

LOCAL REVIEW BODY

Meeting of Wednesday 12 June 2013
at 10:30am in Council Offices, English Street, Dumfries

Present

Members

Graham Nicol (Chairman) - Mid Galloway
Ian Blake - Abbey
Jim McColm - Mid Galloway
Ted Thompson - Lochar

Officials

Claire Caution - Clerk
David Suttie - Independent Planning Advisor

Apologies

Ivor A Hyslop - Lochar

Alex Haswell

Director Chief Executive Service

1 APPOINTMENT OF CHAIRMAN FOR THE MEETING

Decision

AGREED to appoint Graham Nicol as Chairman for the meeting.

PROCEDURE – Graham Nicol assumed the role of Chairman.

2 SEDERUNT AND APOLOGIES

4 Members present, 1 apology

3 DECLARATIONS OF INTEREST

NONE declared.

PROCEDURE – David Suttie, the Independent Planning Adviser for this case, advised that he was the case officer with reference to the last 3 cases listed on page 31 of the papers which were approved some 12-15 years ago, therefore knew the property, but confirmed he had no involvement in the current case and was not the case officer or appointed officer.

4 25-27 HIGH STREET, LANGHOLM – REFUSAL OF PLANNING PERMISSION FOR CHANGE OF USE AND ALTERATIONS TO GROUND FLOOR BETTING OFFICE TO FORM FLAT (INCORPORATING PART OF EXISTING FLAT), EXTENSION TO EXISTING UPPER FLAT (RAISING OF WALLHEAD AND RIDGE HEIGHT AND FORMATION OF TWO DORMER WINDOWS TO REAR) AND ERECTION OF DOMESTIC GARAGE (12/P/4/0337)

Decision

AGREED

4.1 having considered the options available to the Review Body on further procedures, that the Review Body had sufficient information before it to enable it to determine the review;

4.2 having considered the terms of the Notice of Review, the representation made, and the observations of the Appointed Officer, to reverse the decision of the Appointed Officer and that the application be approved on the following grounds:

(a) that as the proposal was a visual improvement on the current building, aligning with the neighbouring building in roof height, and having minimum impact both on approaches from the road and position in the surrounding Conservation Area, and as such, there were material considerations of such weight as to justify making an exception to policy.

As such, the proposal was approved as an exception to Structure Plan Policy E8 and General Policies 7 and 50 of the Annandale and Eskdale Local Plan, subject to the following conditions:-

(1) That, notwithstanding the details shown on the approved plans, **no planning permission is hereby granted for the uPVC tilt and turn windows shown on the front and side elevations. No development in respect of this planning permission shall take place** unless details of alternative windows have been submitted to and approved in writing by the planning authority. These windows shall be of timber or uPVC sliding sash & case design / construction. **The development hereby granted planning permission shall not be occupied** unless the said windows have been installed as so approved.

(Reason – in order to preserve the character of the Langholm Outstanding Conservation Area)

(2) That, notwithstanding the details shown on the approved plans, **no development in respect of this planning permission shall take place** unless details of the finish of the front elevation have been submitted to and approved in writing by the planning authority. The front elevation shall be either taken back to its natural sandstone finish (with the existing shop window opening made up with matching natural stone) or it shall be rendered with a white painted wet dash render to match the side and rear elevations. **The development hereby granted planning permission shall not be occupied** unless the front elevation has been finished as so approved.

(Reason – in order to preserve the character of the Langholm Outstanding Conservation Area)

(3) That, notwithstanding the details shown on the approved plans, **the development hereby granted planning permission shall not be occupied** unless new chimney pots have been installed on the original end gable chimney stack. **No development in respect of this planning permission shall take place** unless details of the type and appearance of the said chimney pots have been submitted to and approved in writing by the planning authority.

(Reason – in order to preserve the character of the Langholm Outstanding Conservation Area)

(4) That **no development in respect of this planning permission shall take place** unless revised details for the roof pitch and materials for the replacement garage hereby granted planning permission have been submitted to and approved in writing by the planning authority. The roof shall be of an increased pitch and shall be finished with either natural slate or a suitable alternative slate-effect material. The **garage hereby granted planning permission shall not be brought into use** unless it has been completed as so approved.

(Reason – in order to preserve the character of the Langholm Outstanding Conservation Area)

(5) That the parking / garage area to the rear of the property shall be exclusively for the use of the upper flat only and shall not be used by the owner / occupier / lessee of the ground floor flat hereby granted planning permission.

(Reason – To restrict the level of use of the lane accessing the rear of the property with no net detriment to the safe and free flow of trunk road users both pedestrian and vehicular.)

Standard Directives:-

1. Please note that there is now a formal requirement for the developer to notify the Council as planning authority of Initiation of Development and Completion of Development. Forms can be collected from planning offices or downloaded from www.dumgal.gov.uk/planning.
2. In order to comply with Section 58(1) of the Town and Country Planning (Scotland) Act 1997 (as amended), this planning permission will only last for **three years** from the date of this decision notice unless the development has been commenced within that period.

5 ANY OTHER BUSINESS DEEMED URGENT BY THE CHAIRMAN DUE TO THE NEED FOR A DECISION

Decision

NOTED that there was no business items deemed urgent by the Chairman due to the need for a decision.