

# Minute of Meeting

Local Review Body  
Monday 22 May 2023  
Item No 4.1



## Local Review Body

Date	Time	Venue
Monday 17 April 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 Milligan and Councillor Virgo.

## 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 6 March 2023 was submitted and approved as correct record.

## 5 Reports

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

Agenda No	Report Title	Presented by:
5.1	1 Saint Mary's Court, Dalkeith (22/00692/DPP)	Peter Arnsdorf
Outline of report and summary of discussion		
<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 installation of solar panels at 1 St Mary's Court, Dalkeith.</p> <p>Planning application 22/00692/DPP for the installation of solar panels at 1 St Mary's Court, Dalkeith was refused planning permission on 2 December 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, gave careful consideration to the size of the roof, the solar panels and that this was within a conservation area. It was noted that each application within a conservation area must be considered on its own merits.</p> <p>The Committee unanimously agreed to uphold the Appeal and grant planning permission but to take into account the comments that each building within a conservation must be considered on its own merit.</p>		

Decision
<p>The Local Review Body agreed to uphold the review request and to grant planning permission for the installation of Solar panels at 1 Saint Mary's Court, Dalkeith, EH22 1AD for the following reason:</p> <p style="padding-left: 40px;">The installation of the solar PV panels would not have an impact upon the character and appearance of the conservation area and that the Council supports the principle of renewable energy developments.</p>
Action
Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.2	20 Beechwood Park, Newtongrange (22/00861/DPP)	Peter Arnsdorf
Outline of report and summary of discussion		
<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 change of use from dwelling house to short-term let (retrospective) at 20 Beechwood Park, Newtongrange.</p> <p>The Planning application 22/00861/DPP for the change of use from dwelling house to short-term let (retrospective) at 20 Beechwood Park, Newtongrange was refused planning permission on 16 February 2023; 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, gave careful consideration to the change of use to short term lets within a residential area and the detrimental impact on the people in the area.</p> <p>Councillor Imrie, seconded by Councillor Cassidy moved to dismiss the Appeal and refuse planning permission.</p>		
Decision		
<p>The Local Review Body agreed to dismiss the review request and to uphold the Planning decision to refuse planning permission for the change of use from dwelling house to short-term let (retrospective) at 20 Beechwood Park, Newtongrange for the reasons as stated in the Case Officer's report.</p>		
Action		
Planning, Sustainable Growth and Investment Manager		

Agenda No	Report Title	Presented by:
5.3	6 Gorton Loan, Rosewell (22/00734/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 single and two storey extension to dwelling house; and formation of dormer windows at 6 Gorton Loan, Rosewell.</p> <p>The Planning application 22/00734/DPP for the erection of a single and two storey extension to dwelling house; and formation of dormer windows at 6 Gorton Loan, Rosewell was refused planning permission on 21 November 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. He also advised the Committee that there was an error in the report the reference to 6 Gorton Loan was incorrect and it should be number 9 Gorton Loan.</p> <p>The Local Review Body in discussing the proposed development and the reasons for its refusal, gave careful consideration to the impact on the neighbouring gardens and also the design of the extension and the materials used.</p> <p>Councillor McEwan, seconded by Councillor McManus moved to uphold the Appeal and to grant planning permission.</p>		
<b>Decision</b>		
<p>The Local Review Body agreed to uphold the review request and grant planning permission for single and two storey extension to dwelling house; and formation of dormer windows at 9 Gorton Loan, Rosewell, EH24 9AB the following reasons:</p> <p style="padding-left: 40px;">The proposed extension will not have an impact on the traditional character of the original building and that the dormer windows would not have an overbearing detrimental impact on the privacy of the neighbouring gardens.</p> <p>Subject to the conditions as set out in the report.</p>		
<b>Action</b>		
Planning, Sustainable Growth and Investment Manager		

Agenda No	Report Title	Presented by:
5.4	Land rear of Hunter Court, Loanhead (22/00324/PPP)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for planning permission in principle for the erection of dwelling house on land rear of 4 Hunter Court, Loanhead.</p>		

The Planning application 22/00324/PPP for planning permission in principle for the erection of dwelling house on land rear of 4 Hunter Court, Loanhead was refused planning permission on 18 January 2023; a copy of the decision is attached to this report.

The Planning, Sustainable Growth and Investment Manager presented this report and advised that the review would proceed on the written submissions provided.

The Local Review Body in discussing the proposed development and the reasons for its refusal, gave careful consideration to the position and size of the proposed development and the impact on the neighbouring residents.

Following further discussion the Members agreed that a single storey property, restricting the height would be acceptable and that the development is positioned as far as possible from the neighbouring property.

Councillor Smaill, seconded by Councillor McEwan moved to uphold the Appeal and grant planning permission with the condition that there is a restriction on the height and it is a single storey property. It was also noted that the position with regards to neighbouring properties would be discussed.

#### Decision

The Local Review Body agreed to uphold the review request and grant planning permission in principle for erection of a dwelling house at Land to Rear of 4 Hunter Court, Loanheadt with an additional condition that this it is a single storey building, restricting the height for the following reason:

This development would not have a significant adverse impact on the amenity of neighbouring residents.

Subject to the conditions as set out in the report and the additional condition as detailed above.

#### 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 meeting is scheduled for Monday 22 May 2023 at 1 pm

The meeting terminated at 13.23 pm