

Local Review Body: Review of Planning Application Reg. No. 18/00643/DPP

Stuart Hannah Architectural Services
9 Bonaly Brae
Edinburgh
EH13 0QF

Midlothian Council, as Planning Authority, having considered the review of the application by Miss Abidha Khan, 4 St Davids Avenue, Dalkeith, EH22 3FF, which was registered on 16 November 2018 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Change of use from flatted dwelling to house in multiple occupancy; formation of dormer window and new window opening and installation of rooflights at The Royal British Legion, 28 - 30 Buccleuch Street, Dalkeith, EH22 1HA, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	593/01 1:1250, 1:50	04.09.2018
Proposed Floor Plan	593/02 1:50	04.09.2018
Proposed Floor Plan	593/03 1:50	04.09.2018
Proposed Cross Section	593/04 1:50	04.09.2018
Proposed Elevations	593/05 1:50	04.09.2018
Proposed Elevations	593/06 1:50	04.09.2018
Proposed Elevations	593/07 1:50	04.09.2018

Subject to the following condition:

1. The layout of the rooflights on the proposed north elevation is not approved. Prior to development commencing a scaled plan showing a revised layout of the rooflights shall be submitted to and approved in writing by the planning authority. Development thereafter shall comply with the approved revised plan.

Reason: To safeguard the character of the conservation area.

The Local Review Body (LRB) considered the review of the planning application at its meeting of 14 January 2019. The LRB carried out a site visit on the 14 January 2019.

In reaching its decision the LRB gave consideration to the following development plan policies and material considerations:

Development Plan Policies:

1. DEV2 Midlothian Local Development Plan - Protecting amenity within the built-up area

Material considerations:

1. The individual circumstances of the proposal
2. The potential impact on highway safety and amenity

In determining the review the LRB concluded:

The proposed house of multiple occupancy (HMO) is located in a town centre location, close to amenities and public transport services, and as such the overriding need for housing, of different tenures, and its compatibility with the neighbouring uses outweighs concerns over the lack of car parking provision.

Dated: 14/01/2019



Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Communities and Economy
Midlothian Council

On behalf of:

Councillor R Imrie
Chair of the Local Review Body
Midlothian Council

NOTICE TO ACCOMPANY REFUSAL ETC.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions, or

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the town and Country Planning (Scotland) Act 1997.

Advisory note:

If you have any questions or enquiries regarding the Local Review Body procedures or this decision notice please do not hesitate to contact Peter Arnsdorf, Planning Manager tel: 0131 2713310 or via peter.arnsdorf@midlothian.gov.uk