



**APPLICATION FOR PLANNING PERMISSION (17/00939/DPP) FOR THE
ERECTION OF DWELLINGHOUSE; GARAGE AND STABLE BLOCK;
FORMATION OF ACCESS; AREAS OF HARDSTANDING AND
ASSOCIATED WORKS AT LAND NORTH OF CRICHTON VILLAGE,
PATHHEAD**

Report by Head of Communities and Economy

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 This application is for the erection of a dwellinghouse, garage, stable block, formation of hardstanding and associated works on land north of Crichton village, Pathhead. There have been eight representations and consultation responses from Scottish Water, the Council's Archaeology Advisor and the Councils Policy and Road Safety Manager. The relevant development plan policies are DEV5, DEV6, DEV7, TRAN5, RD1, ENV4, ENV6, ENV7, ENV11, ENV19, ENV24 and ENV25 of the Midlothian Local Development Plan 2017 (MLDP). The recommendation is to grant planning permission subject to conditions.**

2 LOCATION AND SITE DESCRIPTION

- 2.1 The application site comprises a plot of land on the northern edge of Crichton Village, to the west of the B6367 road. The site is located to the rear of 9 Crichton Village. The application site is located within the countryside, a Special Landscape Area (SLA) and within the Borthwick and Crichton Conservation Area.**
- 2.2 The site comprises an agricultural field used for grazing; with a small timber stable block located in the southern corner. The site, is contained by trees and hedgerows along the field boundaries, measures approximately 1,933sqm and is relatively flat.**
- 2.3 The neighbouring dwellings of Crichton village are primarily single storey and 1½ storey dwellings of traditional design and form.**

3 PROPOSAL

- 3.1 The proposal is for the erection of a contemporary designed detached dwellinghouse, garage and stable block.**

- 3.2 The dwellinghouse comprises of three pitched roof buildings of various heights connected together by single storey flat roof links. The dwelling is laid out in a 'T' plan formation. The dwelling is primarily single storey in height with a 1½ storey element. The application dwelling is of a contemporary design finished in white render and stained black horizontal Siberian larch cladding with aluclad (aluminium clad timber) fenestration and a dark grey metal sinusoidal clad pitched and flat roof.
- 3.3 The proposed dwelling comprises a living room, utility room, dining room, bathroom, kitchen, en-suite and four bedrooms; two of the bedrooms and the en-suite are located at first floor level.
- 3.4 The proposed single storey garage and stable block are laid out in a rectangular footprint and are to be sited within the southern side of the site. The proposed garage and stable block are to be finished in white render with a grey metal sinusoidal clad mono-pitch roof. Details regarding the material finish of the stable and garage doors have not been specified on the submitted plans. A white rendered 2.3 metre high boundary wall and 1.5 metre high double timber gates are proposed between the proposed dwelling and the garage and stable block building to provide a fully enclosed rear garden.
- 3.5 The parking and turning area will be formed using a cedagravel system comprising plastic honeycomb holding trays laid out on hardcore substrate with gravel set into the trays so as to form a porous surface. The dwellinghouse will be accessible via a new vehicle access taken from the B6367.
- 3.7 The proposal would result in the removal of a number of trees and shrubs and introduce new compensatory trees and planting within the application site. A design and access statement, tree survey, planting specification and maintenance plan have been submitted in response to the site's location within a conservation area and SLA.

4 BACKGROUND

- 4.1 There is no relevant planning history.
- 4.2 The current application has been called to Planning Committee for consideration by Councillor Smaill for consideration of the character of the proposals in relation to the conservation area and SLA.

5 CONSULTATIONS

- 5.1 **Scottish Water** has no objection.
- 5.2 The Council's **Archaeological Consultant** noted that historically, the land within the application boundary has been within enclosed farmland since at least the 19th century and lies in close proximity to a later

prehistoric scheduled monument (SM6231). The application site has potential archaeological significance and therefore there is a requirement for a programme of archaeological works (Archive Assessment and Evaluation) to be carried out to record any historical remains and to determine whether the development will disturb any buried archaeological deposits.

- 5.3 The Council's **Policy and Road Safety Manager** has not objected to the planning application but has requested further details regarding the access to be submitted.

