Any representations received by the deadline will be passed to the planning authority and agent for their comments.	Philip McLean	Macktaggart & Mickel Homes Ltd	11/07/2023	
PPA-210-2095	East Lothian Council	Land At Windygoul, Elphinstone Road, Tranent, East Lothian, EH33 2DT	Erection Of 171 Houses, 24 Flats, 14 Business Units (Class 4, 5, 6), 1 Retail Unit (Class 1), Restaurant (Class 3) / Bar (Sui Generis) And Associated Works	Not yet ready for allocation to reporter	**Case Update – 28/04/2023** This case is currently being checked and registered to the system. Documents will be uploaded as soon as possible.	Sinead Lynch			
PPA-320-2170	North Lanarkshire Council	Site At Johnston Road, Gartcosh, North Lanarkshire, G69 8DW	Section 42 Application For Variation Of Condition 16 'No Build Areas' Attached To Planning Permission In Principle 13/01958/Pop. Regarding Residential Development Of Up To 450 Units, Access And Associated Works	Awaiting registration	**Case Update – 19/05/2023** This case is currently being checked and registered to the system. Documents will be uploaded as soon as possible.				
PPA-320-2169	North Lanarkshire Council	Land East Of Lochend Road, Gartcosh, North Lanarkshire, G69 8DJ	Erection Of 75 Homes With Associated Works (Phase 3)	Awaiting registration					
PPA-110-2442	Aberdeenshire Council	Land At Backhill Of Cubrinie, Banff, Aberdeenshire, AB45 2EB	Full Planning Permission For Erection Of 10 Dwellingshouses	Awaiting registration					

**From:** {REDACTED}  
**To:** {REDACTED}  
**Subject:** RE: PPA-390-2082 Thornhill  
**Date:** 27 April 2023 11:46:00  
**Attachments:** [image002.png](#)

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Thank you!

{REDACTED}

Reporter  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Phone: {REDACTED}

DPEA Website: [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk)  
DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



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**From:** {REDACTED}  
**Sent:** 27 April 2023 11:31  
**To:** {REDACTED}  
**Subject:** FW: PPA-390-2082 Thornhill

Hello {REDACTED}

I have spoken to my line manager, {REDACTED} and she has confirmed that the directions for case PPA-400-2147 have been issued.

{REDACTED}

{REDACTED}  
Case Officer  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Tel: {REDACTED}

DPEA Website: [www.dpea.scotland.gov.uk](http://www.dpea.scotland.gov.uk)  
DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



**From:** {REDACTED}  
**Sent:** 27 April 2023 10:50  
**To:** {REDACTED}  
**Subject:** RE: PPA-390-2082 Thornhill

Hello {REDACTED}

On case PPA-400-2147 I can see letters which were issued to parties yesterday to advise of a recall direction dated 26 April 2023, is this what you mean?

{REDACTED}

Case Officer  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

Ground Floor, Hadrian House, Callendar Business Park, Falkirk, FK1 1XR

Tel: {REDACTED}

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DPEA Twitter: [@DPEAScotland](https://twitter.com/DPEAScotland)



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**From:** {REDACTED}  
**Sent:** 27 April 2023 10:14  
**To:** {REDACTED}  
**Subject:** PPA-390-2082 Thornhill

Morning {REDACTED}

As predicted, {REDACTED}'s case PPA-400-2147 has been recalled, and now all other exceptional release cases like ours are to be sisted.

I am attaching some text to be sent to all parties to the appeal, but it can only be sent once {redacted} has issued his direction notifications for his case. I had a look at his case on CMS but can't see if they have been issued or not.

Could you please check to see if the directions have been issued, and once they have, could the attached text go as a letter / email to our parties?

Thanks,

{REDACTED}



{REDACTED}

Reporter

Planning and Environmental Appeals Division (DPEA)

Scottish Government

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I am writing to advise you that Ministers have now recalled a residential development appeal in West Lothian (PPA-400-2147) for their own determination. Submissions in that case directly challenge the application of all elements of NPF4 Policy 16 prior to adoption of 'new style' LDPs. Ministers consider that this raises national issues in terms of the application of NPF4.

Recalling the appeal for Ministers' own determination will provide an opportunity for Ministers to set out, in their decision letter, more detail on how the policy should be applied.

DPEA currently has before it other appeals which will now need to be placed in sist pending the issue of the Ministerial decision in that case. This is because decisions by individual Reporters in those other cases mustn't prejudice or otherwise undermine the pending ministerial decision.

The Reporter in this case, in consultation with the Chief Reporter, has decided that this case will now be placed in sist pending issue of the Ministerial decision. Once that is issued, parties in this case will have the opportunity to comment on the Ministerial decision prior to determination of the appeal.

DPEA apologises for the unavoidable delay in this case. Please do not hesitate to contact me if any further information is required.

**From:** {REDAC  
**To:** {REDACTED}  
**Subject:** PPA-390-2082 Thornhill  
**Date:** 27 April 2023 10:13:47  
**Attachments:** {REDACTED}

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Morning {REDACTED}

As predicted, {REDACTED} case PPA-400-2147 has been recalled, and now all other exceptional release cases like ours are to be sisted.

I am attaching some text to be sent to all parties to the appeal, but it can only be sent once {REDACTED} has issued his direction notifications for his case. I had a look at his case on CMS but can't see if they have been issued or not.

Could you please check to see if the directions have been issued, and once they have, could the attached text go as a letter / email to our parties?

Thanks,

{REDACTED}

{REDACTED}

Reporter  
Planning and Environmental Appeals Division (DPEA)  
Scottish Government

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DPEA apologises for the unavoidable delay in this case. Please do not hesitate to contact me if any further information is required.