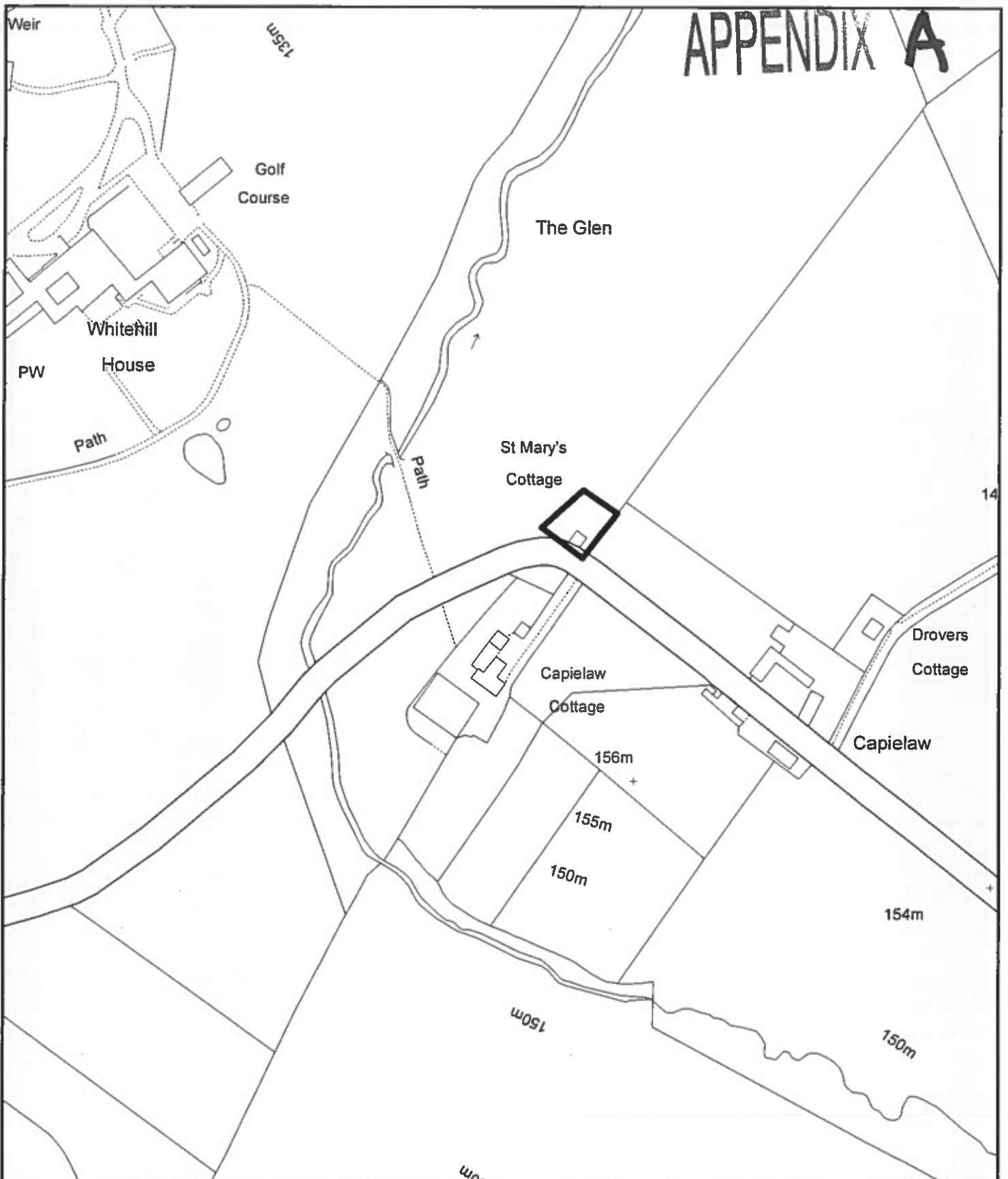


APPENDIX A



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

St Mary's Cottage, Rosewell

29th January 2016

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File No. 15/00767/DPP

Scale: 1:3,000

Midlothian Council Licence No. 100023416 (2016)





THE HISTORY OF
THE

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect
of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	<div>DR</div>	Ref No.	<div></div>
Forename	<div>LYNDHURST</div>	Forename	<div></div>
Surname	<div>COLLINS</div>	Surname	<div></div>
Company Name	<div></div>	Company Name	<div></div>
Building No./Name	<div></div>	Building No./Name	<div></div>
Address Line 1	<div>CARIELAW COTTAGE</div>	Address Line 1	<div>MPORATE RESOURCE</div>
Address Line 2	<div></div>	Address Line 2	<div>LE:</div>
Town/City	<div>NR ROSEWELL</div>	Town/City	<div>RECEIVED 28 JAN 2016</div>
Postcode	<div>EH24 9EE</div>	Postcode	<div></div>
Telephone	<div></div>	Telephone	<div></div>
Mobile	<div></div>	Mobile	<div></div>
Fax	<div></div>	Fax	<div></div>
Email	<div></div>	Email	<div></div>
3. Application Details			
Planning authority		<div>MIDLOTHIAN COUNCIL</div>	
Planning authority's application reference number		<div>15/00767/DPP</div>	
Site address			
<div>ST. MARY'S LODGE NR. ROSEWELL EH24 9EE</div>			
Description of proposed development			
<div>EXTENSION TO DWELLINGHOUSE AT ST. MARY'S COTTAGE</div>			

Date of application

Oct 1st 2015

Date of decision (if any)

Nov 12th 2015

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)



Application for planning permission in principle



Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)



Application for approval of matters specified in conditions



5. Reasons for seeking review

Refusal of application by appointed officer



Failure by appointed officer to determine the application within the period allowed for determination of the application



Conditions imposed on consent by appointed officer



6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions



One or more hearing sessions



Site inspection



Assessment of review documents only, with no further procedure



If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

Overly restrictive application of planning policy
DP6 of H6 Midlothian Local Plan

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?



Is it possible for the site to be accessed safely, and without barriers to entry?



If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see separate document (attached), 7 pages
with 5 photographs on three sheets

Have you raised any matters which were not before the appointed officer at the time your application was determined?

Yes ☐ No ☒

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

1. Written Statement explaining reasons for the Appeal
2. Five photographs on 3 pages referred to in the Statement.
3. Copies of original Plans

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form



Statement of your reasons for requesting a review



All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.



Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature



Name:

DA. L. COLLINS

Date:

27/01/2016

Mr Lyndhurst Collins - Local Review Body Appeal
Application Reference – 15/00767/DPP
St Mary's Cottage, Rosewell

1. With reference to the refusal of application 15/00767/DPP to extend St Mary's Lodge, I appreciate that there are principles which have to be used as guidelines in the planning process but I also hope that there is room for discretion on behalf of the planning authority for consideration of special or individual cases. In making this appeal I would like to explain the reasons for the proposed design with the apparent amassing of the extension at the rear of the building and also to convey the different sets of circumstances for wanting to build the proposed extension to create an affordable family home.

History and Background

2. We purchased St Mary's Lodge, which is located on the opposite side of the road to our property, in 2011. Our intention at the outset was to provide a home for our son. Two factors influenced our decision to make the purchase.
 - a. Our son needed a place for himself and had no hope of getting on to the property ladder on his own.
 - b. On a more personal note, my wife and I, being retired pensioners recognise that there is an increasing need on our behalf for dependency on immediate family in this relatively remote location. The close proximity of the cottage ticked both boxes.
3. When we bought the cottage it was in urgent need of renovation both internally and externally. It was still a listed building even though it was roofed with concrete tiles. The original slate roof had been severely damaged in the early 1970s by thieves who had removed all the lead from the ridging and gable over-hangs. For understandable economic reasons the Sisters of St. Vincent de Paul who ran the St Joseph's Hospital at Whitehill House, and the previous owners of the cottage, repaired the roof as quickly as possible with the tiles.
4. Apart from the roof, the then existing lean-to extension containing combined kitchen and bathroom facilities at the rear of the cottage could be described only as a serious health and environmental hazard.
5. In its prime, this had clearly been a charming cottage. It had been one of the two gate houses for Whitehill House built by Bryce and Burn. One of its more salient features was the diamond leaded light windows at the front. These were removed and replaced with full pane sash windows in the mid 1970's. I found the discarded leaded light windows smashed beyond repair in the Sheil Burn.
6. When we set about renovating and extending the cottage it was my real intention to restore the leaded light windows but the quotation I received (almost £10,000 put it well beyond our reach. By then, Historic Scotland recognised that the cottage did not meet the criteria for being a listed building

and it was duly delisted. Nevertheless, it was still my intention to restore it as sympathetically as possible since it remains as a building of local historical interest.

7. My initial instinct was to build an extension with external stone walls to match those of the cottage but I understood that such an extension would do more to mask the original features. Hence the external walls of the extension were finished in a hard cream coloured render with buff coloured quoins around the windows to emphasise the outline of the extension. This also highlighted the original distinctive features of the cottage especially the stoned gables of the cottage where the two structures meet.
8. The existing extension comprises: a small kitchen; bathroom with shower and toilet and a separate ventilated cubicle for both washing machine and tumble dryer stacked on top of each other; a medium sized bedroom and a small box room containing the hot water storage tank and electric central heating boilers.
9. Much of the space in the extension is occupied by a stairwell leading down to the back door: this is a consequence of the contours of the land to the rear of the property. These contours influenced the design of the extension with the walls being higher than you would expect for a single storey building. This change in level resulted in an unavoidable and unnecessary crawl space of between 1.2 and 0.5 metres under the floor which in terms of accessibility to the bathroom and kitchen facilities needed to be on the same level as the original cottage.
10. Given that the old lean-to extension had to be demolished in order to build the existing extension, the area of increased floor space is significantly less than may appear in the drawings submitted for the proposed extension. The footprint of the old lean-to was 14.5sq m and that of the existing extension is 50sq m so a net increase of 36sq m.
11. In building the extension I recognise that changes were made to the drawings submitted for planning permission especially the roof line, and I fully accept responsibility for that. These changes were discussed with Building Control which requested the re-submission of redrawn plans which were subsequently re-certified by the professional Structural Engineer.
12. Another anomaly relates to the change in style of windows in the extension. This resulted from our overriding concern with security in an isolated and vulnerable location; two previous sets of tenants had been burgled via the existing sash windows at the front of the cottage and our builder had all his tools stolen by the same method .
13. After that we felt that hopper style windows especially in the bedroom and bathroom, both of which require at times to be ventilated with open windows would provide a greater degree of security. This was cleared with Building Control which required a written statement to support these changes to be submitted. Mistakenly with regards to planning, I thought that I had proceeded in accordance with regulations. If this was wrong then I apologise unreservedly. Not knowing the system, I had mistakenly

Mr Lyndhurst Collins - Local Review Body Appeal
Application Reference – 15/00767/DPP
St Mary's Cottage, Rosewell

assumed that having cleared the changes with building control, this would carry forward with regards to the planning permission.

