

Midlothian Council

The Town and Country Planning (Enforcement of Control) (No. 2) (Scotland) Regulations 1992 as amended

Register of extant (active) Enforcement Notices, Breach of Condition Notices, Stop notices, Temporary Stop Notices, S179 Notices, S33A Notices, Listed Building Enforcement Notices and S168 Notices.

Enforcement Notices (Section 127 of the Town and Country Planning (Scotland) Act 1997)

Council case reference	Address of the land to which the notice relates	Date of service of notice	Names of person(s) /interest(s) on whom the notice has been served	Date on which notice is to take effect	Summary of the breach of planning control alleged any waiver or relaxation of any requirement of the notice made in accordance with section 84AB (1) (b) of the Act.	Summary of the requirements of the notice, including the period within which any required steps are to be taken;	Information on any postponement of the date specified in the notice on which it is to take effect where an appeal has been made against the notice; and, if applicable, whether any correction or variation was made to the notice by the Scottish Ministers on appeal.
E/25/18	Land Adjacent to 13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	21.11.2025	The owners of the land, land adjacent to 13 Saw Mill Terrace	20.12.2025	The change of use of land from public open space to private garden ground and the associated erection of a fence enclosing said land.	Remove the fence and make good of any damage.	Note at E/25/19 refers. EN requirements suspended pending appeal outcome.
E/25/19	Land Adjacent to 13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	21.11.2025	Dr Geraldine Hignett	20.12.2025	The change of use of land from public open space to private garden ground and the associated erection of a fence enclosing said land.	Remove the fence and make good of any damage.	Subject of live appeal to the Scottish Ministers (DPEA). EN requirements suspended pending appeal outcome.
E/25/20	Land Adjacent to 13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	21.11.2025	Newton Property Management Limited (Factors)	20.12.2025	The change of use of land from public open space to private garden ground and the associated erection of a fence enclosing said land.	Remove the fence and make good of any damage.	Note at E/25/19 refers. EN requirements suspended pending appeal outcome.
E/25/21	30 Eskbank Road, Dalkeith, EH22 3BQ	22/11/2025	Abercastle Investments Ltd.	21/12/2025	The erection of a car port on the land without the benefit of planning permission.	Dismantle and permanently remove the carport and make good of any damage done.	Structure has been substantially removed. Pursuing removal of small part that remains.
E/25/22	30 Eskbank Road, Dalkeith, EH22 3BQ	22/11/2025	Mr S Kadir	21/12/2025	The erection of a car port on the land without the benefit of planning permission.	Dismantle and permanently remove the carport and make good of any damage done.	Structure has been substantially removed. Pursuing removal of small part that remains.
E/25/23	30 Eskbank Road, Dalkeith, EH22 3BQ	22/11/2025	Abercastle Investments Ltd.	21/12/2025	The erection of a car port on the land without the benefit of planning permission.	Dismantle and permanently remove the carport and make good of any damage done.	Structure has been substantially removed. Pursuing removal of small part that remains.

Land Adversely Affecting Amenity (Section 179 of the Town and Country Planning (Scotland) Act 1997)

Council case reference	Address of the land to which the notice relates	Date of service of notice	Names of person(s) /interest(s) on whom the notice has been served	Date on which notice is to take effect	Summary of the circumstances giving rise to the notice.	Information on any postponement of the date specified in the notice on which it is to take effect where an appeal has been made against the notice; and, if applicable, whether any correction or variation was made to the notice by the Scottish Ministers on appeal.

Notice Requiring Application for Planning Permission for Development Already Carried out (Section 33A of the Town and Country Planning (Scotland) Act 1997)

Council case reference	Address of the land to which the notice relates	Date of service of notice	Names of person(s) /interest(s) on whom the notice has been served	Date by which an application for planning permission for the development to which the notice relates is to be made	Non - Compliance Notes
E/25/07	13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	02.06.2025	Mrs. Geraldine Hignett	30.06.2025	Given non-compliance, EN served. EN subject of live appeal to Scottish Ministers (DPEA).I

Listed Building Enforcement Notices (Section 34 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997)

Council case reference	Address of the land to which the notice relates	Date of service of notice	Names of person(s) /interest(s) on whom the notice has been served	Date on which notice is to take effect	Summary of the breach of listed building control	Summary of the requirements of the notice, including the period within which any required steps are to be taken;	Information on any postponement of the date specified in the notice on which it is to take effect where an appeal has been made against the notice; and, if applicable, whether any correction or variation was made to the notice by the Scottish Ministers on appeal.
E/22/39	130 High Street, Dalkeith, EH22 1AU	08/11/2022	Mrs G Silvestri Miss A Gavriill & Mr G Nst Mr W Williams Mr I & Mrs T Francis Mr S & Mrs A Cazan	01/03/2023	Removal of 16 timber framed windows, and installation of replacement uPVC windows.	Remove all uPVC windows of the property and replace them with white painted, timber frame, sash and case windows which match the removed timber windows in glazing pattern, profile of frames and astragals and all externally visible parts of the case/frames.	Appeal to Scottish Ministers (DPEA) dismissed DPEA. Extended compliance period. All windows front elevation removed and replaced. Subject of ongoing proceedings.

Preservation of Trees in Conservation Areas (Section 168 of the Town and Country Planning (Scotland) Act 1997)

Council case reference	Address of the land to which the notice relates	Date of service of notice	Names of person(s) /interest(s) on whom the notice has been served	Date on which notice is to take effect	Summary of the breach of tree preservation in a conservation area	Summary of the requirements of the notice, including the period within which any required steps are to be taken;	Information on any postponement of the date specified in the notice on which it is to take effect where an appeal has been made against the notice; and, if applicable, whether any correction or variation was made to the notice by the Scottish Ministers on appeal.

Index of all Extant Notices Served under Abovementioned Legislation.

Council case reference	Address of land to which a notice relates	Type of notice
E/22/06	1 Laurelbank Road, Mayfield	Enforcement Notice S127
E/22/24	Land to North of 6 Ashbank, Gorebridge	Enforcement Notice S127
E/22/39	130 High Street, Dalkeith, EH22 1AU	Listed Building Enforcement Notice 34
E/22/41	Land at 10 Kirkhill Terrace, Gorebridge, EH23 4LL	Enforcement Notice S127
E/25/07	13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	Development Already Carried Out 33A
E/25/18	Land Adjacent to 13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	Enforcement Notice S127
E/25/19	Land Adjacent to 13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	Enforcement Notice S127
E/25/20	Land Adjacent to 13 Saw Mill Terrace, Bonnyrigg, EH19 3FY	Enforcement Notice S127
E/25/21	30 Eskbank Road, Dalkeith, EH22 3BQ	Enforcement Notice S127
E/25/22	30 Eskbank Road, Dalkeith, EH22 3BQ	Enforcement Notice S127
E/25/23	30 Eskbank Road, Dalkeith, EH22 3BQ	Enforcement Notice S127