

## Notice of Review: 74 Newbattle Abbey Crescent, Eskbank, Dalkeith

### Procedural Report

Report by Ian Johnson, Head of Planning and Development

#### 1 Purpose of Report

- 1.1 The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' to amend/remove conditions 1 and 2 of planning permission 11/00864/DPP for the erection of boundary fence and decking area at 74 Newbattle Abbey Crescent, Eskbank, Dalkeith.

#### 2 Background

- 2.1 Planning application 11/00864/DPP for the erection of boundary fence and decking area at 74 Newbattle Abbey Crescent, Eskbank, Dalkeith was granted planning permission subject to conditions on 1 March 2012; a copy of the decision is attached to this report. Conditions 1 and 2 on planning permission 11/00864/DPP are as follows:

1. The proposed fence identified in purple on the approved location plan dated 27 February 2012 is hereby not approved.

**Reason:** *This section of proposed fence would be detrimental to the visual amenity of this part of the conservation area which is characterised by open plan front gardens.*

2. The fence identified in green on the approved location plan dated 27 February 2012 shall be erected to a height of no more than 1.8 metres.

**Reason:** *To safeguard the character of the surrounding area which is within the conservation area.*

- 2.2 The review has progressed through the following stages:

- 1 Submission of Notice of Review by the applicant.
- 2 The Registration and Acknowledgement of the Notice of Review.
- 3 Carrying out Notification and Consultation.

#### 3 Procedures (Next Stage)

- 3.1 The next stage in the process is for the LRB to determine the following:

- 1 Whether any further information is required to determine the review.
  - 2 The time and date of the LRB site visit.
  - 3 Whether the site visit shall be accompanied or unaccompanied.
  - 4 Whether the review will progress by way of written representations or by a hearing. (The applicant is requesting that the review progresses by way of written submissions).
- 3.2 The final determination of the review will be scheduled for consideration at the next available meeting of the LRB.

#### **4 Supporting Documents**

- 4.1 Attached to this report are the following documents:
- A site location plan (Appendix A);
  - A copy of the notice of review form and supporting statement (Appendix B);
  - A copy of the case officer's report (Appendix C);
  - A copy of the policies stated in the case officer's report (Appendix D);
  - A copy of the decision notice issued on 1 March 2012 (Appendix E); and
  - A copy of the submitted plans (also see Appendix A).

#### **5 Recommendations**

- 5.1 It is recommended that the LRB determine:
- 1 Whether any further information is required to determine the review.
  - 2 The time and date of the LRB site visit.
  - 3 Whether the site visit shall be accompanied or unaccompanied.
  - 4 Whether the review will progress by way of written representations or by a hearing.

**12 June 2012**

**Report Contact:**

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**Background Papers: Planning application 11/00864/DPP available for inspection online.**