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## APPEALS AND LOCAL REVIEW BODY DECISIONS

Report by Head of Planning and Development

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### 1 PURPOSE OF REPORT

- 1.1 This report informs the Committee of notices of reviews determined by the Local Review Body (LRB) at its meeting in April 2012.

### 2 BACKGROUND

- 2.1 The Council's LRB considers reviews requested by applicants for planning permission, who wish to challenge the decision of planning officers acting under delegated powers to refuse the application or to impose conditions on a grant of planning permission.
- 2.2 The decision of the LRB on any review is final, and can only be challenged through the Courts on procedural grounds.
- 2.3 Decisions of the LRB will be reported for information to this Committee.
- 2.4 In addition this report will include decisions on appeals which have been considered by Scottish Ministers.

### 3 PREVIOUS REVIEWS DETERMINED BY THE LRB

- 3.1 At its meeting on 17 April 2012 the LRB made the following decisions:

	<b>Planning Application Reference</b>	<b>Site Address</b>	<b>Proposed Development</b>	<b>LRB Decision</b>
<b>1</b>	11/00677/DPP	15 Dundas Street, Bonnyrigg	Insertion of dormer windows	Review dismissed (Refused) at LRB meeting of 17.04.2012
<b>2</b>	11/00673/DPP	Brewlands House, Abbey Road, Dalkeith	Two storey extension	Review dismissed (Refused) at LRB meeting of 17.04.2012
<b>3</b>	11/00731/PPP	Seafield Mill, A703, Bilston	Mixed used development – vehicle showroom, repairs and storage	Permission granted subject to conditions at LRB meeting of 17.04.2012

## **4 APPEAL DECISIONS**

- 4.1 An appeal against the refusal of listed building consent for the demolition of a porch and erection of a conservatory at Mauldslie West Cottage, Temple, Gorebridge was allowed and listed building consent granted. A copy of the Reporter's appeal decision notice dated 16 April 2012 accompanies this report.

## **5 REPORT IMPLICATIONS**

### **5.1 Resource**

There are no resource implications arising directly from this report.

### **5.2 Risk**

Addressing the requirements of the Planning etc. (Scotland) Act 2006 is a strategic risk which has been adequately managed through actions by the Council to provide for its successful implementation.

### **5.3 Policy**

#### **Strategy**

Implementation of the provisions of the 2006 Act and associated secondary legislation is a Corporate Resources Divisional priority.

#### **Consultation**

None required in the preparation of this report.

#### **Equalities**

This report is not proposing new services, policies, strategies or plans, and has therefore not been assessed for equalities implications.

#### **Sustainability**

The new procedures use the electronic e-planning system which substantially reduces the amount of paper previously required.

## **6 RECOMMENDATION**

- 6.1 The Committee is recommended to note the decisions made by the Local Review Body at its meeting on 17 April 2012 and the appeal decision regarding Mauldslie West Cottage, Temple, Gorebridge.

**Ian Johnson**

**Head of Planning and Development**

**6 June 2012**

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**Background Papers:** LRB procedures agreed by the LRB on the 20 April 2010 and 18 January 2011.