

# Minute of Meeting



## Special Meeting of the Local Review Body

Date	Time	Venue
Monday 26 September 2022	1.00pm	Virtual Meeting using MS Teams

### Present:

Councillor Imrie (Chair)	Councillor Bowen
Councillor Cassidy	Councillor Drummond
Councillor McEwan	Councillor McKenzie (substitute for Councillor Alexander)
Councillor McManus	Councillor Small
Councillor Virgo	

### In Attendance:

Peter Arnsdorf, Planning, Sustainable Growth and Investment Manager	Alison Ewing, Planning Officer
Mike Broadway, Democratic Services Officer	

## 1 Apologies

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Apologies for absence had been received from Councillors Alexander and Milligan.

## 2 Order of Business

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The order of business was as outlined in the agenda that had been previously circulated.

## 3 Declarations of interest

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For the purposes of transparency, Councillors McManus and McKenzie both advised that they had been approached regarding one of the applications and whilst they had listen to the views that had been expressed they had not at any time offered an opinions on the application concerned. Consequently, they would still take part in the decision making process as they did not believe that this in itself would interfere in their being able to come to an objective decision on the Review Request concerned.

## 4 Minute of Previous Meeting

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There were no Minutes submitted for approved at this meeting.

## 5 Reports

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Agenda No	Report Title	Presented by:
5.1	Notice of Review – Land at Dalrymple Gardens, Cousland (22/00301/DPP) – Determination Report.	Peter Arnsdorf
<b>Executive Summary of Report</b>		
<p>There was submitted a report, dated 16 September 2022 by the Chief Officer Place, regarding an application seeking a review of the decision of the Planning Authority to refuse planning permission for the erection of a dwellinghouse and associated works at land at 24 Dalrymple Gardens, Cousland.</p> <p>Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.</p>		
<b>Summary of Discussion</b>		
<p>The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for its refusal, the LRB considered at length the impact on the character of the area, the size of the garden and issues regarding provision for off street parking.</p>		

Thereafter, Councillor McManus, seconded by Councillor McKenzie moved to dismiss the review request and to uphold the decision to refuse planning permission for the reasons detailed in the case officer's report.

### Decision

The Local Review Body agreed to dismiss the review and uphold the Planning Decision to refuse Planning Permission for the erection of a dwellinghouse and associated works at land at 24 Dalrymple Gardens, Cousland for the following reason:

1. It has not been demonstrated to the satisfaction of the Planning Authority that the proposed dwellinghouse will not be subject to substandard levels of amenity, with a garden size smaller than that required for a modern dwellinghouse.
2. The proposed dwellinghouse fails to connect visually to the character, appearance and layout of the area. The proposed dwellinghouse will materially detract from the character of the area.
3. It has not been demonstrated to the satisfaction of the Planning Authority that the proposed dwellinghouse could be afforded an adequate level of off-street parking spaces. The proposed dwellinghouse may result in a pressure for parking spaces will have a significant detrimental impact on the character and amenity of the surrounding area.
4. It has not been demonstrated to the satisfaction of the Planning Authority that the proposed development would not lead directly or indirectly to the loss of, or damage to existing vegetation and landscaping within the site which contributes to the residential visual amenity of the site and surrounding area.
5. For the above reasons the proposal is contrary to policies DEV2, DEV6, and ENV11 of the adopted Midlothian Local Development Plan. If the proposal were approved it would undermine the consistent implementation of the policy, the objective of which is to protect the character and amenity of the built-up area and ensure that good levels of residential amenity are achieved in new developments.

### Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.2	Notice of Review – White Cottage, Gladhouse Reservoir, Temple (21/00467/DPP) – Determination Report.	Peter Arnsdorf

### Executive Summary of Report

There was submitted a report, dated 16 September 2022 by the Chief Officer Place, regarding an application seeking a review of the decision of the Planning Authority to refuse planning permission for alterations to the dwellinghouse to increase roof height of White Cottage, Gladhouse Reservoir, Temple.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

### Summary of Discussion

The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for the refusal of planning permission, the LRB considered impact on the existing character of the area and the quality of the design.

Thereafter, Councillor Virgo, seconded by Councillor McKenzie moved to uphold the review request and to grant planning permission subject to conditions.

### Decision

The LRB agreed to uphold the review request and grant Planning Permission for the alterations to dwellinghouse to increase roof height of White Cottage, Gladhouse Reservoir, Temple for the following reason:

*The proposed alterations and increasing the height of the building by means of its form, design and materials is an appropriate form of development for its setting and will not be detrimental to the streetscape or the character of the area and as such accords with the presumption in favour of supporting sustainable development as set out in the Midlothian Local Development Plan 2017. Furthermore, the existing host building is not of such a strong architectural design that it justifies resisting the evolution of the built form.*

subject to:

1. Details of the colour of the frames of the new windows at ground floor level shall be submitted to the planning authority and the windows shall not be installed until this detail has been approved in writing by the planning authority.
2. The new windows at ground floor level on the existing building shall be installed within two months of the first floor accommodation being completed or brought in to use whichever is the earlier date.

**Reason for conditions 1 and 2:** *To safeguard the appearance of the building as altered and the visual amenity of the surrounding area.*

3. Details of the external appearance and dimensions of the proposed air source heat pump shall be submitted to the planning authority and the air source heat pump shall not be installed until these details have been approved in writing by the planning authority.

**Reason:** *For the avoidance of doubt as to what is approved, no details having been provided as part of the application submission.*

4. Any noise associated with the air source heat pump shall comply with the product and installation standards for air source heat pumps specified in the Micro-generation Certification Scheme MCS 020(a).

**Reason:** *To protect the residential amenity of surrounding properties.*

5. Development shall not begin until a bat survey has been carried out by a suitably qualified ecologist and any mitigation measures identified implemented

in accordance with details to be submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** *To ensure the development accords with the requirements of policy DEV5 of the Proposed Midlothian Local Development Plan 2017.*

**Action**

Planning, Sustainable Growth and Investment Manager

## **6. Private Reports**

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No private business was discussed.

## **7. Date of Next Meeting**

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The next scheduled meeting will be held on Tuesday 25 October 2022 at 1.00pm.

The meeting terminated at 1.36 pm.