6 REPRESENTATIONS

- 6.1 There have been eight representations received, of which six are objections, one is neutral and one is in support. All representations can be viewed fully online. The reasons for objecting are as follows:

- the application site is located within a SLA and on prime agricultural land which restricts development;
- the development proposal does not respect the character or appearance of the Borthwick and Crichton Conservation Area;
- the introduction of a new dwellinghouse to Crichton Village will set a precedent and encourage further development;
- concern that the proposal will lead to the further development of land within the applicant's ownership;
- the material finish of the dwelling is out of character for the village;
- first new dwelling to be erected in over 130 years would irrevocably alter the character of the hamlet;
- visual impact on the open views from the main road into Crichton;
- proposal is contrary to Midlothian Local Development Plan policies ENV4, ENV6, ENV7, ENV19, ENV22, ENV23 and ENV24;
- design does not respect the character or appearance of the listed buildings;
- Crichton is a popular destination for locals and the development will impact upon this; and
- loss of established trees.

- 6.3 The one neutral representation considered the proposed buildings to be of interesting design and sited in a location that would have minimal impact upon the existing buildings and character of the village as long as the planting around the site was broadly maintained.

- 6.4 The one supporting representation considered the development proposal to be a positive addition for Crichton.

7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Development Plan 2017 (MLDP), adopted in November 2017. The following policies are relevant to the proposal:

Midlothian Local Development Plan 2017 (MLDP)

- 7.2 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.3 Policy **DEV6: Layout and Design of New Development** sets out design guidance for new developments.
- 7.4 Policy **DEV7: Landscaping in New Development** sets out the requirements for landscaping in new developments.
- 7.5 Policy **TRAN5: Electric Vehicle Charging** seeks to promote a network of electric vehicle charging stations by requiring provision to be an integral part of any new development.
- 7.6 Policy **RD1: Development in the Countryside** states that development in the countryside will only be permitted if:
- it is required for the furtherance of agriculture, including farm related diversification, horticulture, forestry, countryside recreation or tourism; or
 - it accords with policies RD2, MIN1, NRG1 or NRG2; or
 - it accords with the Council's Supplementary Guidance on *Development in the Countryside and Green Belt*.

The following circumstances are exceptions to the above requirements to demonstrate that the housing is for the furtherance of a countryside activity:

- housing groups (allowing 1 new dwelling during the plan period where there are 5 existing units); or
 - conversions of redundant farm buildings or other non-residential buildings; or
 - redevelopment of redundant farm buildings or other non-residential buildings; or
 - enabling development where it can be clearly shown to be the only means of preventing the loss of a heritage asset and securing its long-term future.
- 7.7 Policy **ENV4 Prime Agricultural Land** does not permit development that would lead to the permanent loss of prime agricultural land unless there is appropriate justification to do so.

- 7.8 Policy **ENV6: Special Landscape Areas** states that development proposals will only be permitted where they incorporate high standards of siting and design and where they will not have significant adverse effect on the special landscape qualities of the area.
- 7.9 Policy **ENV7: Landscape Character** states that development will not be permitted where it significantly and adversely affects local landscape character. Where development is acceptable, it should respect such character and be compatible in terms of scale, siting and design. New development will normally be required to incorporate proposals to maintain the diversity and distinctiveness of the local landscapes and to enhance landscape characteristics where they have been weakened.
- 7.10 Policy **ENV11: Woodland, Trees and Hedges** states that development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees (including trees covered by a Tree Preservation Order, areas defined as ancient or semi-natural woodland, veteran trees or areas forming part of any designated landscape) and hedges which have a particular amenity, nature conservation, biodiversity, recreation, landscape, shelter, cultural, or historical value or are of other importance.
- 7.11 Policy **ENV19: Conservation Areas** states that development will not be permitted within or adjacent to conservation areas where it would have any adverse effect on its character or appearance.
- 7.12 Policy **ENV24: Other Important Archaeological or Historic Sites** seeks to prevent development that would adversely affect regionally or locally important archaeological or historic sites, or their setting.
- 7.13 Policy **ENV25: Site Assessment, Evaluation and Recording** requires that where development could affect an identified site of archaeological importance, the applicant will be required to provide an assessment of the archaeological value of the site and of the likely impact of the proposal on the archaeological resource.

