

# Grant Removal of Condition on a Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

## Local Review Body: Review of Planning Application Reg. No. 12/00750/DPP

RBD  
11 Wardie Square  
Edinburgh  
EH5 1EU

Midlothian Council, as Planning Authority, having considered the review of the application by Ms Alison Gilliatt, 10A Lower Broomieknowe, Edinburgh, EH18 1LW, which was registered on 11 February 2013 in pursuance of their powers under the above Acts, hereby **grant** permission to carry out the following proposed development:

**Erection of detached garage at 10A Lower Broomieknowe, Lasswade, EH18 1LW**, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	PL01 1:1250	14.11.2012
Site Plan	PL02 Existing 1:200	14.11.2012
Site Plan	PL03 Proposed 1:200	14.11.2012
Proposed floor plan	PL04 Ground Floor 1:50	14.11.2012
Proposed floor plan	PL05 Garage Attic 1:50	14.11.2012
Proposed elevations	PL06 South East 1:50	14.11.2012
Proposed elevations	PL07 North West 1:50	14.11.2012
Proposed elevations	PL08 South West and North East 1:50	14.11.2012
Proposed cross section	PL09 Section A-A 1:50	14.11.2012
Design and Access Statement		14.11.2012

Condition 2 attached to the grant of planning permission dated 14 January 2013 under reference 12/00750/DPP has been removed by the Local Review Body (LRB). Planning permission for the erection of detached garage has been granted subject to the following condition:

1. The rooflights on the north-west elevation of the garage drawing number 133.2/PL07 are hereby not approved.

***Reason:*** *In order to minimise overlooking and protect the privacy of the occupants of the adjoining property.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 23 April 2013. The LRB carried out an unaccompanied site visit on the 22 April 2013.

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

Development Plan Policies:

1. RP20 Midlothian Local Plan – Development within the built-up area
2. RP22 Midlothian Local Plan – Conservation Areas
3. DP5 Midlothian Local Plan – Broomieknowe Conservation Area

Material Considerations:

1. The individual circumstances of the site; and
2. The materials of the neighbouring properties.

In determining the review the LRB concluded:

The proposed use of stone as a facing material on the approved garage does not have a detrimental impact on local amenity or the Broomieknowe Conservation Area and as such is in accordance with policies RP20, RP22 and DP5 of the Midlothian Local Plan.

Dated: 23/04/2013

Councillor J Bryant  
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, Development Management Manager tel: 0131 2713310 or via [peter.arnsdorf@midlothian.gov.uk](mailto:peter.arnsdorf@midlothian.gov.uk)*