

Local Review Body: Review of Planning Application

Reg. No. 19/00247/DPP

City Access Scaffolding Ltd
16 Lady Brae
Gorebridge
EH23 4HT

Midlothian Council, as Planning Authority, having considered the review of the application by Mr Mark Skinner, 16 Lady Brae, Gorebridge, EH23 4HT, which was registered on 30 August 2019 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Erection of temporary building (retrospective) at 16 Lady Brae, Gorebridge, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1:1250	05.04.2019
Illustration/Photograph		05.04.2019
Illustration/Photograph		05.04.2019
Illustration/Photograph		05.04.2019

Subject to the following conditions:

1. The building hereby approved is permitted for a temporary period only and shall be removed within one year of the date of this permission (by 22 October 2020) and the land returned to its condition prior to the development commencing within one month of the building being removed.

Reason: *The retention of the building for longer than one year would have a significant detrimental impact on the character and appearance of the surrounding area, as well as the amenity of neighbouring residents; however the material considerations of the application mean a temporary building is considered acceptable.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 22 October 2019. The LRB carried out a site visit on the 22 October 2019.

In reaching its decision the LRB gave consideration to the following development plan policies and material considerations:

Development Plan Policies:

1. DEV2 Midlothian Local Development Plan – Development in the built-up area;
2. DEV 6 Midlothian Local Development Plan – Layout and design of new development;
3. ECON4 Midlothian Local Development Plan – Economic development outwith established business and industrial sites; and
4. ENV18 Midlothian Local Development Plan – Noise

Material considerations:

1. The individual circumstances of the proposal.

In determining the review the LRB concluded:

The retention of the building for longer than one year would have a significant detrimental impact on the character and appearance of the surrounding area, as well as the amenity of neighbouring residents; however the material considerations of the application mean a temporary building is considered acceptable.

Dated: 22/10/2019



Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Communities and Economy
Midlothian Council

On behalf of:

Councillor R Imrie
Chair of the Local Review Body
Midlothian Council

NOTICE TO ACCOMPANY REFUSAL ETC.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions, or

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the town and Country Planning (Scotland) Act 1997.

Advisory note:

If you have any questions or enquiries regarding the Local Review Body procedures or this decision notice please do not hesitate to contact Peter Arnsdorf, Planning Manager tel: 0131 2713310 or via peter.arnsdorf@midlothian.gov.uk