

## Local Review Body: Review of Planning Application Reg. No. 13/00843/DPP

Niall Young Architecture Limited  
32/12 Hardengreen Business Park  
Dalhousie Road  
Eskbank  
EH22 3NX

Midlothian Council, as Planning Authority, having considered the review of the application by Mr Fraser Ewart, 10/12 Edinburgh Road, Dalkeith, EH22 1JZ, which was registered on 3 April 2014 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

**Change of use from vacant ground to temporary overspill car park (retrospective) at Land 25M West Of Junction With Lugton Brae, Old Dalkeith Road, Dalkeith.**

The reasons for the Council's decision is set out below:

*The development has a significant detrimental impact on the character and appearance of this highly prominent site at the entrance to Dalkeith, located immediately adjacent to the Eskbank and Ironmills Conservation Area. Therefore the development does not comply with the terms of policies RP20 and RP22 of the adopted Midlothian Local Plan.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 3 June 2014. The LRB carried out an unaccompanied site visit on the 2 June 2014.

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

### Material Considerations:

1. The individual circumstances of the site; and
2. The environmental improvement works undertaken in Dalkeith Town Centre.

Dated: 03/06/2014

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)*