

Minute of Meeting

Local Review Body
Tuesday 5 December 2022
Item No 4.1



Local Review Body

Date	Time	Venue
25 October 2022	1.00pm	Virtual Meeting using MS Teams

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor McEwan	Councillor McManus
Councillor Smail	Councillor Virgo

In Attendance:

Peter Arnsdorf	Planning, Sustainable Growth and Investment Manager
Derek Oliver	Chief Officer, Place
Mhairi-anne Cowie	Planning Officer
Janet Ritchie	Democratic Services Officer

1 Welcome, Introductions and Apologies

The Chair welcomed everyone to the meeting and asked those present on behalf of the Applicants and those present on behalf of the Residents if they were happy to for the proceedings to be recorded live, all present were in agreement.

2 Order of Business

The order of business was as outlined in the agenda previously circulated.

3 Declarations of interest

Councillor Smail declared that he had attended the Whitehill Site in September 2021 with a Planning Officer and the issues were as they are today.

4 Minute of Previous Meeting

The Minute of the Meeting of 13 September 2022 and Minute of Special Meeting of 26 September 2022 were submitted and both were approved as correct records.

5 Reports

Agenda No	Report Title	Presented by:
5.1	Land at Whitehill Farm, Whitehill Village, Dalkeith (21/00239/PPP)	Mhairi-anne Cowie
Outline of report and summary of discussion		
<p>The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for planning permission in principle for the erection of a dwelling house; the erection of agricultural building and associated works at land at Whitehill Farm, Whitehill Village, Dalkeith.</p> <p>Planning application 21/00239/PPP for planning permission in principle for the erection of a dwelling house; the erection of agricultural building and associated works at land at Whitehill Farm, Whitehill Village, Dalkeith was refused planning permission on 22 November 2021; a copy of the decision is attached to this report.</p> <p>In accordance with the procedures for the Local Review Body, the Chair gave a brief overview of the Review Hearing procedures. Thereafter, oral representations were received firstly from Applicant's representatives, Local Authority Planning Officer and interested parties following which they responded to Members' questions/comments.</p> <p>The LRB then gave careful consideration to the merits of the case based on all the information provided both in writing and in person at the Hearing. In discussing the proposed development and the reasons for its refusal, the LRB considered all points raised both for the Application and against the application, in particular the issues with the access road but also the agricultural benefits this will bring to the local area.</p>		

Councillor McManus, seconded by Councillor Cassidy moved to uphold the Review Request, and grant Planning Permission subject to the terms and conditions as set out in the report.

Decision

The Local Review Body agreed to uphold the Appeal and grant Planning Permission for the erection of a dwelling house; the erection of agricultural building and associated works at land at Whitehill Farm, Whitehill Village, Dalkeith subject to the conditions as detailed within the report.

Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.2	Land 170m East of Newrigg, Nine Mile Burn, Penicuik (22/00040/MSC and 22/00054/MSC)	Mhairi-anne Cowie

Outline of report and summary of discussion

The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the approval of condition submissions associated with the grant of planning permission in principle for the erection of two holiday lodges at land 170m east of Newrigg, Nine Mile Burn, Penicuik.

Planning application 21/00330/PPP for planning permission in principle for the erection of two holiday lodges at land 170m east of Newrigg, Nine Mile Burn, Penicuik was approved planning permission on 24 June 2021 subject to conditions as set out in the report.

These two appeals against refusal of 22/00054/MSC (condition 1a, 1c, 1d, 1e and 1i of 21/00330/PPP) and 22/00040/MSC (condition 2 on planning permission in principle 21/00330/PPP) are about a difference of opinion between the appellant and the Council's Planning Officers concerning the siting, design and materials for 2 holiday lodges on a site at Peggyslea Farm which already has planning permission in principle for 2 lodges.

In accordance with the procedures for the Local Review Body, the Chair gave a brief overview of the Review Hearing procedures. Thereafter, oral representations were received firstly from Applicant's representatives and Local Authority Planning Officer following which they responded to Members' questions/comments.

The LRB then gave careful consideration to the merits of the case based on all the information provided both in writing and in person at the Hearing. In discussing the proposed development and the reasons for its refusal, the LRB considered the reasons for refusal and specifically the siting, design and materials for the lodges.

Councillor McManus, seconded by Councillor Virgo moved to uphold the Review Request and grant Planning Permission.

Decision

The LRB agreed to uphold the Review Request and approve the Application and discharge the conditions attached to a grant of Planning Permission in principle (21/00330/PPP)

Action

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Councillor Smail due to other commitments left the meeting at 2.43 pm

Agenda No	Report Title	Presented by:
5.3	4 High Street, Loanhead (22/00267/DPP)	Mhairi-anne Cowie

Executive Summary of Report

The purpose of this report was to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the infill of existing windows; alterations to door and window openings (retrospective) at 4 High Street, Loanhead.

Planning application 22/00267/DPP for the infill of existing windows; alterations to door and window openings (retrospective) at 4 High Street, Loanhead was refused planning permission on 14 June 2022.

The LRB, having given careful consideration to the merits of the case based on all the written information provided. Councillor Russell, seconded by Councillor Alexander moved to uphold the Review.

Decision

The LRB agreed to uphold the Review Request, and grant Planning Permission for the infill of existing windows; alterations to door and window openings (retrospective) at 4 High Street, Loanhead for the following reason:

The proposed retrospective application does not have a significant adverse impact on the amenity of the area, particularly in relation to overlooking and privacy and the relationship with neighbouring dwellings.

Action

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6. Private Reports

No private business was discussed.

7. Date of Next Meeting

The next meeting is scheduled for Monday 5 December 2022 at 1 pm

The meeting terminated at 3.00 pm