14. The plans for the extension submitted to the planning authority showed a lower roofline. It was intended to keep the concrete tiled roof of the original cottage, even though it distracted greatly from the authenticity of the cottage. I felt that it would be possible to achieve a fairly close match on the roof of the extension which had a much shallower pitch than the original cottage. I understood that modern close fitting tiles would, as shown in the submitted plans, cope with the much shallower pitch of the proposed roof structure.
15. Once building began it was evident that the fragility of the concrete tiles on the original cottage would make it difficult for them to be removed and cut for the junction of the two new roof valleys. But there were no longer any replacements of that style available. It also became evident that sections of the old roof needed extensive repairs. I decided therefore to restore the roof of the old cottage to its original state by using second hand slate. This involved significant additional cost.
16. Scottish slate at that time was unavailable but we were able to source a supply of Burlington slates sufficient to cover the roof of the extension as well. I was advised that in using the Burlington slate that a steeper pitched roof, approximating that of the original cottage was required to keep it weather tight. On that basis the roofline was raised to a level just below that of the original cottage in accordance with what I thought were good planning principles relating to extensions.
17. It is important to highlight that the extension was not built to the full width of the cottage. The walls of the extension were deliberately inset from the lines of the cottage gables to preserve the outline of the corner stones as much as possible.
18. Unfortunately the walls of the extension could not have been inset any further because the rest of the stonework at the rear had been covered in hard render and repeatedly painted as the internal back-wall of the lean-to structure which was demolished to build the extension; much of the original stonework had been removed to provide keying-in anchor points for the walls of the old extension.
19. The degree of damage could not have been ascertained until that extension had been demolished. I wish to re-emphasise, therefore, that every effort was made to preserve and enhance the original structure of the cottage to maintain its distinctive features as a Lodge House.
20. Both stone chimneys, though only one was required, were carefully restored and capped with traditional heart engraved chimney pots.

The Proposed Extension

21. This proposal has been made to provide a reasonably comfortable and affordable family home in order to keep our son and his partner in close proximity.
22. The existing dwelling is too small for a growing family in a modern domestic environment. Unfortunately and in addition to the normal age related problems, my wife has also developed rheumatoid arthritis so that our feeling of maintaining close proximity to our family for a degree of dependency has intensified.
23. To provide the necessary family home for our son and partner, we needed to provide two extra bedrooms with ready access to bathroom facilities on the same floor level.
24. In designing the proposed extension, I felt that given the uniqueness of the site and situation of the cottage with respect to the immediate local environment, that it would be more appropriate to embrace elements of traditional Scottish architecture with its emphasis on a relatively steep pitched slate roof over rendered walls including modestly sized windows.
25. In one of the earlier designs I did consider the use of wide patio doors across most of the width of the gable end to provide immediate access to, and a broad vista of, the garden and surrounding woodland. But I was concerned that extensive use of plate glass windows would allow easy concealed viewing of the interior of the building from Shiel Wood in this isolated location. Again the security and safety of our family was at the forefront of our minds.
26. Before arriving at the design solution before you, we did consider a number of alternative approaches;
 - a. A lean-to structure on the north-east gable of the existing extension with internal access along the existing stairway from the open kitchen area through the existing back door. A very shallow sloping roof covered in felt could perhaps have provided a structure about 3.6 metres in depth with an internal depth of 3.3 metres providing total floor space of approximately 23 sq.metres. If 3.6 sq metres is allowed for bathroom facilities and an estimated 2 sq metres for an entrance way into two bedrooms and the bathroom then the space for two bedrooms would be 17.4 sq. metres. These calculations preclude any idea of a rear door or increased turning entrance space required by Building Control for accessibility. Apart from the extremely small if not cramped bedroom space, a major concern would be reliance on electric pumps for disposal of waste to the septic tank which is on a higher 1.5 m level outside the existing bathroom. The latter concern would apply to the location of bathroom facilities within any structure on a ground floor at that level.

Mr Lyndhurst Collins - Local Review Body Appeal
Application Reference – 15/00767/DPP
St Mary's Cottage, Rosewell

- b. A second option was a single floor extension extending through the gable from the kitchen in the existing extension. The new extension would be at the same floor level as the current internal floor level to a platform of the same floor dimensions as that already proposed in the submitted plans. This could accommodate two bedrooms and adjacent bathroom at the appropriate level for gravity discharge into the septic tank. The existing stairwell would have to be eliminated and would preclude a back door. Such a structure would lead to the creation of an exceptionally large void or unusable crawl space (approx 1.3m high) under the new floor. Such a structure would involve an environmental cost in the form of a significant waste of building materials for virtually no functional gain. Also, aesthetically I am not sure that from the north-east and north -west perspectives a building with external walls almost 2 metres high below window levels would enhance the appearance of the whole building.
27. Any extension, regardless of size, on either side of the existing extension would need to be flat roofed involving felt covering and would have a significant detrimental impact on the original cottage. Any projection on the north-west side, would I believe, be inappropriate and unsuitable. Structurally any extension on either side would involve the total blocking of at least two windows; on the north west side these would be for the bathroom and kitchen and on the north east side, which is the driveway, the bedroom. Any form of extension on the north-west elevation would have massive implications for the septic tank and major external drainage system.
28. We felt that the most favourable option to achieve the degree of internal functionality desired was that outlined in the submitted proposed drawings. **These involve a two storey extension at the rear of the building and away from the original cottage where it would have no further material impact on the original Lodge.**
29. Concerns were expressed with regard to the bulk of the proposal. I would hope, however, that since the proposed extension would be at the rear of the property, **its visual impact on the original cottage would be negligible compared to an extension on any other elevation.** By extending to the rear we were once again trying desperately to retain the original character of the cottage (chiefly expressed through its front elevation fronting the private estate road) whilst making it fit-for-purpose for modern family living to achieve the desired outcome specific to our very personal needs in providing a home for our son and his family and ensuring our family was close-by as we get older and require more help.
30. Any amassing at the rear of the building would be seen in its entirety from only one position outside the property, and that is from an informal dog walkers path through the Sheil Wood(Photo 1).
31. There is no formal public right of way through Shiel Wood. An oblique view of the proposed extension would be seen for a short distance as one comes around the bend of the privately owned Thornton road as it approaches from the west (Photo 2).

