

Minute of Meeting



Local Review Body

Date	Time	Venue
14 January 2019	1.00pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Curran	Councillor Milligan
Councillor Muirhead	Councillor Smail

1 Apologies

Apologies for absence were received from Councillors Baird, Cassidy, Lay-Douglas and Munro.

2 Order of Business

The order of business was confirmed as outlined in the agenda that had been previously circulated.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

The Minutes of Meeting of 27 November 2018 was submitted and approved as a correct record.

5 Reports

Agenda No	Report Title	Presented by:
5.1	Decision Notice – Land Adjoining Meyerling, Howgate, Penicuik [18/00218/DPP].	Peter Arnsdorf
Executive Summary of Report		
With reference to paragraph 5.3 of the Minutes of 27 November 2018, there was submitted a copy of the Local Review Body decision notice dismissing a review request from Shona Mackay, Format Design, 146 Duddingston Road West, Edinburgh seeking, on behalf of their client Mr V Crolla, a review of the decision of the Planning Authority to refuse planning permission (18/00218/DPP, refused on 1 June 2018) for the erection of four dwellinghouses; formation of access road and associated works at land adjoining Meyerling, Howgate, Penicuik and refusing planning permission.		
Decision		
To note the LRB decision notice.		

Agenda No	Report Title	Presented by:
5.2	Decision Notice – 20 Pendreich Terrace, Bonnyrigg [18/00566/DPP].	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.4 of the Minutes of 27 November 2018, there was submitted a copy of the Local Review Body decision notice upholding a review request from Douglas Mack, FEM Building Design, 8 Plantain Grove, Lenzie, Glasgow seeking, on behalf of their clients Mr & Mrs K Toles, a review of the decision of the Planning Authority to refuse planning permission (18/00566/DPP, refused on 10 September 2018) for the erection of single storey extension and front and rear dormer extensions at 20 Pendreich Terrace, Bonnyrigg 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 14 January 2019 participated in the review process, namely Councillors Alexander, Curran, Imrie, Milligan, Muirhead and Smaill.

Agenda No	Report Title	Presented by:
5.3	Notice of Review Request Considered for the First Time – 28-30 Buccleuch Street, Dalkeith [18/00643/DPP].	Peter Arnsdorf

Executive Summary of Report

There was submitted report dated 21 December 2018 by the Director, Education, Communities and Economy, regarding an application from Stuart Hannah, Stuart Hannah Architectural Services, 9 Bonaly Brae, Edinburgh seeking, on behalf of their clients Miss A Khan, a review of the decision of the Planning Authority to refuse planning permission (18/00643/DPP, refused on 5 November 2018) for the Change of Use from Flatted Dwelling to House in Multiple Occupancy (HMO); Formation of Dormer Window and New Window Opening and Installation of Rooflights at 28 – 30 Buccleuch Street, Dalkeith

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon.

The Local Review Body had made an unaccompanied visit to the site on Monday 14 January 2019.

Summary of Discussion

Having heard from the Planning Advisor, the LRB then gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for its refusal, the LRB considered the potential impact that the proposed development would have, there being some debate over the likely pressure that it would have on car parking spaces given its intended use as affordable housing for single young adults. It also being acknowledged that not all town centre properties had dedicated parking provision. With regards the proposed window layout for the street elevation, it was agreed that this was unsympathetic to the character of the building and would require to be addressed in the event that consent was granted.

After further discussion, Councillor Smaill, seconded by Councillor Curran, moved that on balance given the particular circumstance involved, to uphold the review request, and grant planning permission subject to the proposed condition contained in the Director, Education, Communities and Economy's report.

As an amendment, Councillor Milligan, seconded by Councillor Muirhead, moved to dismiss the review request, and uphold the decision to refuse planning permission for the reasons detailed in the case officer's report.

On a vote being taken, two Members voted for the amendment and three for the motion, which accordingly became the decision of the meeting.

Decision

The LRB agreed to grant planning permission for the following reason:

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.

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.*

Action

Planning Manager

The meeting terminated at 1.09 pm.