

MINUTES of **MEETING** of the **LOCAL REVIEW BODY** held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday 10 March 2015 at 2.00 pm.

Present: - Councillors Bryant (Chair), Baxter, Beattie, Bennett, Constable, Imrie, Milligan and Rosie.

Apologies for Absence: - Councillors de Vink and Montgomery.

1. Declarations of Interest

No declarations of interest were intimated.

2. Minutes

The Minutes of Meeting of 20 January 2015 were submitted and approved as a correct record.

3. Decision Notices – 4 Greenlaw Grove, Milton Bridge, Penicuik

With reference to paragraph 4 of the Minutes of 20 January 2015, there was submitted a copy of the Local Review Body decision notice upholding a review request from Mr A Forsyth, 4 Greenlaw Grove, Milton Bridge, Penicuik seeking a review of the decision of the Planning Authority to refuse planning permission (14/00787/DPP, refused on 9 December 2014) for the erection of extensions to dwellinghouse, formation of decking and raised patio at that address and granting planning permission subject to conditions.

Decision

To note the LRB decision notice.

Eligibility to Participate in Debate

In considering the following items of business, only those LRB Members who had attended the site visits on Monday 9 March 2015 participated in the review process, namely Councillors Bryant (Chair), Baxter, Constable, Milligan, Montgomery and Rosie.

Councillor Beattie whilst present during the debates for both Reviews had been unable to attend the site visits and accordingly did not actively participate in the proceedings.

4. Notice of Review Request – (a) 3 Toscana Court, Danderhall (14/00731/DPP)

There was submitted report, dated 3 March 2015, by the Head of Communities and Economy regarding an application from Slorach Wood, The Station Masters Office, Dalmeny Station, South Queensferry seeking on

behalf of their client Mr B Martin a review of the decision of the Planning Authority to refuse planning permission (14/00731/DPP, refused on 24 November 2014) for the formation of driveway at 3 Toscana Court, Danderhall. 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.

The Local Review Body had made an unaccompanied visit to the site on Monday 9 March 2015.

The LRB then gave careful consideration to the merits of the case based on all the written information provided. In this particular instance, it was felt that on balance the loss of at least one parking space on Edmonstone Road, the relatively poor visibility and lack of manoeuvrability for vehicles exiting the property, together with the loss of a section of the boundary wall would lead to the proposed driveway having a detrimental impact on the character and amenity of the surrounding area

Decision

After further discussion, the Local Review Body agreed to dismiss the review request and uphold the decision to refuse planning permission for the following reason:-

As a result of the removal of the wall and the reduction of on-street parking on Edmonstone Road the proposal will detract materially from the character and amenity of the surrounding area; the proposal is therefore contrary to Policy RP20 of the adopted Midlothian Local Plan.

(Action: Head of Communities and Economy)

(b) Land at 28 Eskbank Road, Bonnyrigg (14/00619/DPP)

There was submitted report, dated 3 March 2015, by the Head of Communities and Economy regarding an application from Mr K Clark, 28 Eskbank Road, Bonnyrigg seeking removal of Conditions 1, 2 and 3 of planning permission 14/00619/DPP, granted on 28 October 2014, for the change of use of communal land to private garden ground and erection of fence (Retrospective) at land at that address. 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.

The Local Review Body had made an unaccompanied visit to the site on Monday 9 March 2015.

The LRB then gave careful consideration to the merits of the case based on all the written information provided. In this particular instance, it was felt that the individual circumstances of the application site meant that on balance the positioning of the fence in its current location would not be detrimental to the street scene or undermine the character of the local area.

Decision

After further discussion, the Local Review Body agreed to uphold the review request and to grant planning permission without Conditions 1, 2 and 3 stated in the original decision notice issued on 28 October 2014.

(Action: Head of Communities and Economy)

The meeting terminated at 2.16 pm.