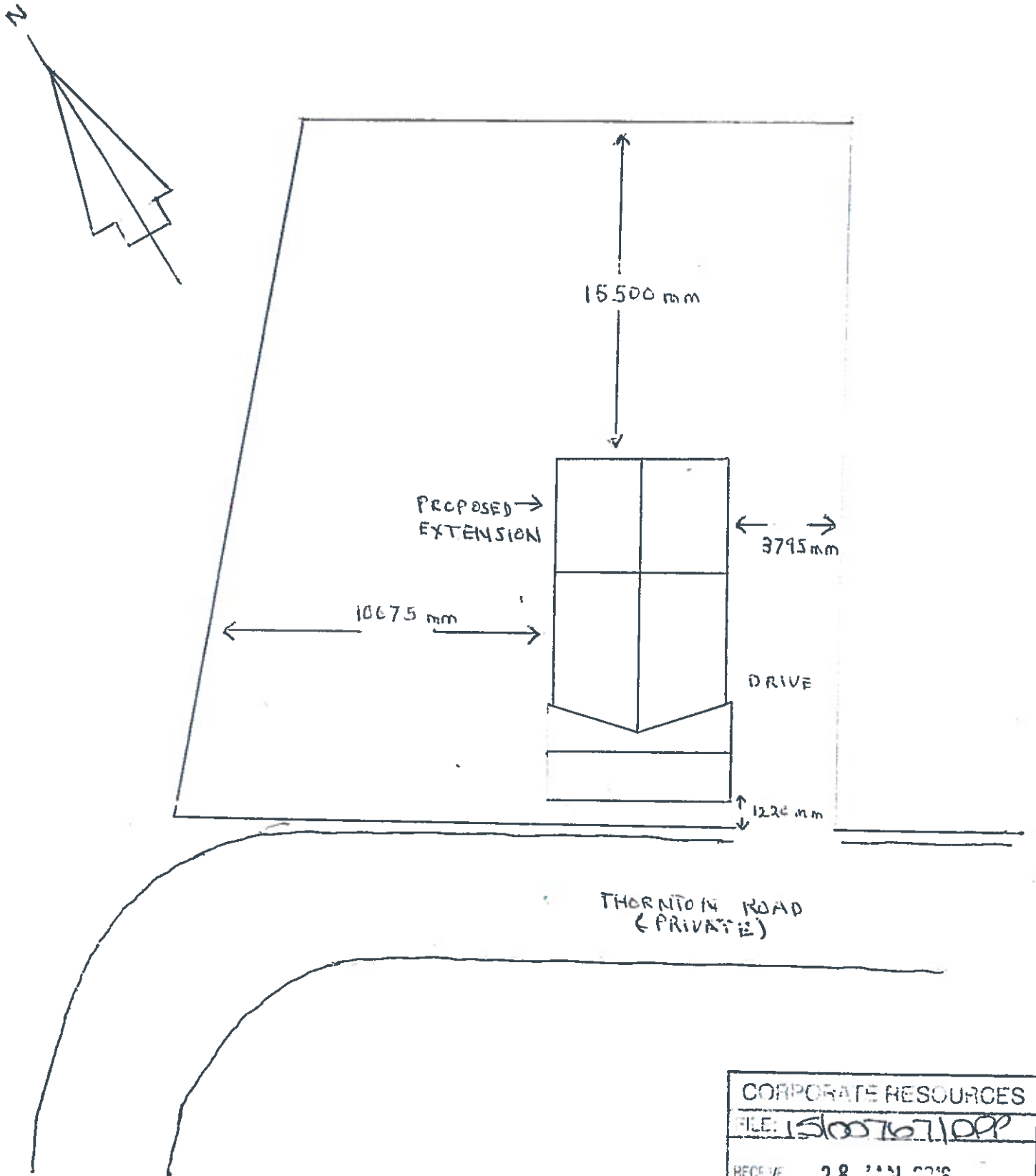
32. From both these viewpoints, the two combined extensions with the same roofline and external wall structures would perhaps have some resemblance to a traditional Scottish Longhouse and would be quite distinctive from the original Lodge which would firmly remain as the dominant architectural feature.
33. Due to the high stone wall, there would be a limited or partial view of the extension as you approach the property along the Thornton road in the opposite direction coming from Capielaw (Photo 3). Only the front elevation and the east facing gable end of the cottage are visible from this perspective, as is the case at the moment.
34. As you pass the front of the cottage, because the walls of the extension have been inset the elevation is exactly the same as when it was built, probably in the 1840's (Photos 4 and 5).
35. The purpose of this appeal therefore is to ask if the decision to refuse our application to extend St Mary's Lodge can be reviewed in the context of the comments made above and to be viewed in its wider context.
36. I have no economic or commercial motive for extending the cottage but there are strong personal reasons for wanting to make this into affordable accommodation in order to maintain close proximity of family for age and health related reasons. The consequence of not securing permission will see my son and his family having to seek larger accommodation elsewhere.
37. **There is no objection to the principle of building an extension to St Mary's Cottage.** There is more than adequate space on the property for a substantial extension.
38. There would be no environmental impact on local biodiversity in the Sheil Wood or any detrimental impact on any neighbouring properties.
- a. The nearest property is our own, 100 metres away and unsighted; the next is Capielaw Farm house which is 150 metres away and also unsighted. The barn at Capielaw Farm has planning permission to be turned into two residential units and permission exists for a further residential unit, again unsighted, to be built on the footprint of an old farm building on the other side (South-east) of the Capielaw Road from Capielaw Farm House.
 - b. Drovers Cottage is 200 metres away and can be seen across the fields; 10 very large new houses that have just been completed on the north-west side of the Whitehill Golf Course are 400 metres away and unsighted because of the Sheil Wood;
 - c. Finally, the 11-15 new houses scheduled to be built along the south side of the Golf Course, and parallel to the Thornton Road, will be 250–400 metres away and will be unsighted.

39. St Mary's Lodge, therefore, is quite isolated from any existing or planned new developments. As recently reported in The Scotsman, Banks Property of Hamilton has asserted that their proposals to build 100 new houses around Rosewell will bring "...much needed family homes to the area where there is a significant housing shortfall". I am asking to create one.

Summary

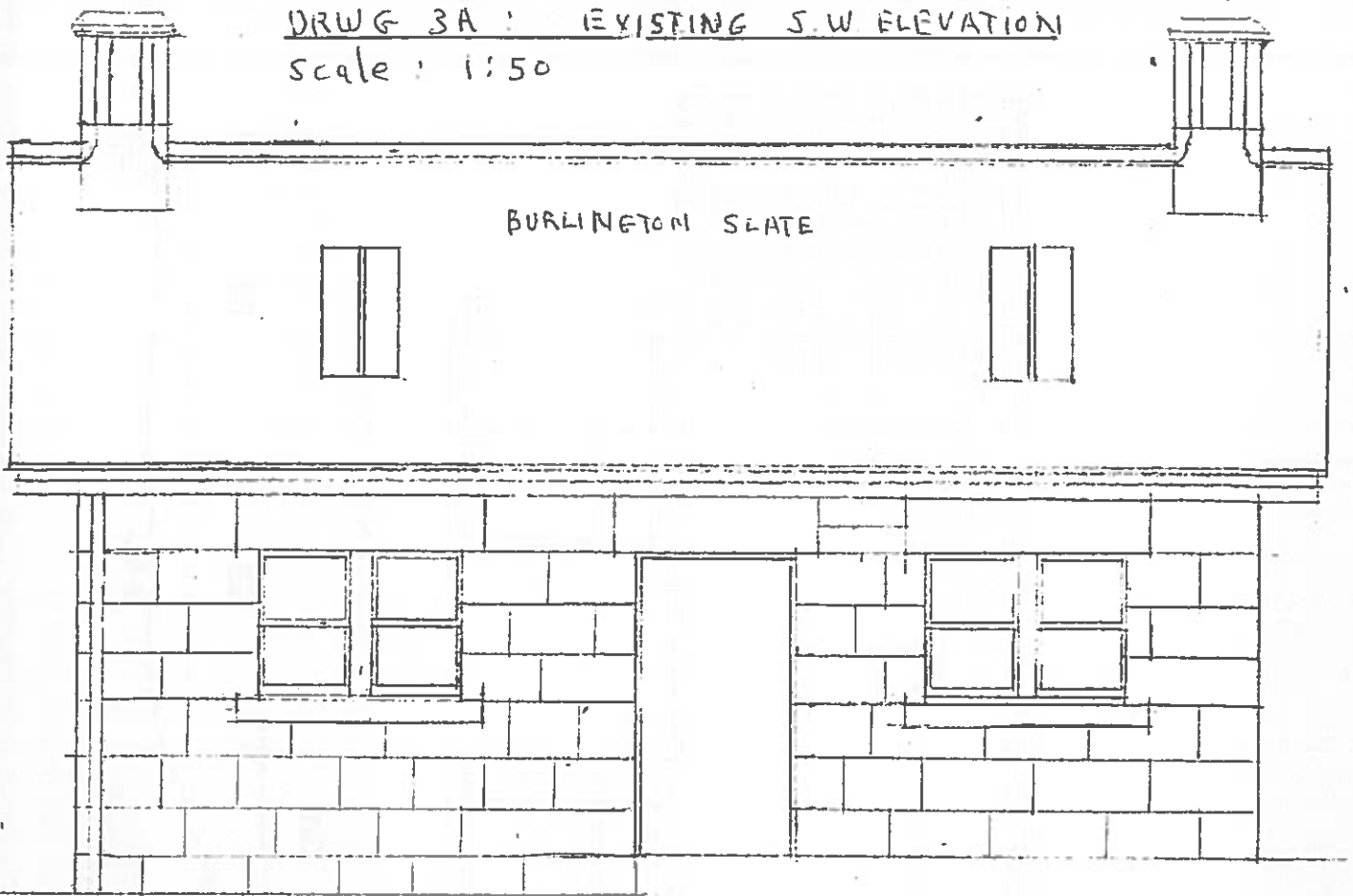
40. Before we submitted an application to build the first extension St Mary's Lodge had been delisted because of all the crude and unsympathetic changes that had been made to the external structure of the building. In building the extension in 2011 our aim was to make the cottage suitable for modern, hygienic living. We have undertaken this with the protection of the distinctive, historical context of the cottage at the forefront of our plans.
41. As stated, we made a genuine mistake in not realising that we needed to secure a variation to the planning permission (for an extension) when changes were made to the existing extension. In securing building warrants for the changes, we were open and honest about the changes; we just missed a step in securing the right permission and we apologise for that, it was a total oversight on our part, not quite knowing the system.
42. The changes made to the existing planning permission actually came about due to our restoring the roof to its original character, at significant expense to ourselves (compared to simply replacing like-for-like). Again we have consistently sought to maintain and enhance the special character of the building.
43. Due to the contours of the site, any extension to the rear will appear larger as it follows the slope, whilst maintaining a consistent floor level and roof line. However, in the design and materials we have consistently sought to ensure that the rear extensions appear subservient to the original cottage. This included the small but significant (in design terms) step in from the full width of the cottage. The front facing original cottage therefore retains its prominence.
44. Finally, and we acknowledge, outwith normal planning considerations, we have very personal reasons for wanting to create a suitable home for our son and his family. This is a relatively isolated property, our proposals have no impact on any neighbouring property and we have tried our best to retain the character and appearance of the key aspects of the original cottage. It would mean a great deal to us if we could secure planning permission to keep our family close to us which is both affordable to them and reassuring to us as we get older and more dependent on family support.

