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## **APPEALS AND LOCAL REVIEW BODY DECISIONS**

Report by Head of Planning and Development

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### **1 PURPOSE OF REPORT**

- 1.1 This report informs the Committee of an appeal decision received from the Scottish Ministers. No reviews were determined by the Local Review Body at its meeting of 5 March 2013.

### **2 BACKGROUND**

- 2.1 The Council's LRB considers reviews requested by applicants for planning permission, who wish to challenge the decision of planning officers acting under delegated powers to refuse the application or to impose conditions on a grant of planning permission.
- 2.2 The decision of the LRB on any review is final, and can only be challenged through the Courts on procedural grounds.
- 2.3 Decisions of the LRB are reported for information to this Committee.
- 2.4 In addition this report includes decisions on appeals which have been considered by Scottish Ministers.

### **3 PREVIOUS REVIEWS DETERMINED BY THE LRB**

- 3.1 At its meeting on 5 March 2013 the LRB considered three new reviews for the first time and have schedule the required site visits for the 22 April 2013 and the determination for its meeting of 23 April 2013. The Planning Committee will be advised of the decisions at its meeting in May. No reviews were determined at the meeting of 5 March 2013.

### **4 APPEAL DECISIONS**

- 4.1 An appeal against a refusal of planning permission (12/00517/DPP) to amend conditions to allow the siting of 137 mobile homes rather than 130 (the extra 7 would have been on the open space) at Nivensknowe Caravan Park, Loanhead was dismissed and planning permission refused. A copy of the Scottish Government's Reporter's appeal decision notice dated 13 March 2013 accompanies this report.

## **5 RECOMMENDATION**

- 5.1 The Committee is recommended to note the Scottish Ministers' appeal decision outlined in section 4 of this report.

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**Head of Planning and Development**

**Date:** 9 April 2013

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**Background Papers:** LRB procedures agreed on the 19 June 2012.