National Policy

- 7.11 Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.
- 7.12 Historic Environment Scotland Policy Statement 2016 and Scottish Planning Policy (SPP) offer guidance on the protection and management of the historic environment. Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Their

designation provides the basis for the positive management of an area. A proposed development that would have a neutral effect on the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. The Policy Statement and SPP also indicate that the planning authority should consider the design, materials, scale and sitting of any development, and its impact on the character of the conservation areas and their setting.

- 7.13 Historic Environment Scotland's 'Managing Change in the Historic Environment Document on New Design in Historic Settings' states that there is a view that new buildings in historic settings should seek to replicate existing buildings in design, appearance and materials. While this may be appropriate in specific circumstances, for example where part of a larger architectural composition had been lost, in general Historic Environment Scotland believe that new interventions in historic settings do not need to look 'old' in order to create a harmonious relationship with their surroundings. Some of the best recent examples are contemporary design responses. This approach suggests an honesty and confidence in our modern architecture which will be valued by future generations.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The representations and consultation responses received are material considerations.

Principle of Development

- 8.2 Development within the countryside needs to demonstrate a requirement for a countryside location. Unallocated housing development within the countryside will only be permitted where; it demonstrates it is required for the furtherance of an established countryside activity (agriculture, horticulture, forestry, countryside recreation or tourism), it is classed as a housing grouping development, it comprises the conversion of redundant rural buildings or is required to secure the long term future of a heritage asset.
- 8.3 Should the principle of a dwellinghouse be deemed acceptable, then any building should satisfy the following criteria set out in MLDP policy RD1; it should be of a scale and character appropriate to the rural area; be well integrated into the rural landscape; be capable of being serviced with an adequate and appropriate access; capable of being provided with drainage and public water supply; and take account of accessibility to public transport and services (where appropriate). New houses should be designed so as to enhance the appearance of the countryside.

- 8.4 Policy RD1 gives policy support to small scale incremental housing development in the countryside by allowing small villages, hamlets and clusters of dwellings which are classed as being in the countryside (without a defined settlement boundary confirming an urban area) to increase by one new dwelling during the plan period per five existing dwellings. On the basis that Crichton comprises 19 residential properties policy RD1 would support an additional three residential units during the local plan period. As no new housing has been proposed or built in Crichton since the adoption of the MLDP in November 2017 the principle of the development is acceptable if the siting of the unit can be considered part of the Crichton cluster.
- 8.5 The housing group element of MLDP policy RD1 carries forward a Council desire to see limited housing development in the countryside as originally set out in policy DP1, Section 1.2: Housing Groups introduced in the 2008 local plan. Policy DP1, Section 1.2 was supported by Supplementary Planning Guidance (SPG) adopted by the Council on 6 October 2009. In due course the guidance will be updated to reflect the policy position set out in the MLDP, but in the meantime the 2009 SPG represents best practise with regard to the siting of housing within housing groups in the countryside and as such can be considered as a material consideration in the assessment of the current application.
- 8.6 The SPG identifies and provides guidance on the criteria used for identifying acceptable plots; identifies housing groups which the planning authority considers to have potential to accommodate additional units; and includes guidance on where development could be accommodated within the identified housing groups. Crichton was identified as a housing group that could accommodate three additional units. The guidance notes that the fields to the north and south of the village are very open with no physical features to provide containment. It also notes that due to the housing group being located within a conservation area, as well as comprising of a the large number of listed buildings, care should be taken in relation to the effect of any development on the character, appearance and setting of these historic features.
- 8.7 The boundary treatment on the north of the application site presents a clear definable boundary between the open grazing fields to the north of the site and the dwellings and other rural buildings to the south and as such a dwellinghouse on the proposed site will be interpreted as an additional dwelling to the established housing of Crichton. Furthermore the orientation of the buildings at 9 Crichton Village (The Old Joiners Shop) turn the corner of the built form from Crichton Village along the B6367 and as such the proposed dwelling can be seen as a 'natural' evolution of the village.

