

Local Review Body: Review of Planning Application Reg. No. 17/00690/PPP

REM Associates
21 Young Street
Edinburgh
EH2 4HU

Midlothian Council, as Planning Authority, having considered the review of the application by Mr Brian Mcride, 54 Easthouses, Dalkeith, EH22 4EL which was registered on 8 November 2017 in pursuance of their powers under the above Act, hereby **refuse** permission to carry out the following proposed development:

Application for planning permission in principle for the erection of three dwellinghouses at land west of Roanshead Crescent, Easthouses, Dalkeith, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1:1250	31.08.2017
Site Plan, Location Plan and Elevations	90.04 1:1250	31.08.2017

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

- 1. The proposed development would have an adverse impact on the amenity of the existing residential area, as a result of increased vehicle numbers and construction traffic on unsuitable roads.*
- 2. It has not been demonstrated that access can be provided to the proposed dwellinghouses; in the absence of an access to the dwellinghouses there would be additional on-street parking which would have an adverse impact on the amenity of the area and have an adverse impact on vehicle and pedestrian safety in the area.*
- 3. The proposed development would have an adverse impact on the character and appearance of the area and adjacent conservation area as a result of significant engineering works to change the levels of the site.*
- 4. For the above reasons the proposal does not comply with policies DEV2 and ENV19 of the Midlothian Local Development Plan 2017.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 16 January 2018. The LRB carried out a site visit on the 15 January 2018.

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

Midlothian Local Development Plan Policies:

1. Policy DEV2: Protecting amenity within the built-up area;
2. Policy EN7: Landscape Character;
3. Policy ENV11: Woodland Trees and Hedges; and
4. Policy ENV19: Conservation Areas

Material considerations:

1. The individual circumstances of the proposal

Dated: 16/01/2018

A handwritten signature in dark ink, appearing to read 'Peter', with a stylized flourish extending from the bottom left.

Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Communities and Economy
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.

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