

# Minute of Meeting



## Local Review Body

Date	Time	Venue
Tuesday 26 October 2021	1.00pm	Virtual Meeting using MS Teams

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Muirhead
Councillor Smail	

### In Attendance:

Derek Oliver, Chief Officer Place	Peter Arnsdorf, Planning, Sustainable Growth and Investment Manager
Alison Ewing Planning Officer	Whitney Lindsay, Planning Officer
Hugh Shepherd, Planning Officer	Mike Broadway, Democratic Services Officer
Andrew Henderson, Democratic Services Officer	

## 1 Apologies

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Apologies for absence had been received from Councillors Curran, Lay-Douglas, McKenzie, Milligan and Munro.

## 2 Order of Business

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The order of business was confirmed as outlined in the agenda that had been previously circulated.

## 3 Declarations of interest

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No declarations of interest were intimated at this stage of the proceedings.

## 4 Minute of Previous Meeting

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The Minutes of Meeting held on 14 September 2021 were submitted and approved as a correct record.

## 5 Reports

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Agenda No	Report Title	Presented by:
5.1	Decision Notice – Land at 6 Lugton Brae, Dalkeith (20/00695/DPP).	Peter Arnsdorf
<b>Executive Summary of Report</b>		
With reference to paragraph 5.1 of the Minutes of 14 September 2021, there was submitted a copy of the Local Review Body decision notice upholding a review request by APT Planning and Development, 6 High Street, East Linton seeking, on behalf of their clients Mr & Mrs C Flockhart, a review of the decision of the Planning Authority to refuse planning permission (20/00695/DPP, refused on 10 March 2021) for the erection of dwellinghouse; alterations to existing boundary walls; erection of gates and retaining walls on land at 6 Lugton Brae, Dalkeith and granting planning permission subject to conditions.		
<b>Decision</b>		
To note the LRB decision notice.		

Agenda No	Report Title	Presented by:
5.2	Decision Notice – 10 Ashbank, Vogrie Road, Gorebridge (20/00375/PPP).	Peter Arnsdorf
<b>Executive Summary of Report</b>		
With reference to paragraph 5.2 of the Minutes of 14 September 2021, there was submitted a copy of the Local Review Body decision notice upholding a review request by Liston Architects, 1 Summerhall, Edinburgh seeking, on behalf of their		

client Mr D Givan, a review of the decision of the Planning Authority to refuse planning permission in principle (20/00375/PPP, refused on 31 August 2020) for the erection of a dwellinghouse on land at 10 Ashbank, Vogrie Road, Gorebridge and granting planning permission subject to conditions.

#### Decision

To note the LRB decision notice.

Agenda No	Report Title	Presented by:
5.3	Decision Notice – 18-20 Edinburgh Road, Penicuik (20/00562/DPP).	Peter Arnsdorf

#### Executive Summary of Report

With reference to paragraph 5.3 of the Minutes of 14 September 2021, there was submitted a copy of the Local Review Body decision notice dismissing a review request by Zander Planning Ltd, Clyde Office 2<sup>nd</sup> floor, 48 West George Street, Glasgow, seeking, on behalf of their clients A F Noble and Sons a review of the decision of the Planning Authority to refuse planning permission (20/00562/DPP, refused on 18 June 2021) for the erection of retail (class 1) and food and drink (class 3) units, formation of car park, creation of external seating area and erection of fence and gates at 18-20 Edinburgh Road, Penicuik and refusing planning permission.

#### Decision

To note the LRB decision notice.

Agenda No	Report Title	Presented by:
5.4	Decision Notice – 33 Mayburn Terrace, Loanhead (21/00032/DPP).	Peter Arnsdorf

#### Executive Summary of Report

With reference to paragraph 5.4 of the Minutes of 14 September 2021, there was submitted a copy of the Local Review Body decision notice dismissing a review request by Cockburn's Consultants, 1A Belford Park, Edinburgh seeking, on behalf of their client Mr J Ewen, a review of the decision of the Planning Authority to refuse planning permission (21/00032/DPP, refused 12 March 2021) for the subdivision of existing dwellinghouse to form two flatted dwellings and associated extension and external alterations at 33 Mayburn Terrace, Loanhead and refusing planning permission.

#### Decision

To note the LRB decision notice.

Agenda No	Report Title	Presented by:
5.5	Notice of Review – 10 Poplar Street, Mayfield (21/00481/DPP) – Determination Report.	Peter Arnsdorf
<b>Executive Summary of Report</b>		
<p>There was submitted report dated 15 October 2021 by the Chief Officer Place, regarding an application from Mr G Burnett, 10 Poplar Street, Mayfield seeking a review of the decision of the Planning Authority to refuse planning permission (21/00481/DPP, refused on 30 July 2021) for the formation of driveway; erection of retaining walls/fence (retrospective) at that address.</p> <p>Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.</p>		
<b>Summary of Discussion</b>		
<p>The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for its refusal, the LRB considered at length the potential impact that permitting the proposed development would have in terms of road safety and the free flow of traffic; concerns regarding the potentially detrimental impact that an overhanging vehicle might have were also considered; and possible ways in which these impacts might be mitigated through, for example, the parallel parking of any vehicle using the driveway to prevent overhanging were discussed. The LRB also discussed the need to address the visual impact of the fence should it be permitted to remain, to ensure it complement other wooden structures in the area in terms of its colouring.</p>		
<b>Decision</b>		
<p>After further discussion, the LRB agreed to uphold the review request, and grant planning permission for the following reason:</p> <p><i>The driveway can be accommodated at the application site without a detrimental impact on road safety; on the basis that limited traffic volumes use Poplar Street and the ability to park a vehicle on the driveway parallel to the carriageway (not perpendicular to it) and not overhanging or blocking the public footpath. The erected retaining wall and fence are acceptable features in the local urban setting.</i></p> <p>Subject to:</p> <ol style="list-style-type: none"> <li>1. A dropped kerb footway crossing shall be constructed at the vehicle entrance within 3 months from this grant of planning permission. The dropped kerb shall run the entire length of the site and be implemented to facilitate parallel parking.</li> </ol> <p><b>Reason:</b> <i>In the interests of road safety and the free flow of traffic.</i></p>		

2. Within 3 months of this grant of planning permission the timber retaining wall and erected fencing shall be painted/stained dark brown to complement the other fencing and timber structures in the locality. It shall be maintained dark brown unless otherwise agreed in writing with the local planning authority.

**Reason:** *In the interests of visual amenity.*

In reaching its decision to support the proposed development the Local Review Body also asked the Planning Advisor to make it clear to the applicant that it had done so on the basis that any vehicle parking on the driveway did not overhang the footpath causing an obstruction or hazard to other road/footpath users.

**Action**

Planning, Sustainable Growth and Investment Manager

## **6. Private Reports**

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No private business was discussed.

## **7. Date of Next Meeting**

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The next scheduled meeting will be held on Monday 6 December 2021 at 1.00 pm.

The meeting terminated at 1.27 pm.