

Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body
Tuesday 2 September 2014
Item No 5(b)

Local Review Body: Review of Planning Application Reg. No. 13/00725/DPP

Walsingham Planning
Brandon House
King Street
Knutsford
WA16 6DX

Midlothian Council, as Planning Authority, having considered the review of the application by Whitbread PLC, C/O Walsingham Planning, Brandon House, King Street, Knutsford, WA16 6DX which was registered on 26 February 2014 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Erection of 20 metre high fence at Premier Inn, Lasswade, EH18 1AH, in accordance with the application and the following plan:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Site plan, and elevations	1493L(2-)003 A Scale 1:500 & 1:200	10.10.2013

The Local Review Body (LRB) considered the review of the planning application at its meeting of 3 June 2014. The LRB carried out an accompanied 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. RP1 Midlothian Local Plan – Protection of the Countryside
2. RP2 Midlothian Local Plan – Protection of the Green Belt
3. RP6 Midlothian Local Plan – Areas of Great Landscape Value
4. RP7 Midlothian Local Plan – Landscape Character

Material Considerations:

1. The individual circumstances of the site; and
2. The health and safety implications of not supporting the proposal.

In determining the review the LRB concluded:

The proposed increase in the height of the golf ball stop fence from 15 metres to 20 metres would not have such a significant demonstrable impact on the landscape character or visual amenity of the area to outweigh the health and safety requirement of the development. The fence is justified to stop golf balls from the neighbouring driving range hitting customers, vehicles and buildings on the site of the Premier Inn hotel and pub/restaurant.

Dated: 03/06/2014

Councillor J Bryant
Chair of the Local Review Body
Midlothian Council

SCHEDULE 2

Regulation 21

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