- 8.8 The remaining planning issues relate to the appropriateness of the scale, mass and proportions of the dwellinghouse, the design, material finish, siting, amenity space, access, impact on local amenity and impact upon the character and appearance of the SLA and conservation area.

Site Layout

- 8.9 It is noted that policy DP2 Development Guidelines, from the now superseded 2008 Midlothian Local Plan, set out design guidance for new development. The guidance has been successfully applied to development proposals throughout Midlothian and will be echoed within the Council's Supplementary Guidance on Quality of Place which is currently being drafted.
- 8.10 The shape and size of the application site presents the potential for a flexible approach to the siting of a dwellinghouse. However, the single storey dwellinghouse known as The Old Joiners Shop, located on the corner of the main B6367 and Colegate Road to the south of the application site assists in dictating an acceptable location for the proposed dwelling. The proposed siting of the dwelling to the north of the plot protects privacy with this neighbouring dwellinghouse and setting it back from the road aligns it with The Old Joiners Shop and presents the opportunity for landscaping at the front of the site to continue the rural character of the B6367.
- 8.11 In between the dwelling, garage, stable block and the main B6367 Road is an area of gravel to provide a turning and parking area. The gravel is to be formed using a cedagravel system; a plastic honeycomb holding trays laid out on hardcore substrate with gravel set into the trays to form porous surface. The dwelling is afforded over 650sqm of useable garden ground which is in excess of the appropriate standard of 130sqm.
- 8.12 The proposed layout of the dwelling, garage and stable block maximises the potential of the site whilst respecting the character of the locale. The proposed development presents a solution which complies with the development plan.

Design

- 8.13 The proposed dwellinghouse is of a contemporary design which is to be finished in contrasting materials. The use of white render, stained black timber cladding with a large amount of glazing contributes towards the interesting and attractive appearance of the dwelling. The proposed garage and stable block are to be finished in materials that match the proposed dwelling. All the finishing materials are to be of a high quality.

- 8.14 The pitched roofs of the main parts of the dwellinghouse draws from the traditional form of neighbouring dwellings within Crichton Village, whilst the use of flat roof links contributes towards the contemporary design. The use of grey metal sinusoidal cladding is not a traditional roofing material for dwellings. However, the use of metal profiled roof creates visual interest to the contemporary design of the building which also reflects the rural character of the wider locale.
- 8.15 Within Scotland the traditional approach to building design primarily takes the form of buildings with pitched roofs. However, this does not limit building design to only comprise of buildings with pitched roofs. Variations in design, form and material finish contribute towards a rich, diverse and interesting built environment. Development which is of a strong modern design and reflects the locale should be supported if it is the right development in the right location. Flat roofs are often used to create a contemporary building form which in turn reduces the scale of the proposal in terms of height. The flat roof components of the dwellinghouse are passive to the pitched roof components and will be interpreted as subservient to the traditional form of the dwellinghouse.
- 8.16 The height of the proposed dwelling, garage and stable block varies and steps down towards the neighbouring properties to the south and in doing so does not dominate the landscape of the settlement form. The visual scale and siting of the proposed dwellinghouse, garage and stable block are not considered to be dominating nor out of character to the locale. Variations in heights of buildings is a common feature in the countryside and adds interest in the built form. This variation often reflects the incremental growth of rural settlements. The proposal sensitively reflects this evolution of the settlement.
- 8.17 Representations raising concerns about the design and scale of the proposed development suggest it is 'out of character' with Crichton Village and results in an adverse impact upon the conservation area. The siting of the plot, with a measure of separation from other dwellings, means it is not an 'infill' development that would be best designed to mirror adjoining buildings to create uniformity. There is variation in the design and scale of the buildings in Crichton and the proposal seeks to complement this pattern rather than mirror it. Guidance and good practice with regard historical environments seeks to secure quality development, this can include the use of contemporary architecture in the right locations.
- 8.18 The application site's boundaries are defined by trees and planting; some of which will be removed and replaced as part of the development proposal. The application site is currently host to a small single storey horse stables which contributes little to the character and appearance of the area. The existing timber stable block is to be removed and replaced by the proposed dwelling, stable block and garage.