DRWG 2 : SITE PLAN OF EXISTING AND EXTENSION AS PROPOSED
Scale 1:250

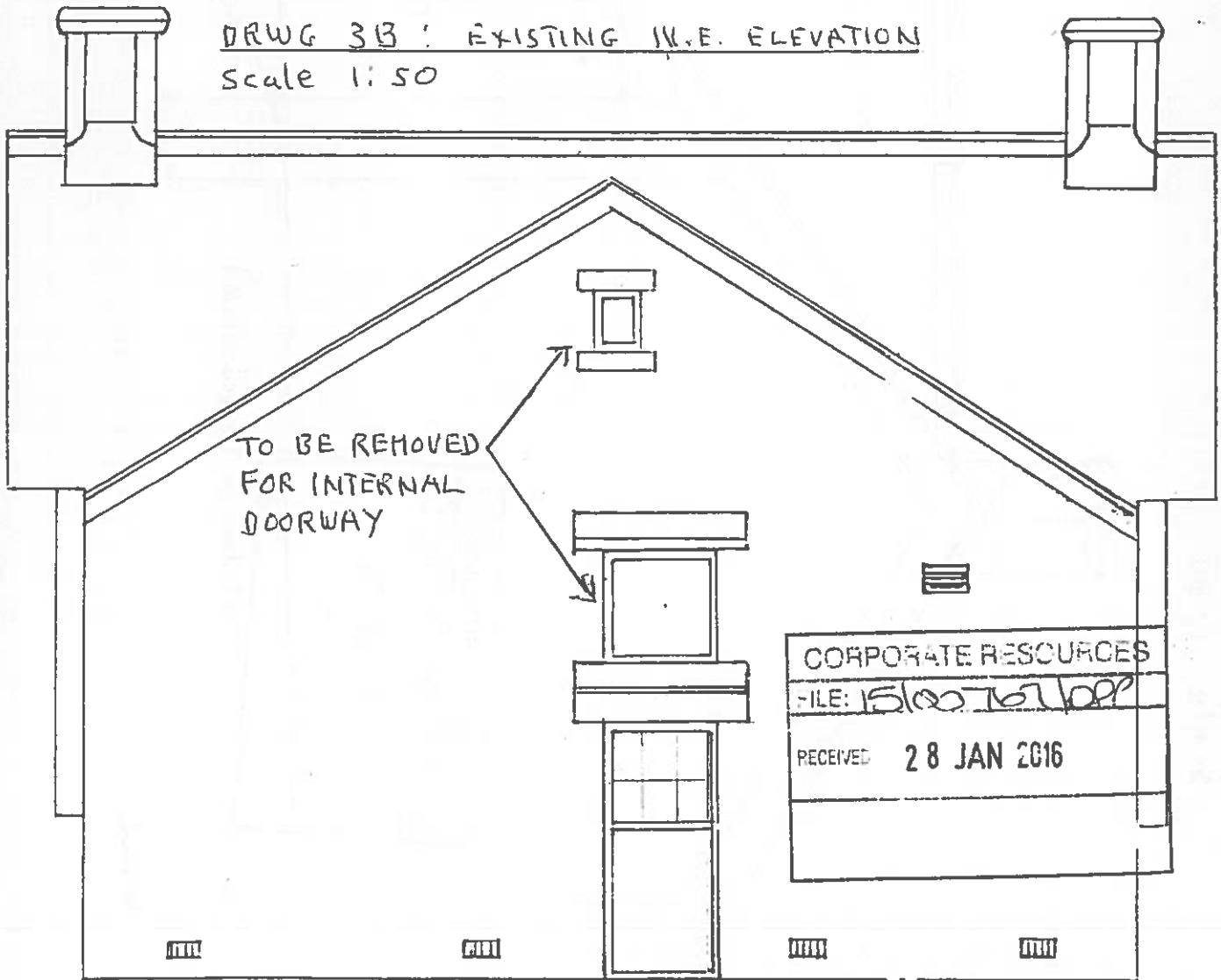


CORPORATE RESOURCES	
FILE:	15/007671.DPP
RECEIVED	28 JAN 2016

DRWG 3A : EXISTING S.W ELEVATION
Scale : 1:50



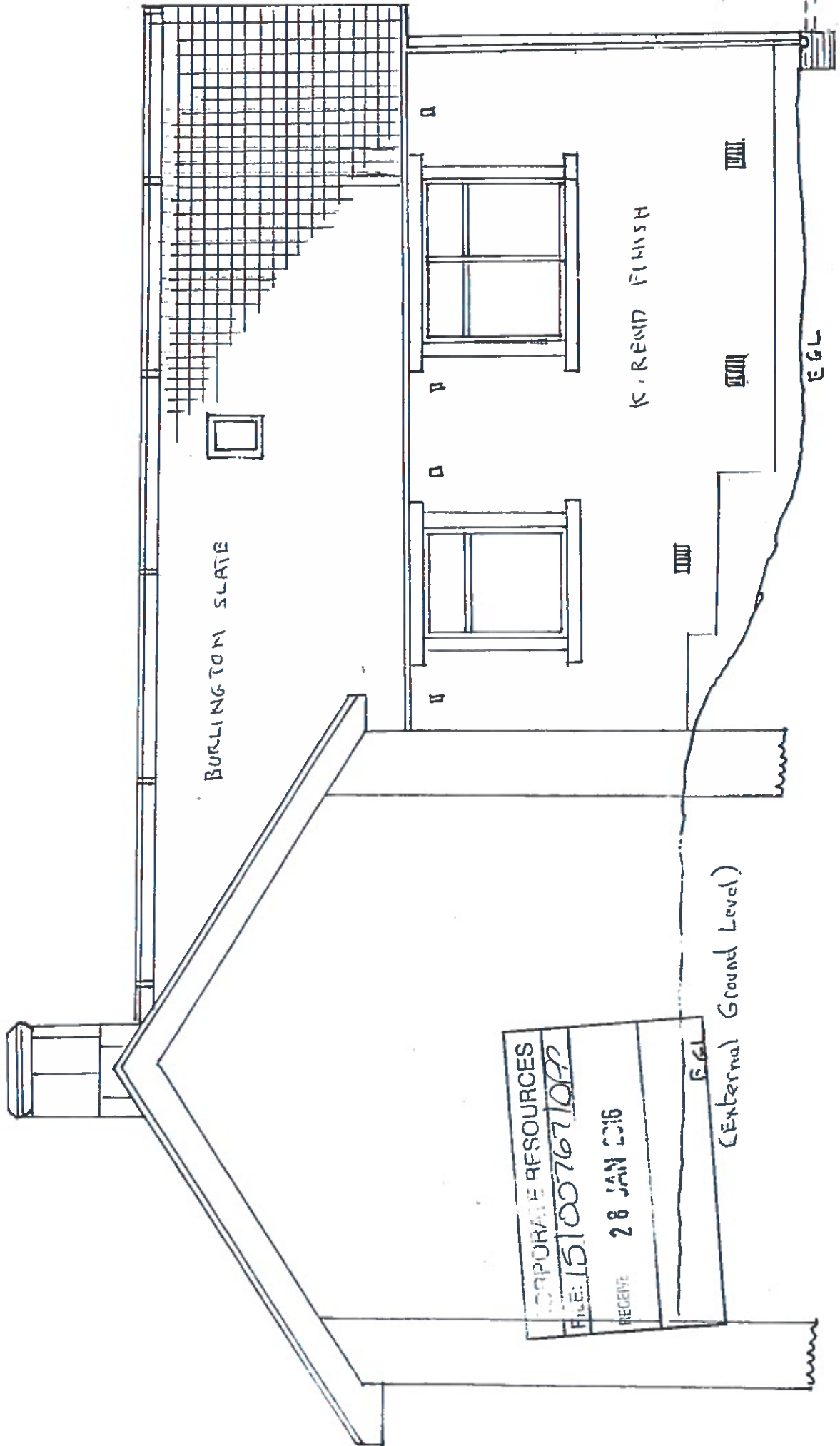
DRWG 3B : EXISTING N.E. ELEVATION
Scale 1:50



