

# Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body  
Monday 14 June 2021  
Item No 5.1

## Local Review Body: Review of Planning Application Reg. No. 20/00541/DPP

Suzanne McIntosh Planning Limited  
45C Bath Street  
Portobello  
Edinburgh  
EH15 1HB

Midlothian Council, as Planning Authority, having considered the review of the application by Mr and Mrs Bryan Ramsay, 24 Newton Church Road, Danderhall, EH22 1LU, which was registered on 1 February 2021 in pursuance of their powers under the above Act, hereby **refuse** permission to carry out the following proposed development:

**Formation of access and driveway at 24 Newton Church Road, Danderhall**, in accordance with the application and the following plans:

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	UD20/012/2001A 1:1250 1:500 1:100	31.08.2020
Elevations	UD20/012/002 1:50	31.08.2020
Planning Statement		31.08.2020

The reason for the Council's decision is set out below:

- The lay-by is a well-used safe public parking resource on a busy thoroughfare. The construction of a private driveway at this location would remove a section of lay-by and reduce the area available for general parking. This would place additional pressure on the limited number of public parking spaces presently available and would result in the vehicles currently using it having to park on-road. Also it may also lead to an increase in inconsiderate or illegal parking in the local area to the detriment of road safety.*
- The proposal would reduce the amenity space presently provided by the verge to the front of the terrace, to the detriment of the appearance of this area.*
- For the above reasons, the proposal is contrary to policy DEV2 of the adopted Midlothian Local Development Plan 2017.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 17 May 2021.

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

Midlothian Local Development Plan 2017 Policies:

1. Policy DEV2 - Protecting amenity within the built-up area;
2. Policy TRAN5 – Electric Vehicle Charging

Material considerations:

1. The individual circumstances of the proposal.

Dated: 17/05/2021

A handwritten signature in black ink, appearing to read 'Peter Arnsdorf', with a large, stylized initial 'P'.

Peter Arnsdorf  
Planning Manager (Advisor to the Local Review Body)  
Place  
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.

*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 via [peter.arnsdorf@midlothian.gov.uk](mailto:peter.arnsdorf@midlothian.gov.uk)*