- 8.19 The submitted landscaping plan and tree survey specify which trees are to be removed to enable the development proposal. There are no concerns with regards to the loss of the trees indicated on the submitted plan. The proposed replacement planting to the west, east and south will frame the dwelling and make a positive contribution towards the setting. There are some minor concerns with regards to the lack of replacement planting along the northern boundary of the application site and in response a condition will require an amended landscaping plan to be submitted to the Planning Authority for prior written approval to address the concern. Additional planting along the northern boundary will ensure that the landscaping reflects the character and appearance of the area whilst providing a complementary setting that is compatible with the contemporary development. Furthermore, the additional planting will contribute towards the character and appearance of the SLA and conservation area.
- 8.20 Overall, it is considered that the introduction of a contemporary dwellinghouse finished in contrasting materials is considered to be an acceptable approach which respects the historic character and appearance of Crichton Village.

Impact on Amenity

- 8.21 The rear elevation of the closest neighbouring dwellinghouse, The Old Joiners Shop no.9 Crichton Village, is approximately 28 metres south of the application site and a further 15 metres away from the proposed new dwellinghouse. This scale of separation combined with the site's relatively flat topography means that there will be no loss of amenity to neighbouring properties.

Access/Road Safety

- 8.22 The proposed development provides a parking and turning area between the application dwelling and the B6367 road. Vehicle access to the application site is to be afforded by a new vehicle access from the B6367 road. The Policy and Road Safety Manager offered no objection to the development proposal, in terms of road safety, subject to a condition being attached requiring further details of the proposed access to be submitted.

Archaeology

- 8.23 The Council's Archaeological Advisor has recommended some survey work be carried out to ensure that the site is surveyed and any archaeological finds are recorded. The controls identified by the Council's Archaeological Advisor can be secured by condition.

9 RECOMMENDATION

9.1 That planning permission be granted for the following reason:

The proposed development accords with the adopted Midlothian Local Development Plan (2017) and Historic Environment Scotland's policy and guidance. The layout and detailed appearance of the development will contribute and add visual interest to Crichton Village and it will not have an adverse impact on the amenity of nearby properties. The presumption for development is not outweighed by any other material consideration.

Subject to the following conditions:

1. Development shall not begin until a revised scheme of hard and soft landscaping has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i existing and finished ground levels and floor levels for all buildings and roads in relation to a fixed datum;
 - ii existing trees, landscaping features and vegetation to be retained; removed, protected during development and in the case of damage, restored;
 - iii proposed new planting including trees, shrubs, hedging and grassed areas;
 - iv location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
 - v schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - vi programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping shall be completed prior to the house is occupied; and
 - vii drainage details and sustainable urban drainage systems to manage water runoff.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

Reason: *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policies RD1, ENV6, ENV19 and DEV7 of the adopted 2017 Midlothian Local Development Plan 2017 and national planning guidance and advice.*

2. Development shall not begin until samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

Reason: *In the interest of protecting the character and appearance of the conservation area so as to comply with ENV19 and ENV6 of the adopted Midlothian Local Development Plan 2017 and Historic Environment Scotland's policy and guidance.*

3. Development shall not begin until a programme of archaeological work and investigation has been submitted to and approved by the planning authority. The approved programme shall be carried out prior to the commencement of development unless an alternative phasing is agreed as part of the approved programme.

