

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. |
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| 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/22/41 | Land at 10 Kirkhill Terrace, Gorebridge, EH23 4LL | 18/11/2022 | Ms. D Allan | 20/12/2022 | Unauthorised erection of dwellinghouse. | Remove unauthorised works to match approved plans or demolish dwellinghouse. | Appeal to Scottish Ministers (DPEA) out of time. EN requirements remain outstanding. Reported to the COPFS. |
| E/22/24 | Land North of 6 Ashbank, Gorebridge, EH23 4NJ | 30/06/2022 | Peter Joyce and Son Ltd. & Ashbank Yards Ltd. | 31/07/2022 | Unauthorised: change of use of vacant land to a builder's yard (sui generis); siting of shipping containers and formation of a hardstanding. | Remove all shipping containers; remove the hardstanding; return the land to a grass field and cease the use of the land as a builders' yard. | Appeal to Scottish Ministers (DPEA) dismissed. Prosecuted and fined £16125. Further action being taken re. remaining EN requirements. |

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| E/22/06 | 1 Laurelbank Road, Mayfield, Dalkeith, EH22 5HT | 17/02/22 | Mr. James Beavis and Ms. Louise Axon | 23/03/22 | Unauthorised erection of detached garage and sun room | Dismantle the building and remove all dismantled materials permanently from the land. | Appeal to Scottish Ministers (DPEA) dismissed. Outstanding FPN fine. Reported to the COPFS. |
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Breach of Condition Notices (Section 145 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 | Details of the relevant planning permission and summary of the condition not complied with | Summary of the requirements of the notice, including the period within which any required steps are to be taken; |
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Stop Notices (Section 140 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 activity prohibited by the notice regard to relevant enforcement notice | Summary of the requirements of the notice, including the period within which any required steps are to be taken; | Date of withdrawal of notice with regard to relevant enforcement notice |
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Temporary Stop Notices (Section 144A 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 activity prohibited by the notice | Summary of the requirements of the notice, including the period within which any required steps are to be taken; | Date on which the temporary stop notice ceases to have effect |
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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. |
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Index of all Extant Notices Served under Abovementioned Legislation.

| Council case reference | Address of land to which a notice relates | Type of notice |
|-------------------------------|---|---------------------------------------|
| E22/06 | 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 |
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