

Minute of Meeting

Local Review Body
Monday 23 January 2023
Item No 4.1



Local Review Body

Date	Time	Venue
5 December 2022	1.00pm	Council Chambers

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor Drummond	Councillor McEwan
Councillor McManus	Councillor Virgo

In Attendance:

Peter Arnsdorf	Planning, Sustainable Growth and Investment Manager
Derek Oliver	Chief Officer, Place
Janet Ritchie	Democratic Services Officer
Mike Broadway	Democratic Services Officer

1 Welcome, Introductions and Apologies

The Chair welcomed everyone to the meeting.

Apologies were noted on behalf of Councillor Smaill and Councillor Milligan.

2 Order of Business

The order of business was as outlined in the agenda.

3 Declarations of interest

No declarations of interest were received.

4 Minute of Previous Meeting

The Minute of the Meeting of 25 October 2022 was submitted and approved as correct records.

5 Reports

Notices of Review – Determination Reports by Chief Officer Place

Agenda No	Report Title	Presented by:
5.1	4 Elmfield Park, Dalkeith (22/00248/DPP)	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the erection of a fence (retrospective) at 4 Elmfield Park, Dalkeith.</p> <p>Planning application 22/00248/DPP for the erection of a fence (retrospective) at 4 Elmfield Park, Dalkeith was refused planning permission on 29 July 2022; a copy of the decision is attached to this report. The Local Review Body had made an accompanied visit to the site on Monday 5 December 2022 at 10 am.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the Review would proceed on the written submissions provided.</p> <p>In discussing the proposed development and the reasons for its refusal, the LRB did not agree that this fence had a detrimental impact on the character and visual amenity of the surrounding area.</p>		
Decision		
<p>The Local Review Body agreed to uphold the Review request and grant Planning Permission for the erection of the fence (retrospective) at 4 Elmfield Park, Dalkeith, EH 22 1ER.</p>		
Action		
<p>The Planning, Sustainable Growth and Investment Manager</p>		

Agenda No	Report Title	Presented by:
5.2	11 Mansfield Place, Newtongrange (22/00562/DPP)	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the erection of a conservatory and associated access steps at 11 Mansfield Place, Newtongrange.</p> <p>Planning application 22/00562/DPP for the erection of a conservatory and associated access steps at 11 Mansfield Place, Newtongrange was refused planning permission on 15 September 2022; a copy of the decision is attached to this report. The Local Review Body had made an accompanied visit to the site on Monday 5 December 2022 at 10 am.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the Review would proceed on the written submissions provided.</p> <p>In responding to a comment with regards to the proposed structure being a conservatory or an extension, the Planning, Sustainable Growth and Investment Manager confirmed that in planning terms there was no difference in the assessment if conservatory or extension.</p> <p>In discussing the proposed development and the reasons for its refusal, the LRB acknowledged that this development was very close to the neighbouring property and agreed that the proposed conservatory would have an adverse impact on daylight to the neighbouring property.</p>		
Decision		
<p>The LRB agreed to dismiss the Review request and uphold the decision to refuse Planning Permission for the following reasons:</p> <ol style="list-style-type: none"> 1. The proposed conservatory will appear over-dominant on the public front elevation and will appear as an incongruous feature detracting from both the appearance of the principal elevation of application property and the street scene. 2. The proposed conservatory will likely have an adverse impact on daylight to the neighbouring property. 3. For the above reasons the proposal is contrary to policy DEV 2 of the adopted Midlothian Local Development Plan 2017 which seeks to protect the character and amenity of the built-up area. 		
Action		
The Planning, Sustainable Growth and Investment Manager		

Agenda No	Report Title	Presented by:
5.3	Land adjacent to Noblehall, Howgate (22/00127/PPP)	Peter Arnsdorf
Executive Summary of Report		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for planning permission in principle for the erection of dwelling house on land adjacent to Noblehall, Howgate.</p> <p>Planning application 22/00127/PPP for planning permission in principle for the erection of dwelling house on land adjacent to Noblehall, Howgate was refused planning permission on 17 June 2022; a copy of the decision is attached to this report. The Local Review Body had made an accompanied visit to the site on Monday 5 December 2022 at 10 am.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the Review would proceed on the written submissions provided.</p> <p>In discussing the proposed development and the reasons for its refusal, the LRB agreed that the proposed development would fit in with the area and could see no objections to this proposed development.</p>		
Decision		
The LRB agreed to uphold the Review request, and grant Planning Permission in principle subject to the conditions as set out in the paper.		
Action		
The Planning, Sustainable Growth and Investment Manager		

Agenda No	Report Title	Presented by:
5.4	15 Hoggan Way, Loanhead (22/00373/DPP)	Peter Arnsdorf
Executive Summary of Report		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the formation of dormer windows at 15 Hoggan Way, Loanhead.</p> <p>Planning application 22/00373/DPP for the formation of dormer windows at 15 Hoggan Way, Loanhead was refused planning permission on 28 June 2022; a copy of the decision is attached to this report. The Local Review Body had made an accompanied visit to the site on Monday 5 December 2022 at 10 am.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the Review would proceed on the written submissions provided.</p>		

In discussing the proposed development and the reasons for its refusal, the LRB in particular gave consideration to the design of the front dormers and the impact on the visual amenity of the street.

Following further discussion, Councillor Cassidy, seconded by Councillor Alexander moved to approve the Review request and grant Planning Permission subject to the proposed conditions as set out in the report.

As an Amendment, Councillor Imrie, seconded by Councillor Virgo moved to dismiss the Review request and uphold the decision to refuse Planning Permission for the reasons detailed in the case officer's report.

On a vote being taken 3 Members voted for the Motion and 5 for the Amendment which accordingly became the decision of the Committee.

Decision

The LRB agreed to dismiss the Review request and uphold the decision to refuse Planning Permission for the following reasons:

1. The design of the front dormers is unsympathetic to and will detract from the appearance of the principal elevation of the application property.
2. As a result of their unsatisfactory relationship with the existing building the front dormers will have a detrimental impact on the visual amenity of the street scene.
3. For the above reasons the proposals are contrary to policy DEV2 of the adopted Midlothian Local Development Plan 2017 which seeks to protect the character and amenity of the built-up area.

Action

The Planning, Sustainable Growth and Investment Manager

6. Private Reports

No private business was discussed.

7. Date of Next Meeting

The next meeting is scheduled for Monday 23 January 2023 at 1 pm

The meeting terminated at 1.17 pm