

# Minute of Meeting



## Local Review Body

Date	Time	Venue
21 November 2017	2.00pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Baird	Councillor Cassidy
Councillor Montgomery	Councillor Munro
Councillor Small	

## 1 Apologies

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Apologies received from Councillor Lay-Douglas, Milligan and Muirhead

## 2 Order of Business

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

With the exception of the Review Request relating to 2A Nivensknowe Road, Loanhead (17/00404/S42) – Removal of Conditions 3 and 4 of Planning Permission 16/00497/DPP (Alterations to and change of use of building from warehouse to vehicle maintenance and service depot, erection of gatehouse, fencing, gates, formation of hardstanding, car parking and truck wash bay (retrospective)) – Agenda Item 5.4 refers – which at the request of the Applicant's Agent had been deferred and would now be considered at the LRB meeting scheduled for Tuesday, 16 January 2018.

## 3 Declarations of interest

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No declarations of interest were received.

## 4 Minutes of Previous Meetings

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The Minutes of Meeting of 10 October 2017 were submitted and approved as a correct record.

## 5 Reports

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Agenda No	Report Title	Presented by:
5.1	Decision Notice – Land rear of 180 Main Street, Pathhead [17/00420/DPP].	Peter Arnsdorf
<b>Executive Summary of Report</b>		
With reference to paragraph 5.5 of the Minutes of 10 October 2017, there was submitted a copy of the Local Review Body decision notice dismissing a review request from Mr H Crawford, Sir Frank Mears Associates, Lochrin Buildings, 12-14 Gilmore Place, Edinburgh seeking on behalf of their client, Mr M McIntosh a review of the decision of the Planning Authority to refuse planning permission (17/00420/DPP, refused on 7 July 2017) for the erection of a garage at land to the rear of 180 Main Street, Pathhead and refusing planning permission.		
<b>Decision</b>		
To note the LRB decision notice.		

Agenda No	Report Title	Presented by:
5.2	Decision Notice – 13 Burnbrae Crescent, Bonnyrigg [17/00292/DPP].	Peter Arnsdorf

#### Executive Summary of Report

With reference to paragraph 5.6 of the Minutes of 29 August 2017, there was submitted a copy of the Local Review Body decision notice dismissing a review request from Scott Allan, 36 Wallace Avenue, Wallyford seeking on behalf of their client Mr S Ramsay, a review of the decision of the Planning Authority to refuse planning permission (17/00292/DPP, refused on 2 June 2017) for the erection of a two storey extension at 13 Burnbrae Crescent, Bonnyrigg and refusing planning permission.

#### Decision

To note the LRB decision notice.

#### Eligibility to Participate in Debate

In considering the following items of business, only those LRB Members who had attended the site visits on Monday 20 November 2017 participated in the review process, namely Councillors Imrie, Cassidy, Montgomery, Munro and Smail.

Councillors Alexander and Baird whilst present during the respective debates had been unable to attend the site visits and accordingly did not actively participate in the proceedings.

Agenda No	Report Title	Presented by:
5.3	Notice of Review Request Considered for the First Time – 61A Clerk Street, Loanhead [17/00363/DPP].	Peter Arnsdorf

#### Executive Summary of Report

There was submitted report, dated 14 November 2017, by the Head of Communities and Economy regarding an application from Mr C Allmond, DM Hall, 27 Canmore Street, Dunfermline seeking on behalf of their client, Mr N Sneddon, Full Speed Ahead Finance a review of the decision of the Planning Authority to refuse planning permission (17/00363/DPP, refused on 18 September 2017) for the Change of Use from Chiropodist (class 2) to Dwellinghouse (class 9) at 61A Clerk Street, Loanhead.

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.

The Local Review Body had made an unaccompanied visit to the site on Monday 20 November 2017.

### Summary of Discussion

Having heard from the Planning Adviser, who responded to Members questions, the LRB gave careful consideration to the merits of the case based on all the written information provided. In particular, consideration was given to the potential impact that the location of the application site would have on the proposed development. Whilst concerns regarding the impact that the proximity to neighbouring properties would have on the standards of amenity were acknowledged, the constraints of the site would be clear to anybody viewing the proposed property with a view to renting it. The current condition of the garage part of the application site also drew comments, it being suggested that it would be beneficial if it could be included within the current scheme.

### Decision

To uphold the review request, and grant planning permission for the following reason:

*The proposed residential development is an acceptable use within the town centre and would bring back into use a vacant building. The sites location close to facilities, public parks and public transport will provide amenity for the future occupants to compensate for its location next to a public house and the limited size of the garden.*

### Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.5	Notice of Review Request Considered for the First Time – 29 Waverley Road, Bonnyrigg [17/00440/DPP]	Peter Arnsdorf

### Executive Summary of Report

There was submitted report, dated 14 November 2017, by the Head of Communities and Economy regarding an application from Mr T Ferguson, Ferguson Planning, Shiel House, 54 Island Street, Galashiels seeking on behalf of their client Mr L Pia, a review of the decision of the Planning Authority to refuse planning permission (17/00440/DPP, refused on 31 July 2017) for the change of use of a flatted dwellinghouse to house of multiple occupation at 29 Waverley Road, Bonnyrigg.

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.

The Local Review Body had made an unaccompanied visit to the site on Monday 20 November 2017.

## Summary of Discussion

Having heard from the Planning Advisor, the LRB then gave careful consideration to the merits of the case based on all the written information provided. In particular, consideration was given to the likely impact of the proposed development on the character and amenity of the surrounding area and also because of its location the impact on existing on-street parking provision.

## Decision

To dismiss the review request, and uphold the decision to refuse planning permission for the following reason:-

1. *The use of the flat as a house in multiple occupation for 5 residents will put additional pressure on the limited number of existing on-street parking spaces and may lead to inconsiderate or illegal parking to the detriment of road safety. This pressure for parking spaces will have a significant detrimental impact on the character and amenity of the surrounding area and is therefore contrary to policy DEV2 of the adopted Midlothian Local Development Plan 2017.*

## Action

Head of Communities and Economy

The meeting terminated at 2.15 pm.