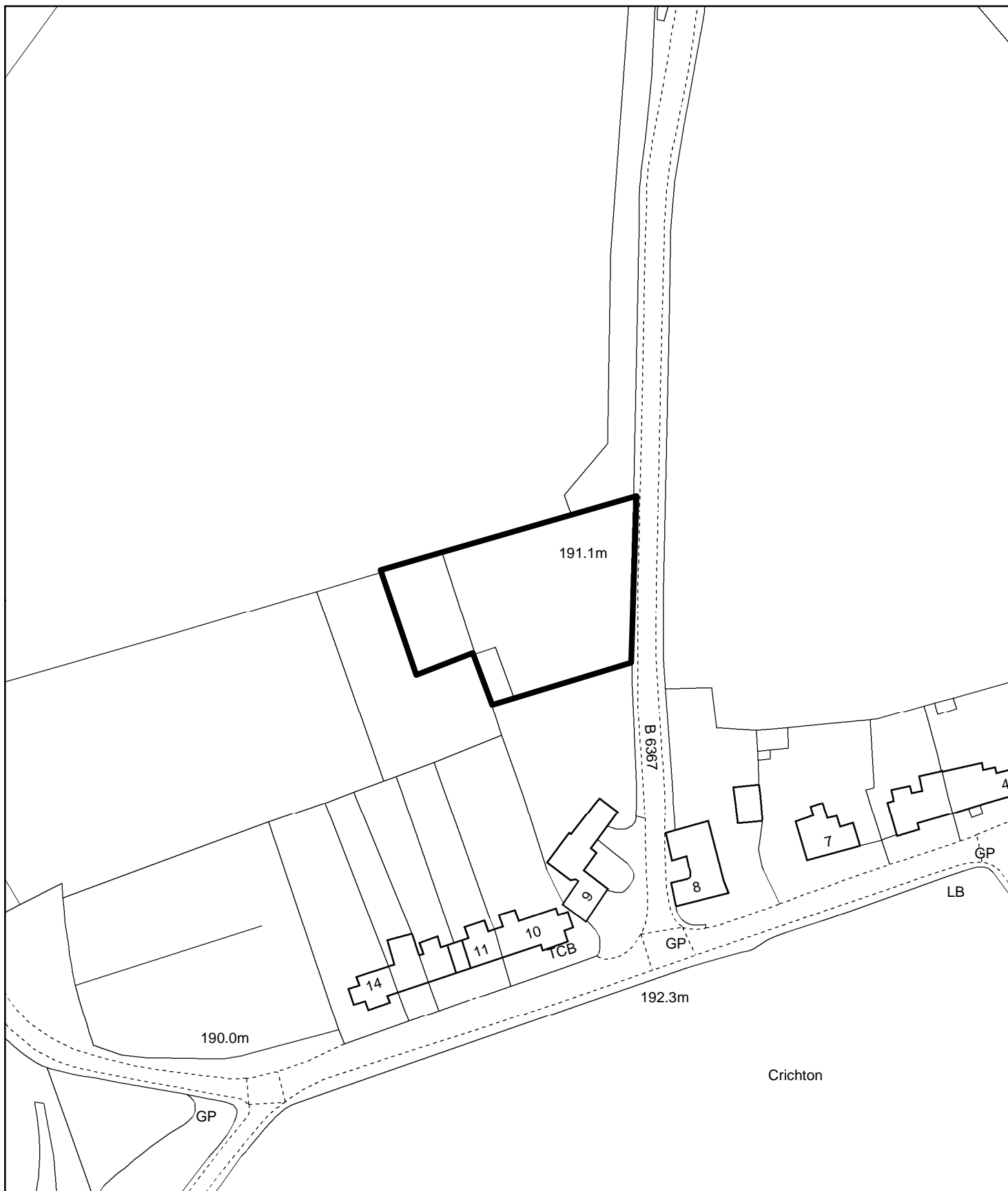
Reason: *To ensure this development does not result in the unnecessary loss of archaeological material in accordance with policies ENV24 and ENV25 of the adopted Midlothian Local Development Plan.*

4. Development shall not begin until details of the means of access from the B6367 into the site, including the provision of visibility splays has been submitted to and approved by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

Reason: *To ensure that the proposed vehicle access is adequate and in the interest of road safety.*

Ian Johnson
Head of Communities and Economy

Date:	8 February 2018
Application No:	17/00939/DPP
Applicant:	Mr Martin Street, The Old Joiners Shop, Crichton, Pathhead, EH37 5UZ
Agent:	Gray Macpherson Architects, Tigh Na Geat House, 1 Tigh Na Geat House, Damhead Farm, Lothianburn, EH10 7DZ
Validation Date:	28 November 2017
Contact Person:	Whitney Lindsay
Tel No:	0131 271 3315
Background Papers:	



**Education, Economy
& Communities**
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3AA

Erection of dwellinghouse; garage and stable block; formation of access; areas of hard standing and associated works at Land North Of Crichton Village, Pathhead

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