CORPORATE RESOURCES	
FILE: 15/00767/000	
RECEIVED	28 JAN 2016

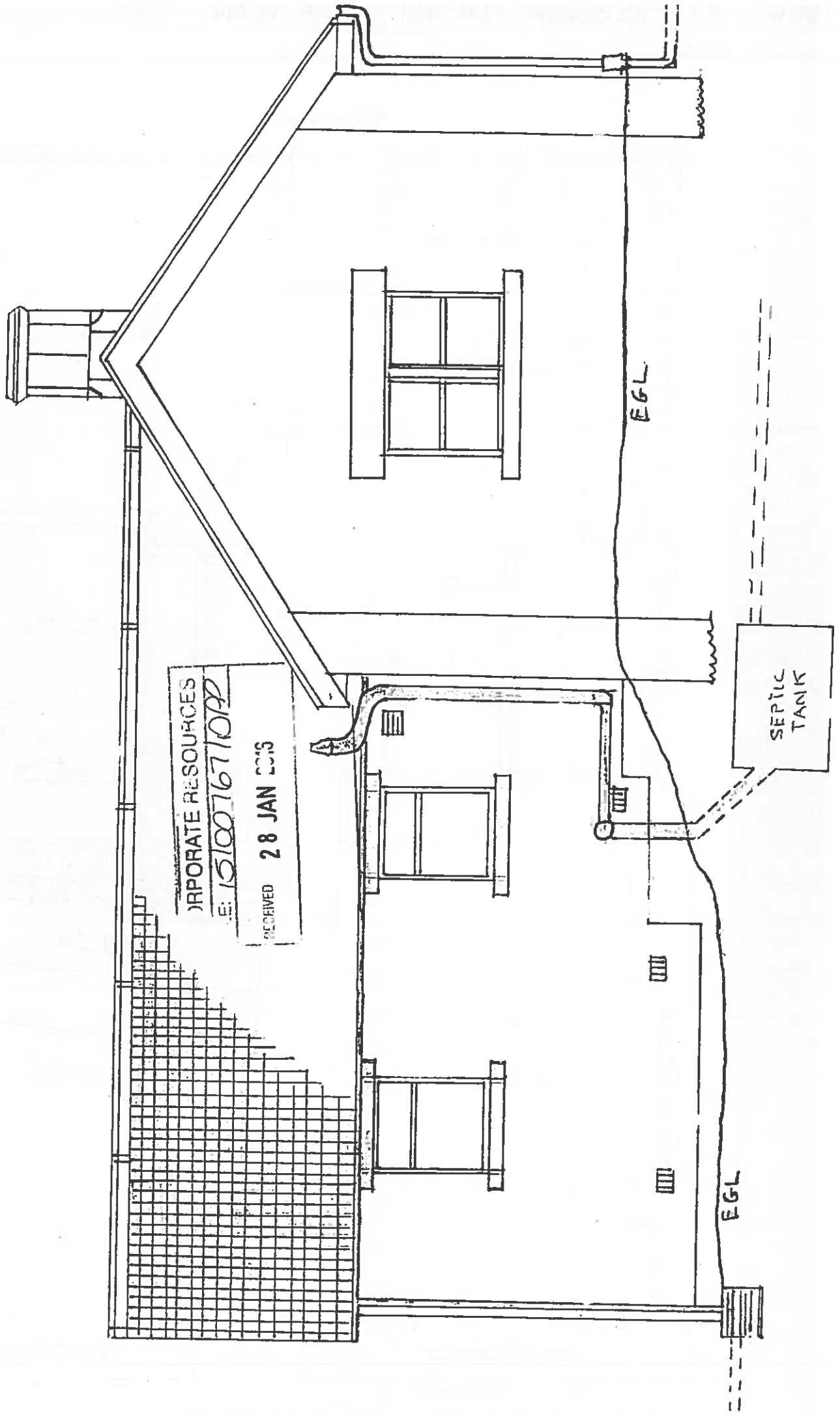
DRWG. 4: EXISTING S.E. ELEVATION

Scale 1:50



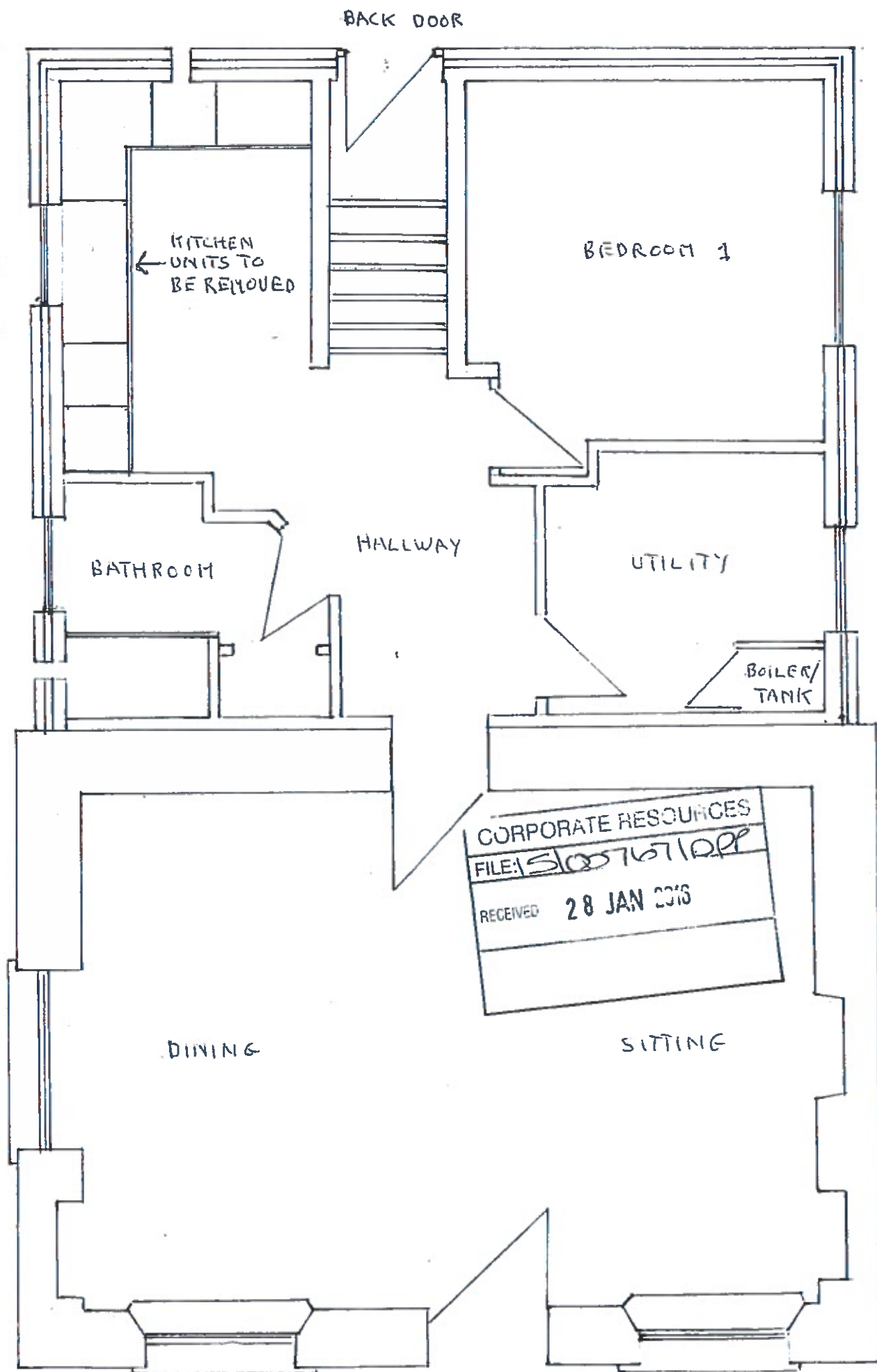
DRWG 5 : EXISTING N.W. ELEVATION

Scale 1:50

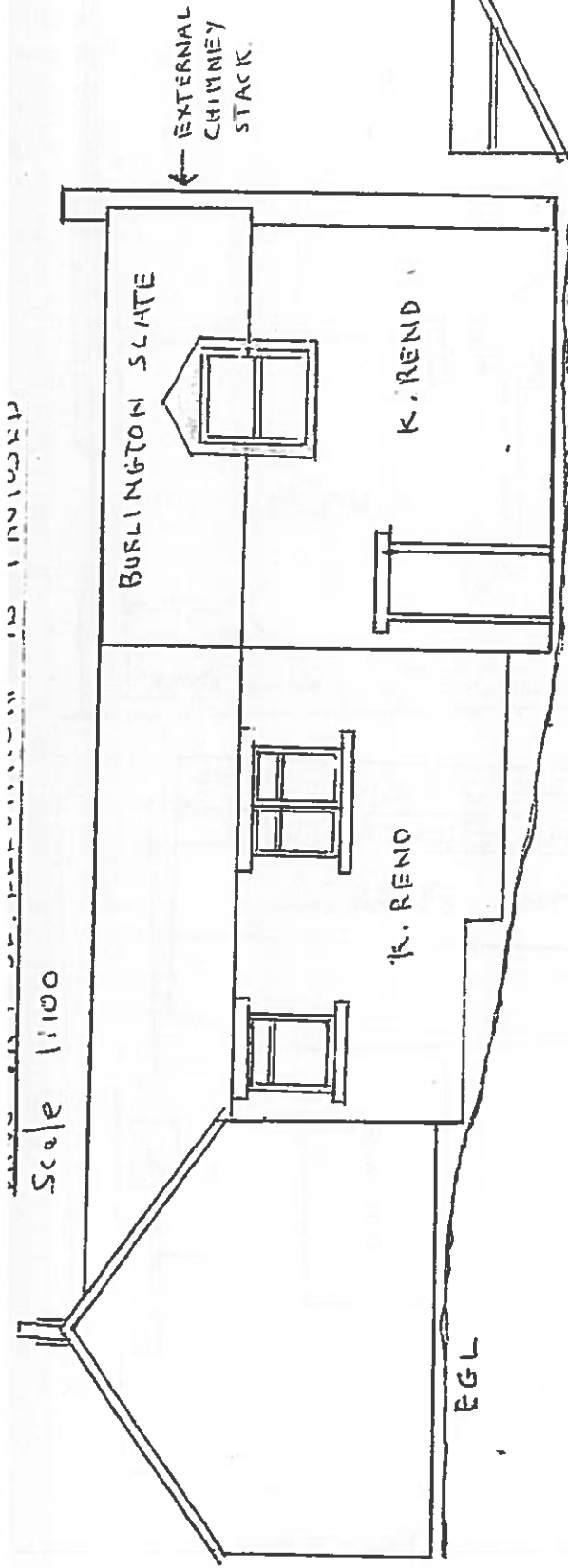


DRWG 6: EXISTING GROUND FLOOR PLAN

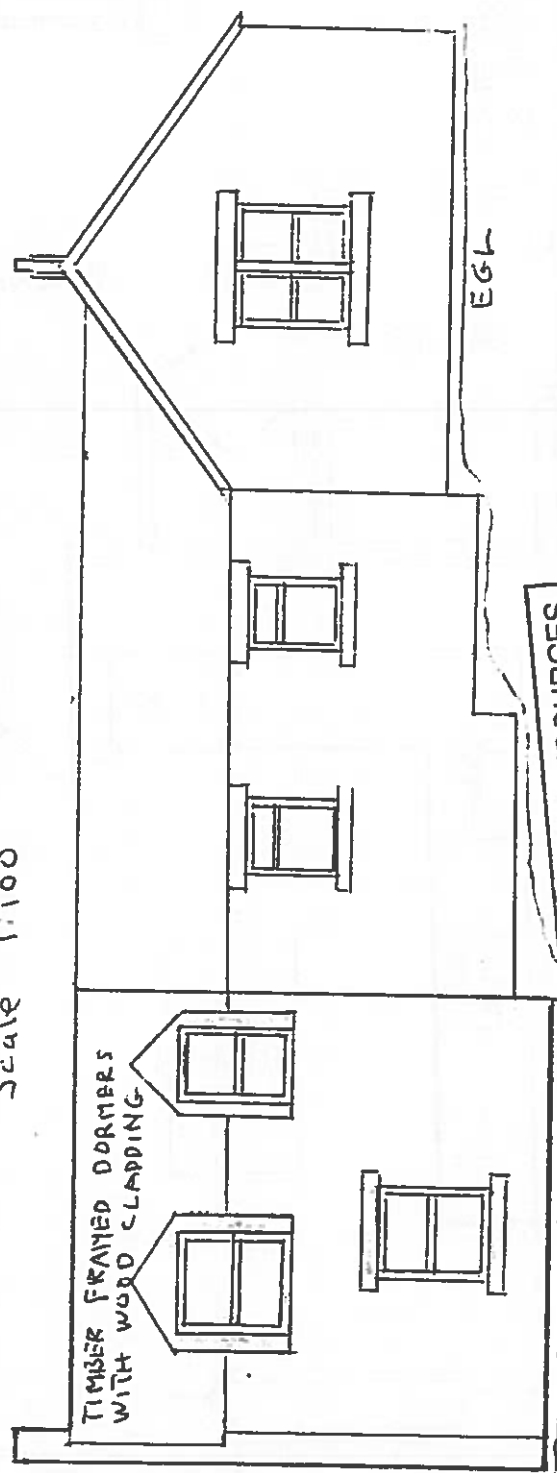
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Scale 1:100



