

Local Review Body: Review of Planning Application Reg. No. 15/00939/DPP

Format Design
146 Duddingston Road West
Edinburgh
EH16 4AP

Midlothian Council, as Planning Authority, having considered the review of the application by Ms Lyn Sillars, C/o Format Design, 146 Duddingston Road West, Edinburgh, EH16 4AP, which was registered on 16 March 2016 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Change of use of steading building to dog day care centre at Gourlaw Farm, Rosewell, Midlothian, EH24 9DU, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	9963 03 1:1250	30.11.2015
Existing Site Plan	9963 01 1:500	30.11.2015
Proposed Site Plan	9963 02 1:500	30.11.2015
Planning Statement	Planning Statement	30.11.2015

Subject to the following condition:

1. Development shall not begin until the following details have been submitted to and approved in writing by the planning authority:
 - a. a green transport plan designed to minimise the number of vehicles accessing the site. The plan should include measures to ensure that dogs are not dropped off and collected by individual owners; and details of the size and number of vehicles that will be used by the applicant to collect and return the dogs.
 - b. a scheme of advanced signage to be displayed on roads approaching the two concealed entrances.

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

Reason: To ensure safe and convenient access to/from the site.

2. Development shall not begin until the following details have been submitted to and approved in writing by the planning authority:
 - a. Details of the design, height, specification and location of acoustic fencing to be located around the external paddocks and the parking area.

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

Reason: To minimise noise disturbance to nearby residential properties.

3. The use hereby approved shall accommodate a maximum of 20 dogs at any one time.
4. No dog shall be allowed into any external run area outwith the hours of 9.00am to 6.00pm Monday to Saturday unless otherwise approved in writing by the Planning Authority.
5. There shall be no overnight boarding of dogs.

Reason for Conditions 3 - 5: To minimise noise disturbance to nearby residential properties.

6. The dog day care use hereby approved shall be operated by the occupant of the house known as Gourlaw Farm, Rosewell.

Reason: Occupation of the house by persons unconnected with the business would create a sub-standard level of amenity for the occupants of the house.

The Local Review Body (LRB) considered the review of the planning application at its meeting of 7 June 2016. The LRB carried out a site visit on the 6 June 2016.

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

Development Plan Policies:

1. RP1 Midlothian Local Plan – Protection of the Countryside
2. ECON8 Midlothian Local Plan – Rural Development

Material considerations:

1. The individual circumstances of the proposal

In determining the review the LRB concluded:

The proposed use of the site for a dog day care centre is compatible with its rural location and will not have a detrimental impact on neighbouring and nearby properties, above that level of disturbance which can be reasonably expected in the countryside. Furthermore, the careful management of the site and the collection and return of dogs can mitigate any concerns over road safety.

Dated: 07/06/2016

Councillor J Bryant
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