

Appeal Decision Notice

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Decision by Richard Hickman, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: PPA-210-2049
- Site address: Lempockwells Road, Pencaitland, East Lothian
- Appeal by Gladman Developments Ltd against the decision by East Lothian Council
- Application for planning permission in principle 14/00732/PPM dated 2 September 2014 refused by notice dated 2 December 2014
- The development proposed: Residential development and associated works
- Application drawings : Site location plan and illustrative master plan
- Date of site visit by Reporter: 10 April 2015

Date of appeal decision: 16 September 2015

Decision

I allow the appeal and grant planning permission in principle subject to the conditions contained in the council's schedule, as modified to reflect the matters covered in paragraphs 72-75 and 78 of the intentions notice and the terms of the planning obligation.

Attention is drawn to the two advisory notes at the end of this notice.

Background

1. On 20 May 2015 I issued a Notice of Intended Decision to grant planning permission in principle for this proposed development, subject to the conditions contained in the council's schedule, as modified to reflect the matters covered in paragraphs 72-75 and 78 of the intentions notice (attached as an appendix to this notice), and the signing and recording or registering of an obligation under section 75 of the Town and Country Planning (Scotland) Act 1997 between the appellant and the planning authority.
2. This obligation has now been completed and lodged for registration at the Registers of Scotland, who formally acknowledged receipt on 9 September 2015 (ref GLA/3009/00001/EMD). This opens the way for the issue of this appeal decision notice.
3. The detailed arrangements for the provision of the footpath linking the development to Lempockwells Road have been included in the terms of the obligation.



4. The Notice of Intended Decision is attached to this decision notice, for information, and to provide the reasons for the decision.

Richard Hickman

R M HICKMAN
Reporter

Advisory notes

1. **Notice of the start of development:** The person carrying out the development must give advance notice in writing to the planning authority of the date when it is intended to start. Failure to do so is a breach of planning control. It could result in the planning authority taking enforcement action. (See sections 27A and 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended).)

2. **Notice of the completion of the development:** As soon as possible after it is finished, the person who completed the development must write to the planning authority to confirm the position. (See section 27B of the Town and Country Planning (Scotland) Act 1997 (as amended).)

Richborough Estates