

APPEALS AND LOCAL REVIEW BODY DECISIONS

Report by Head of Communities and Economy

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 June 2014; and an appeal decision received from Scottish Ministers.

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.
- 2.4 In addition this report includes decisions on appeals which have been considered by Scottish Ministers.

3 PREVIOUS REVIEWS DETERMINED BY THE LRB

- 3.1 At its meeting on 3 June 2014 the LRB made the following decisions:

	Planning Application Reference	Site Address	Proposed Development	LRB Decision
1	13/00805/DPP	Land adjacent 25 Damhead	Erection of dog kennels	Review upheld Permission granted
2	13/00901/DPP	Land south of units 2 and 4A Butlerfield Industrial Estate	Re-grading of land and change of use to storage	Review upheld Permission granted
3	13/00725/DPP	Premier Inn, Lasswade	Erection of 20 metre golf ball stop fence	Review upheld Permission granted

4	14/00132/DPP	14 Hillhead, Lasswade	Insertion of replacement windows	Review upheld Permission granted
5	13/00843/DPP	Land at the former Lugton Inn	Use of land for the storage of cars	Review dismissed Permission refused

4 APPEAL DECISIONS

- 4.1 An appeal against a refusal of planning permission (13/00853/DPP) for the change of use from vacant shop (Class 1) to hot food takeaway (sui generis) and installation of external flue at 24 High Street, Penicuik has been allowed and planning permission granted. Furthermore, the Reporter awarded costs against the Council.

5 RECOMMENDATION

- 5.1 The Committee is recommended to note the decisions made by the Local Review Body at its meeting on 3 June 2014 and the Scottish Ministers' appeal decision outlined in section 4 of this report.

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Background Papers: LRB procedures agreed on the 26 November 2013.