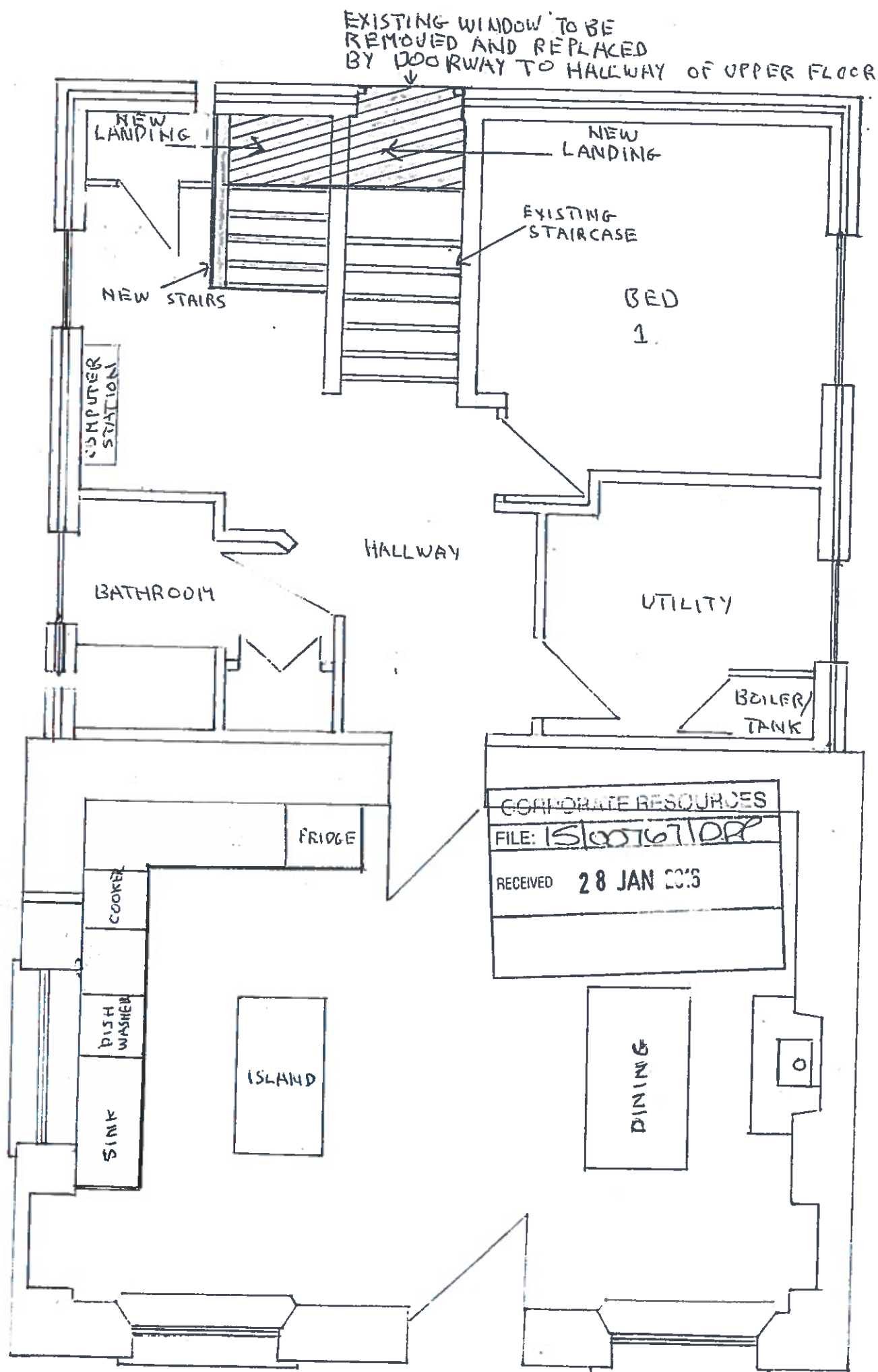
DRWG 7B: N.W. ELEVATION AS PROPOSED
Scale 1:100



DRWG 7C NE ELEVATION AS PROPOSED
Scale 1:100

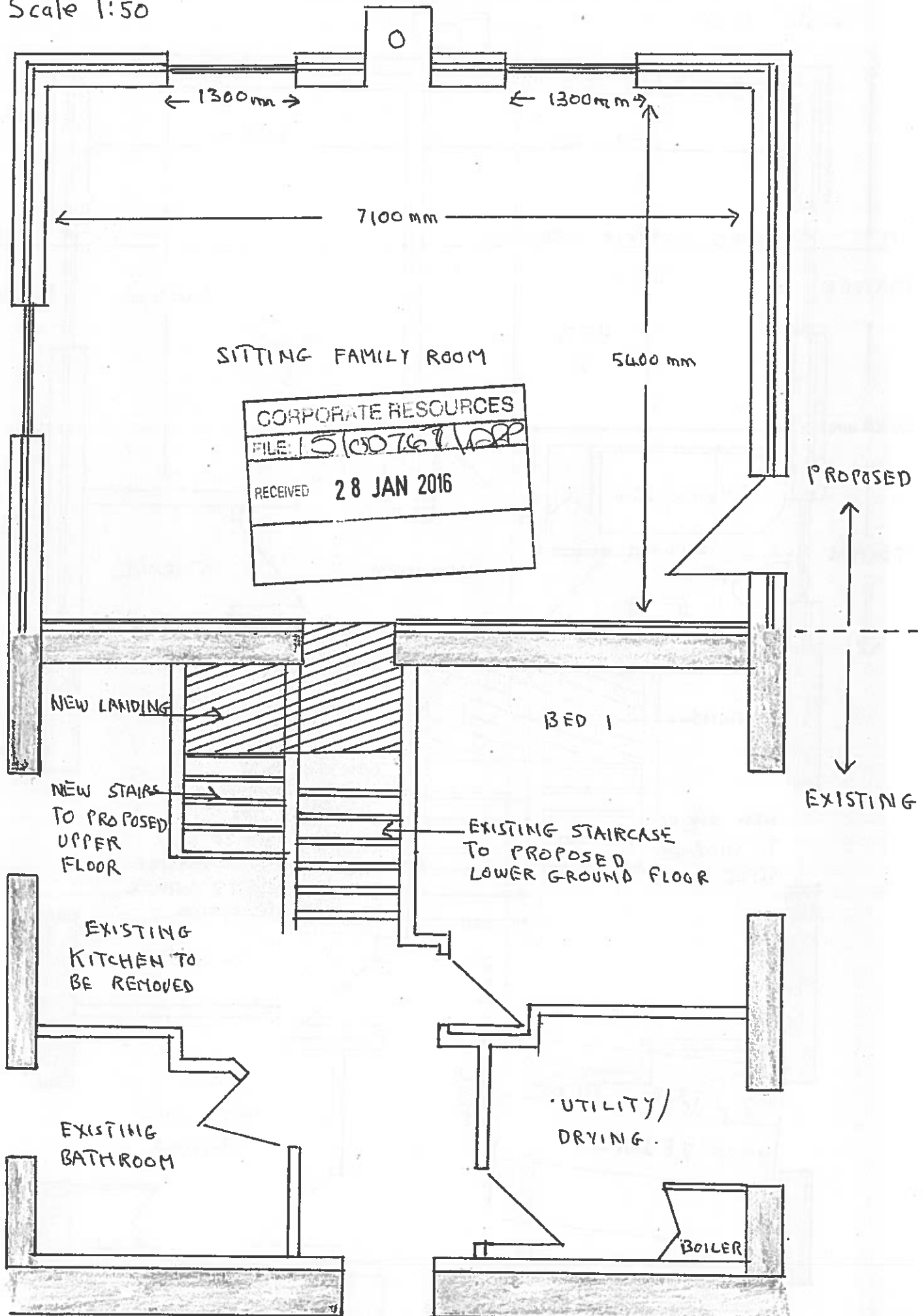
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28 JAN 2016	

