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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 review determined by the Local Review Body (LRB) at its meeting in September 2012. There are no Scottish Government appeal decisions to report to the Committee.

### 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 are reported for information to this Committee.

### 3 PREVIOUS REVIEWS DETERMINED BY THE LRB

- 3.1 At its meeting on 4 September 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>	12/00111/DPP	Hilltown House, Woolmet, Dalkeith	Erection of four dwellings	Permission granted subject to conditions and the prior signing of a legal agreement
<b>2</b>	11/00780/DPP	Land adjacent 7 Westfield Park, Eskbank	Erection of single dwellinghouse (amended scheme)	Review dismissed.

### 4 REPORT IMPLICATIONS

#### 4.1 Resource

There are no resource implications arising directly from this report.

#### **4.2 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.

#### **4.3 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.

### **5 RECOMMENDATION**

- 5.1 The Committee is recommended to note the decisions made by the Local Review Body at its meeting on 4 September 2012.

**Ian Johnson**  
**Head of Planning and Development**

**2 October 2012**

**Contact Person: Peter Arnsdorf, Development Management Manager.**  
**Tel No: 0131 271 3310**

**Background Papers:** LRB procedures agreed by the LRB on the 12 June 2012.