

# Minute of Meeting



## Local Review Body

Date	Time	Venue
Tuesday 27 October 2020	1.00pm	Virtual Meeting using MS Teams

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor
Councillor Milligan	Councillor Muirhead
Councillor Munro	Councillor Smail

### In Attendance:

Derek Oliver, Chief Officer Place	Peter Arnsdorf, Planning Manager
Mike Broadway, Democratic Services Officer	

## 1 Apologies

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Apologies for absence were received from Councillors Baird and Lay Douglas.

## 2 Order of Business

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

## 3 Declarations of interest

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No declarations of interest were intimated at this stage of the proceedings.

## 4 Minute of Previous Meeting

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The Minute of Meeting of 18 February 2020 was submitted and approved as a correct record.

## 5 Reports

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Agenda No	Report Title	Presented by:
5.1	Notice of Review Request Considered for the First Time – 8 Lasswade Court, 32 School Green, Lasswade (19/00476/DPP).	Peter Arnsdorf
<b>Executive Summary of Report</b>		
<p>There was submitted report dated 4 September 2020 by the Chief Officer Place, regarding an application from Mr A McDonald, 8 Lasswade Court, 32 School Green, Lasswade seeking a review of the decision of the Planning Authority to refuse planning permission (19/00476/DPP, refused on 7 November 2019) for the installation of replacement windows at that address.</p> <p>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.</p>		
<b>Summary of Discussion</b>		
<p>Having heard from the Planning Advisor, the LRB 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 permitting the use of UPVC windows in a Conservation Area would have in Policy terms and in terms of setting a potential precedent. The general feeling being that if going forward the use of UPVC was to be permitted in conservation areas then it would be best achieved as a result of a review of the current development plan policies. Notwithstanding this view, the LRB where of the opinion that with regards the current review request if the quality and design were of a similar standard that they complement the windows of the other neighbouring properties then, on balance it was unlikely to have a significantly detrimental impact on the amenity of those properties. It also would not undermine the spirit of those development plan policies designed to protect Conservation Areas.</p>		

## Decision

After further discussion, the LRB agreed to uphold the review request, and grant planning permission for the following reason:

*The proposed replacement windows will not have a detrimental impact on the host building or the Lasswade and Kevock Conservation Area.*

subject to the following condition –

1. Notwithstanding the plans hereby approved, details of the design and means of opening of the replacement windows shall be submitted to the planning authority for prior written approval. The windows shall be of a traditional design and means of opening to reflect the character of Lasswade Court and shall not be perceivably different to timber windows. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

**Reason:** *For sake of clarity. The application as submitted was unclear in terms of the details of the design and opening method of the replacement uPVC windows. So as to ensure the design and means of opening of the windows reflect the character of the house and are sympathetic to its setting in a Conservation Area.*

## Action

Planning Manager

Agenda No	Report Title	Presented by:
5.2	Notice of Review Request Considered for the First Time – Land at 10 Kirkhill Terrace, Gorebridge (19/01025/DPP).	Peter Arnsdorf

## Executive Summary of Report

There was submitted report, dated 4 September 2020 by the Chief Officer Place, regarding an application from Mr D Liston, Liston Architects, 3F2, 33 London Street, Edinburgh seeking, on behalf of his client Mr D Allan, Nettlingflat, Heriot, Scottish Borders a review of the decision of the Planning Authority to refuse planning permission (19/01025/DPP, refused on 27 January 2020) for the erection of a dwellinghouse at land at 10 Kirkhill Terrace, Gorebridge.

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.

## Summary of Discussion

The LRB, having heard from the Planning Advisor, 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 at length the potential impact that permitting the proposed development in its current

form would have on the character and appearance of the area. Of particular concern were the departures from the previously consented house which added significantly to the scale of the development, and arguably resulted in an overdevelopment of the site, the central dormer which did not appear in either the original, nor the current scheme, and the design, which was neither traditional nor contemporary.

### Decision

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

1. *As a result of its size, massing, floor area and architectural detailing the proposed dwellinghouse is not of sufficient good design, being neither of a traditional design nor of a high quality contemporary design. The proposed dwellinghouse would not complement or enhance the character of the area, nor would the proposed materials. This is contrary to policies DEV2 and DEV6 of the adopted Midlothian Local Development Plan 2017. In addition, the lack of a high quality design-led approach is contrary to the terms of the Scottish Planning Policy.*

In addition, the LRB agreed to authorise whatever necessary follow up action was required in order to secure the removal of the unauthorised building works.

### Action

Planning Manager

## 6. Private Reports

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No private business was discussed.

## 7. Date of Next Meeting

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The next scheduled meeting will be held on Monday 30 November 2020 at 1.00pm.

The LRB, in welcoming the new temporary arrangements which had been put in place, agreed to remit to officers to arrange two further additional meetings – one in November and one in December.

(**NB** - Following the meeting arrangements were agreed in consultation with the Chair, Councillor Imrie, and the LRB's Planning Advisor, Peter Arnsdorf, for the additional Special Meetings of the Local Review Body to be held on - **Monday 23 November 2020 at 2.00pm** (in place of the Planning Committee Site Visits, which are cancelled); and **Monday 14 December 2020 at 2.00pm**).

The meeting terminated at 1.59pm.