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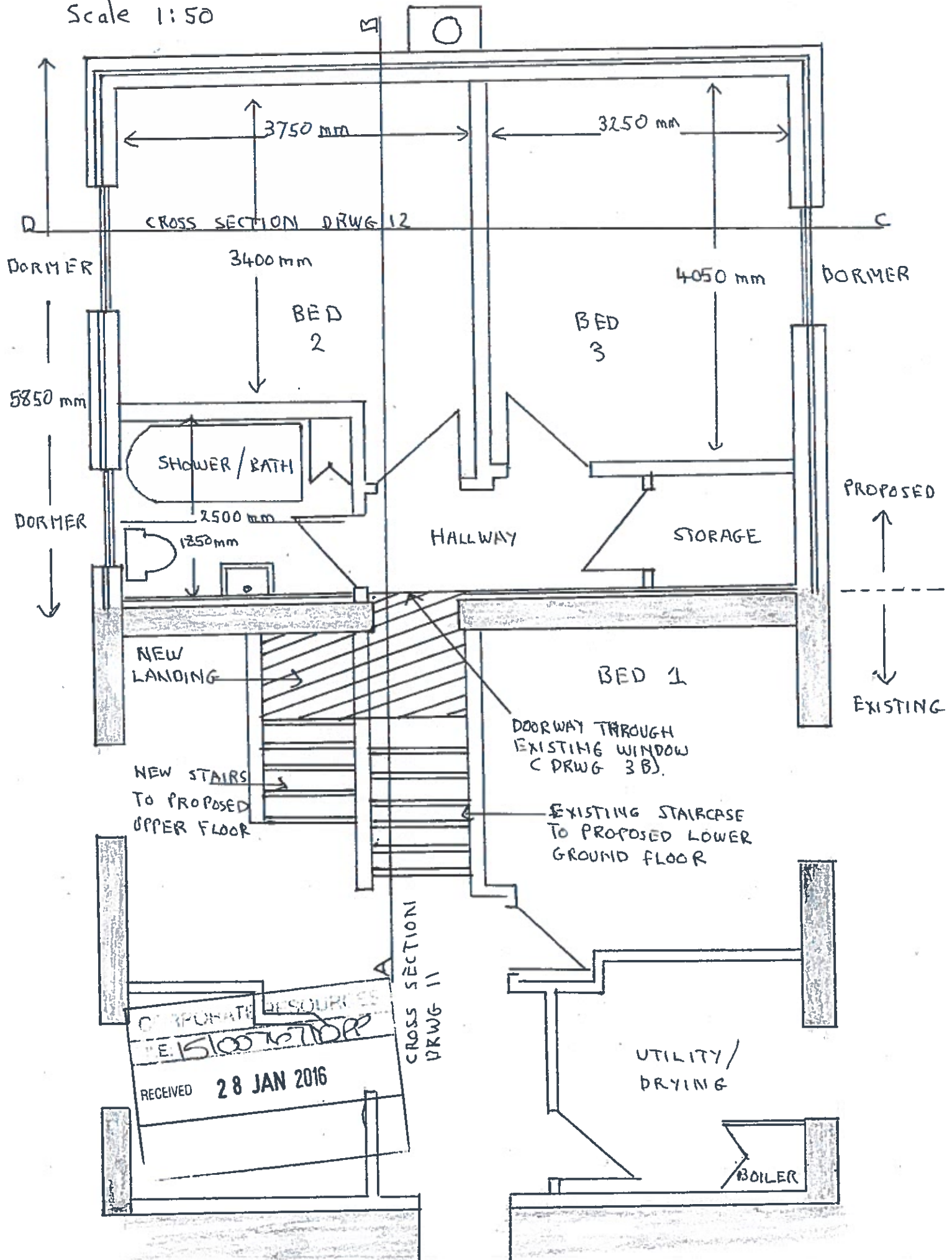
DRWG 9 : PLAN OF EXISTING (PART) GROUND FLOOR AND LOWER
GROUND FLOOR AS PROPOSED

