

# Minute of Meeting

Local Review Body  
Tuesday 6 March 2023  
Item No 4.1



## Local Review Body

Date	Time	Venue
Monday 23 January 2023	1.00pm	Council Chambers

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor Drummond	Councillor McEwan
Councillor McManus	Councillor Smail

### In Attendance:

Peter Arnsdorf	Planning, Sustainable Growth and Investment Manager
Janet Ritchie	Democratic Services Officer

## 1 Welcome, Introductions and Apologies

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Apologies for absence were received from Councillor Virgo and Councillor Milligan

## 2 Order of Business

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The order of business was as outlined in the agenda previously circulated.

## 3 Declarations of interest

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No declaration of interests were received

## 4 Minute of Previous Meeting

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The Minute of the Meeting of 5 December 2022 was submitted and approved as correct records.

## 5 Reports

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### Notice of Reviews – Determination Reports by Chief Officer Place

Agenda No	Report Title	Presented by:
5.1	Land at ASDA. New Pentland, Loanhead (22/00364/DPP)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the erection of a retail pod (retrospective) at land at ASDA, New Pentland, Loanhead.</p> <p>Planning application 22/00364/DPP for the erection of a retail pod (retrospective) at land at ASDA, New Pentland, Loanhead was granted planning permission subject to a condition on 1 August 2022; a copy of the decision is attached to this report subject to the condition as set out in the report.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the review would proceed on the written submissions provided.</p> <p>In discussing the proposed development and the reasons for the removal of the condition which was the subject of the review, the LRB did not agree that this structure was not a suitable or appropriate permanent structure and Councillor Drummond, seconded by Councillor Cassidy moved to uphold the review and grant planning permission with the removal of the condition stated in the report.</p>		
<b>Decision</b>		
<p>The Local Review Body agreed to uphold the review request and to grant planning permission subject to the removal of the stated condition as set out in the report.</p>		
<b>Action</b>		
<p>Planning, Sustainable Growth and Investment Manager</p>		

Agenda No	Report Title	Presented by:
5.2	Land East of 19 Cairnbank Road, Penicuik (22/00289/DPP	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the erection of four dwelling houses at land east of 19 Cairnbank Road Penicuik.</p> <p>Planning application 22/00289/DPP for the erection of four dwelling houses at land east of 19 Cairnbank Road, Penicuik was refused planning permission on 2 September 2022; a copy of the decision is attached to this report.</p> <p>The Planning, Sustainable Growth and Investment Manager presented this report and advised that the review would proceed on the written submissions provided</p> <p>The Local Review Body in discussing the proposed development and the reasons for its refusal, raised concerns with regards over development of the site, the level of garden amenity, the loss of trees, the restrictive access arrangements, the volume of traffic generated during and after construction and access for emergency vehicles. In responding to a question the Planning, Sustainable Growth and Investment Manager confirmed that any right of way in place would not change if this development was granted planning permission.</p> <p>Councillor McManus, seconded by Councillor Drummond moved to dismiss the review request and uphold the decision to refuse planning permission for the reasons as stated in the case officer's report.</p> <p>On an Amendment Councillor Smaill, seconded by Councillor Cassidy moved to uphold the review request and grant planning permission subject to conditions relating to enlarging the parking sites, the road is returned to its existing state and there is no obstruction with regards to emergency services.</p> <p>On a vote being taken 5 Members voted for the Motion and 3 Members voted for the Amendment.</p>		
<b>Decision</b>		
<p>The Local Review Body agreed to dismiss the review request and uphold the Planning decision to refuse Planning Permission for the erection of 4 dwelling houses at the land east of 19 Cairnbank Road, Penicuik for the reasons as stated in the Case Officers Report.</p>		
<b>Action</b>		
<p>Planning, Sustainable Growth and Investment Manager</p>		

## 6. Private Reports

No private business was discussed.

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

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The next meeting is scheduled for Monday 6 March 2023 at 1 pm

The meeting terminated at 13.18 pm