Scale 1:50



DRWG 10 : PLAN OF EXISTING GROUND FLOOR(PART) AND UPPER
GROUND FLOOR AS PROPOSED

Scale 1:50



DRWG 11: CROSS SECTION A-B OF EXTENSION AS PROPOSED

Scale 1:50

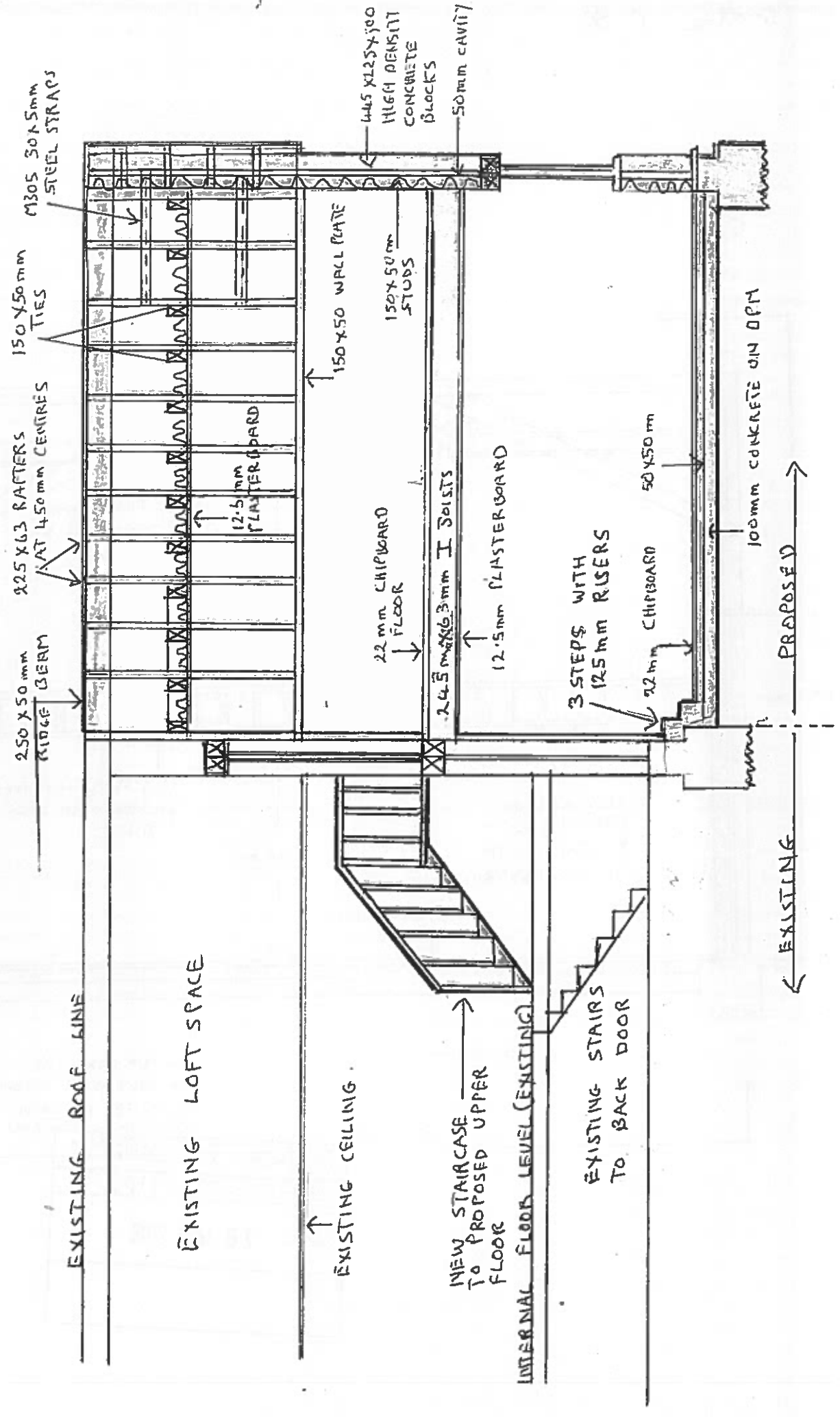
APPROPRIATE RESOURCES

15/0076710P

28 JAN 2016

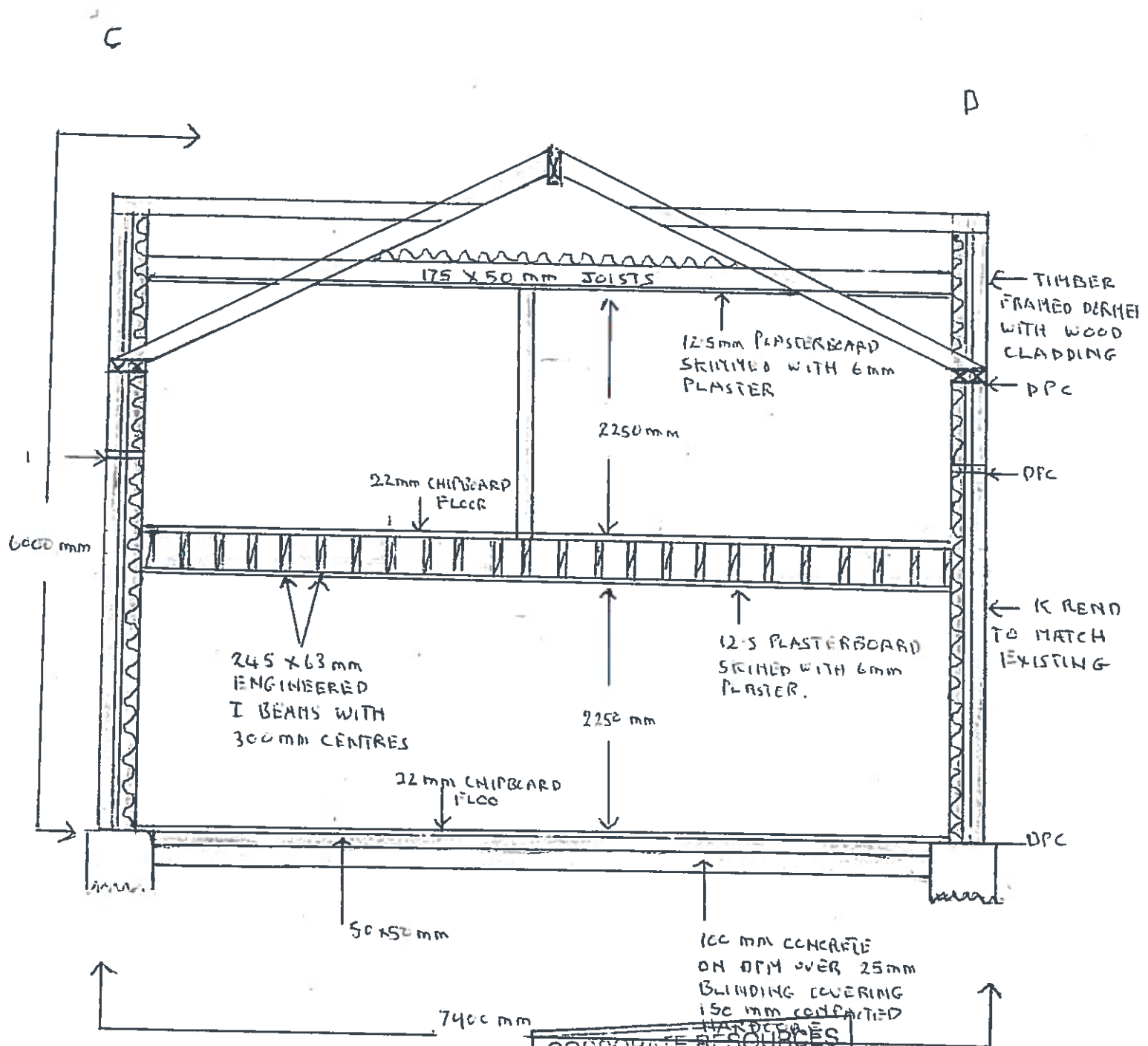
A

B



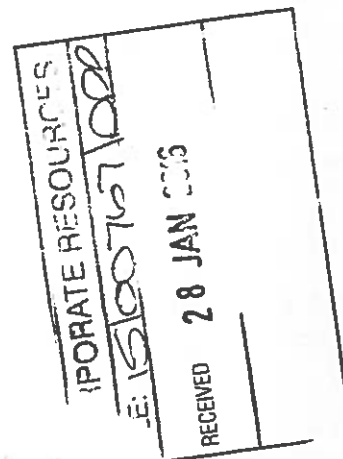
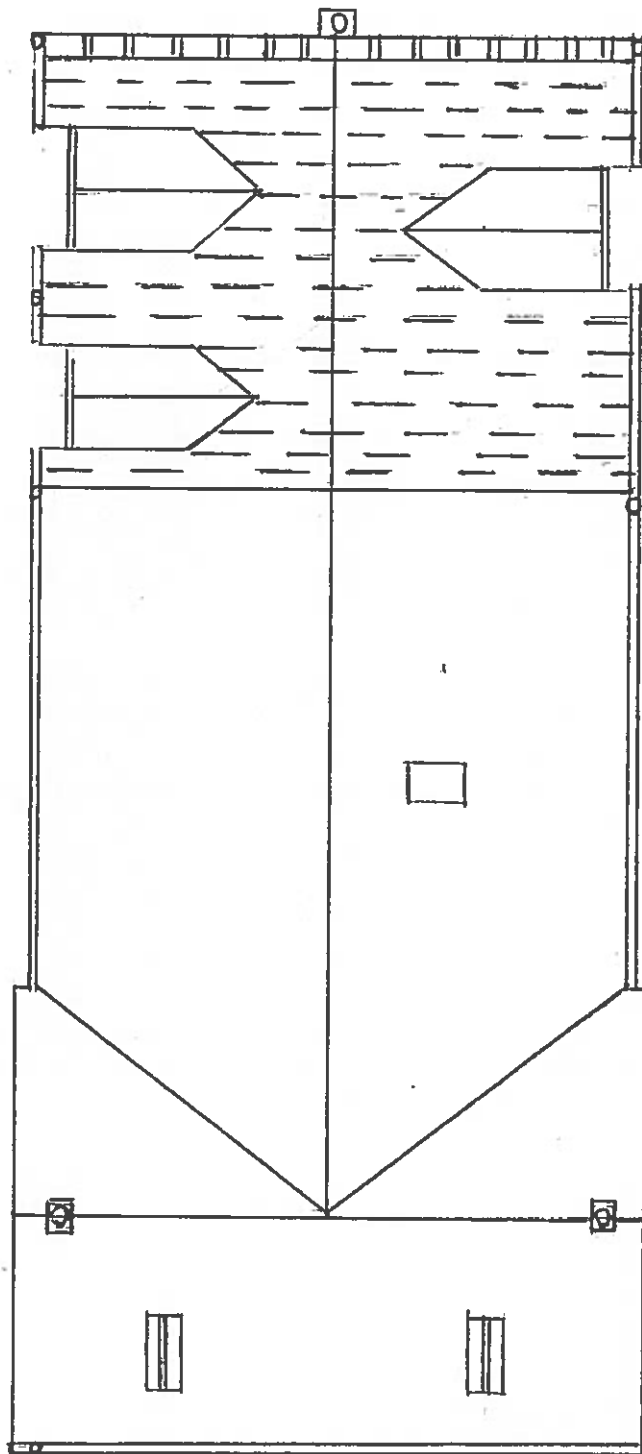
DRWG 12: CROSS SECTION C-D OF EXTENSION AS PROPOSED

Scale 1:50



CORPORATE RESOURCES	
FILE: 1510076710P	
RECEIVED	28 JAN 2016

DRWG 13: ROOF PLAN OF EXISTING AND EXTENSION AS PROPOSED
Scale 1:100



PHOTOGRAPH 1



PHOTOGRAPH 2



PHOTOGRAPH 3



PHOTOGRAPH 4



PHOTOGRAPH 5



MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Planning Application Reference: 15/00767/dpp

Site Address: St Mary's Cottage, Rosewell

Site Description:

The application property comprises a detached single storey traditional stone cottage with a slate roof and white plastic sash and case windows on the front. At the rear of the cottage is an extension measuring 7.9m wide extending the full width of the cottage and 6.35m deep, finished externally in smooth render with stone quoins, a slate roof and white plastic framed windows.

Proposed Development:

Extension to dwellinghouse

Proposed Development Details:

It is proposed to further extend the house by 5.8m continuing the form of the existing extension. The extension includes accommodation at ground floor level and first floor level within the roofspace. The design of the roof includes two dormer windows on the north west elevation and one on the south east. It is to be finished in render with a slate roof. The material of the window frames has not been specified.

Background (Previous Applications, Supporting Documents, Development Briefs):

History sheet checked.

11./00664/dpp – Extension at St Mary's Cottage – pp 2.12.11 Approved dimensions 7.7m wide by 5m deep. Condition requiring materials to match existing house.

Consultations:

None required.

Representations:

One representation has been received from the occupier of Capielaw Farmhouse which is to the east of the site. She objects on the grounds of the impact on privacy to her property and that the extension would dominate the original cottage.

Relevant Planning Policies:

The relevant policies of the **2008 Midlothian Local Plan** are;

RP1 – Protection of the countryside - seeks to restrict development in the countryside.

RP4 – Prime agricultural land - seeks to prevent the permanent loss of prime agricultural land, unless the site is allocated to meet Structure Plan requirements; or

there is a locational justification for the development which outweighs the environmental or economic interests of retaining the land in productive use; and if the development accords with all other relevant local plan policies.

RP6 – Areas of Great Landscape Value - seeks to protect the special scenic qualities and integrity of AGLVs.

RP12 – Regionally & locally important nature conservation sites - seeks to protect the nature conservation interest of any sites, or wildlife corridors, of regional or local conservation importance – outwith boundary of Erraid Wood Wildlife Site/ ancient woodland – site adjacent to local biodiversity site – Shiel Burn Wood

DP6 – House Extensions - requires that extensions are well designed in order to maintain or enhance the appearance of the house and the locality. The policy guidelines also relate to size of extensions, materials, impact on neighbours and remaining garden area.

Planning Issues:

The main planning issue to be considered is whether or not the proposal complies with the development plan policies and, if not, whether there are any material planning considerations which would otherwise justify approval. As this is an existing house there is no objection in principle to its extension. The application site lies outwith the boundary of the local biodiversity site.

The report on the previous application noted that the proposed extension was single storey and clearly subservient to the original cottage and that the architectural detailing, proportions and scale of the proposed extension mean that it will not adversely affect the character or appearance of the cottage. Planning permission was granted on this basis.

The extension which has been built does not comply with the approved plans. It is 1.35m longer than the approved scheme and the ridge height is higher than shown on the approved plans. As a result it does not appear subservient to but appears as a bulky addition to the original cottage. The current proposal is to continue the form of the existing extension with accommodation on two levels. As extended the footprint of the rear extension would be almost twice the size of the footprint of the original cottage. The current proposals would exacerbate the bulky form of the extension and detract from the character of the original modest cottage.

Sufficient garden will remain.

There is a field to the east of the application property. The extension will not impact on the residential amenity of neighbouring properties or have a significant impact on the visual amenity of the surrounding area.

Recommendation:

Refuse planning permission.



Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

Reg. No. 15/00767/DPP

Dr Lyndhurst Collins
Capielaw Cottage
Near Rosewell
EH24 9EE

Midlothian Council, as Planning Authority, having considered the application by Dr Lyndhurst Collins, Capielaw Cottage, Near Rosewell, EH24 9EE, which was registered on 1 October 2015 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Extension to dwellinghouse at St Marys Cottage, Rosewell, EH24 9EE

in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1:2500	01.10.2015
Site Plan	DRWG 2 1:250	01.10.2015
Existing elevations	DRWG 3A 1:50	01.10.2015
Existing elevations	DRWG 4 1:50	01.10.2015
Existing elevations	DRWG 5 1:50	01.10.2015
Existing floor plan	DRWG 6 1:50	01.10.2015
Existing floor plan	DRWG 7A 1:100	01.10.2015
Proposed floor plan	DRWG 8 1:50	01.10.2015
Proposed floor plan	DRWG 9 1:50	01.10.2015
Proposed floor plan	DRWG 10 1:50	01.10.2015
Proposed cross section	DRWG 11 1:50	01.10.2015
Proposed cross section	DRWG 12 1:50	01.10.2015
Roof plan	DRWG 13 1:100	01.10.2015

The reason for the Council's decision is set out below:

1. *As a result of its design, in particular its massing, the extension will appear as a very bulky addition at the rear of the existing building, detracting from the traditional form and character of the original cottage, contrary to policy DP6 of the adopted Midlothian Local Plan which requires that extensions are well designed in order to maintain or enhance the appearance of the house.*

Dated 12 / 11 / 2015

DR

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Duncan Robertson
Senior Planning Officer; Local Developments
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN



The Coal
Authority

Any Planning Enquiries should be directed to: