

Notice of meeting and agenda



Local Review Body

Venue: Council Chambers, Midlothian House, Dalkeith, EH22 1DN

Date: Tuesday, 25 October 2016

Time: 14:00

John Blair
Director, Resources

Contact:

Clerk Name: Mike Broadway

Clerk Telephone: 0131 271 3160

Clerk Email: mike.broadway@midlothian.gov.uk

Further Information:

This is a meeting which is open to members of the public.

Audio Recording Notice: Please note that this meeting will be recorded. The recording will be publicly available following the meeting, including publication via the internet. The Council will comply with its statutory obligations under the Data Protection Act 1998 and the Freedom of Information (Scotland) Act 2002.

1 Welcome, Introductions and Apologies

2 Order of Business

Including notice of new business submitted as urgent for consideration at the end of the meeting.

3 Declarations of Interest

Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

4 Minutes of Previous Meeting

- | | | |
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| 4.1 | Minutes of Meeting held on 6 September 2016 - For Approval | 3 - 10 |
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5 Public Reports

Decision Notices

- | | | |
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| 5.1 | 47 Arthur View 16.00213.DPP - Decision Notice | 11 - 14 |
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| 5.2 | Lothian Cottage, Dalkeith 16.00193.DPP - Decision Notice | 15 - 20 |
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Notice of Review Request Considered at a Previous Meeting – Report by Head of Communities and Economy:-

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| 5.3 | Land to South of Hilltown House, Woolmet, Dalkeith 12.00111.DPP - Update Determination Report | 21 - 22 |
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Notice of Review Requests Considered for the First Time – Reports by Head of Communities and Economy:-

- | | | |
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| 5.4 | 2 Lambs Pend, Penicuik 16.00474.DPP - Determination Report | 23 - 64 |
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| 5.5 | Grange Dell Lodge, Penicuik 16.00470.DPP - Determination Report | 65 - 88 |
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6 Private Reports

No private reports to be discussed at this meeting.

Minute of Meeting



Local Review Body

Date	Time	Venue
6 September 2016	2.00pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Bryant (Chair)	Councillor de Vink
Councillor Imrie	Councillor Rosie

1 Apologies

Apologies received from Councillors Baxter, Beattie, Bennett, Constable, Milligan and Montgomery.

2 Order of Business

The order of business was confirmed as outlined in the agenda that had been previously circulated.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

The Minutes of Meeting of 7 June 2016 were submitted and approved as a correct record.

5 Reports

Agenda No	Report Title	Presented by:
5.1	Planning Law Clarification Report	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.3 of the Minutes of the Planning Committee of 30 August 2016, there was submitted report, dated 30 August 2016, by the Director, Resources bringing to the Committee's attention a report, dated 23 August 2016 by the Head of Communities and Economy, providing advice on a number of points of Planning Law which directly impacted on the determination of planning applications and the consideration of 'Notices of Review' submitted to the Local Review Body (LRB).

Summary of Discussion

The LRB, having heard from the Planning Advisor, discussed the advice.

Decision

To note the report.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.2	Decision Notice – Land West of Springfield House, Lasswade [15/00994/DPP]	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.3 of the Minutes of 7 June 2016, there was submitted a copy of the Local Review Body decision notice dismissing a review request from APT Planning and Development, 6 High Street, West Linton, seeking on behalf of their client Mr J Lessels, a review of the decision of the Planning Authority to refuse planning permission (15/00994/DPP, refused on 17 February 2016) for the erection of 5 dwellinghouses; formation of access road and associated works at land west of Springfield House, Lasswade and upholding the decision to refuse planning permission.

Decision

To note the LRB decision notice.

Agenda No	Report Title	Presented by:
5.3	Decision Notice – Land at Gourlaw Farm, Rosewell [15/00939/DPP]	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.4 of the Minutes of 7 June 2016, there was submitted a copy of the Local Review Body decision notice upholding a review request from Format Design, 146 Duddingston Road West, Edinburgh, seeking on behalf of their client Ms L Sillars, a review of the decision of the Planning Authority to refuse planning permission (15/00939/DPP, refused on 29 January 2016) for the change of use of steading building to dog day care centre at Gourlaw Farm, Rosewell and granting planning permission subject to conditions.

Decision

To note the LRB decision notice.

Agenda No	Report Title	Presented by:
5.4	Decision Notice – 1 Galadale Drive, Newtongrange [16/00044/DPP]	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.5 of the Minutes of 7 June 2016, there was submitted a copy of the Local Review Body decision notice upholding a review request from GSM Architecture, 36-12 Malbet Park, Edinburgh, seeking on behalf of their client Mr A Wilkie, a review of the decision of the Planning Authority to refuse planning permission (16/00044/DPP, refused on 14 March 2016) for the erection of extension at 1 Galadale Drive, Newtongrange and granting planning permission subject to conditions.

Decision

To note the LRB decision notice.

Agenda No	Report Title	Presented by:
5.5	Decision Notice – Cherrytrees, Fala, Bonnyrigg [15/00995/DPP]	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.6 of the Minutes of 7 June 2016, there was submitted a copy of the Local Review Body decision notice upholding a review request from Derek Scott Planning, 21 Lansdowne Crescent, Edinburgh, seeking on behalf of their clients Dr's C & V Rofe, a review of the decision of the Planning Authority to refuse planning permission (15/00995/DPP, refused on 22 February 2016) for the demolition of existing dwellinghouse and erection of replacement dwellinghouse, garage and associated works at Cherrytrees, Fala, Bonnyrigg and granting planning permission subject to conditions.

Decision

To note the LRB decision notice.

Eligibility to Participate in Debate

In considering the following items of business, only those LRB Members who had attended the site visits on 6 June 2016 participated in the review process, namely Councillors Bryant (Chair), de Vink, Imrie and Rosie.

Agenda No	Report Title	Presented by:
5.6	Notice of Review Requests Considered for the First Time – (a) 47 Arthur View Terrace, Danderhall [16/00213/DPP]	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 30 August 2016, by the Head of Communities and Economy regarding an application from Mr A Anderson, 62 Donibristle Gardens, Dalgety Bay, Fife, seeking on behalf of his client Mr J Raeburn, a review of the decision of the Planning Authority to refuse planning permission (16/00213/DPP, refused on 27 April 2016) for the erection of a two storey and a single storey extension at 47 Arthur View Terrace, Danderhall.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

The Local Review Body had made an accompanied visit to the site on Monday 5 September 2016.

In accordance with the procedures for the Local Review Body, the Planning Advisor gave a brief overview of the review hearing procedures and outlined the background to the case. He also explained that although the applicant and his agent had been informed of the date, time and venue for the Hearing, neither were currently present and the LRB may wish to consider continuing and determining the Review in their absence, and this was agreed.

Thereafter, an oral representation was received from the local authority Planning Officer; following which he responded to questions from members of the LRB.

Summary of Discussion

Having heard from the Planning Adviser, the LRB gave careful consideration to the merits of the case based on all the information provided both in writing and in person at the Hearing. In particular, the LRB discussed the potential impact that the proposed development was likely to have on the neighbouring properties.

Decision

To agreed to uphold the review request, and grant planning permission for the following reason:

The proposed extension by means of its scale, form and design is compatible with its location and the host building and will not have a significant impact on neighbouring and nearby properties.

subject to the following conditions:-

1. Unless otherwise approved in writing by the Planning Authority the 1.8m high fence indicated by a broken black line on the approved site plan, drawing no. SP 002, shall comprise a close boarded timber fence and shall be erected within three months of the rear extension being completed or brought in to use whichever is the earlier date and thereafter shall not be removed.

Reason: *In order to minimise overlooking and protect the privacy of the occupants of the adjoining property.*

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.7	(b) Lothian Cottage, Lothian Bridge, Dalkeith [16/00193/DPP]	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 30 August 2016, by the Head of Communities and Economy regarding an application from Cockburn's Consultants, 29 Ryehill Terrace, Edinburgh, seeking on behalf of their client Mr S Alexander, a review of the decision of the Planning Authority to refuse planning permission (16/00193/DPP, refused on 16 May 2016) for the erection of a two storey and a single storey extension at Lothian Cottage, Lothian Bridge, Dalkeith.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

The Local Review Body had made an unaccompanied visit to the site on Monday 5 September 2016.

Summary of Discussion

Having heard from the Planning Adviser, the LRB then gave careful consideration to the merits of the case based on all the written information provided. In this particular instance, it was felt that on balance the individual circumstances of the application site meant that the proposed extension would be acceptable however, particular care require to be taken to ensure that the design and the materials used in construction were in keeping with the character of the existing property, and the suggested conditions should be adjusted to reflect this accordingly.

Decision

To agreed to uphold the review request, and grant planning permission for the following reason:

The proposed extension by means of its scale and compliance with the stated conditions is compatible with its location and the host building and will not have a significant impact on neighbouring and nearby properties.

subject to the following conditions:-

1. Development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
 - i the nature, extent and types of contamination and/or previous mineral workings on the site;
 - ii measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
 - iii measures to deal with contamination and/or previous mineral workings encountered during construction work; and
 - iv the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied for residential purposes, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

Reason: To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.

2. Before the extension is occupied for residential purposes any remedial measures required in accordance with the scheme approved in terms of Condition 1 shall be completed.

Reason: To ensure that the site is in a suitable condition for its proposed use for residential purposes given the industrial history of the site.
3. The external walls and copes of the extension shall be finished in natural stone.
4. The size, colour, texture and coursing of the natural stone to be used on the external walls of the extension shall match those of the external walls of the original dwellinghouse.
5. Revised elevation drawings shall be submitted to the Planning Authority showing:
 - a) the design, size and surround details of the windows and doors, which shall match those of the original dwellinghouse; and
 - b) the provision of a chimney on the proposed gable feature to relate to the existing chimneys on the original dwellinghouse.

No work shall start on the extension until these details have been approved in writing by the Planning Authority. The proposed extension shall be constructed in accordance with the details hereby approved.

6. The slate on the roof of the extension shall match the size, colour and coursing of the slate on the roof of the original dwellinghouse.
7. Details of the design of the garage doors shall be submitted to the Planning Authority for written prior approval. The approved design shall be implemented and retained unless otherwise agreed in writing by the Planning Authority. The garage doors shall be of a form and design which complements the elevation of the extension and its relation to the original house.

Reason for conditions 3- 7: To safeguard the character of the house as extended and the visual amenity of the surrounding area.

8. Development shall not begin until a report/investigation on bat activity/presence is undertaken by a qualified ecologist and any mitigation measures identified implemented in accordance with details to be submitted and approved in writing by the planning authority. The update investigation shall be carried out within the 6 months prior to development commencing.

Reason: In the interests of safeguarding otter, barn owl, badger and bats in accordance with Policy RP13 of the Adopted Midlothian Local Plan and to ensure that an up to date understanding of these species on the site is available prior to development commencing.

9. Unless otherwise approved in writing by the Planning Authority the 1.8m high fence indicated by a broken black line on the approved site plan, drawing no. SP 002, shall comprise a close boarded timber fence and shall be erected within three months of the rear extension being completed or brought in to use whichever is the earlier date and thereafter shall not be removed.

Reason: In order to minimise overlooking and protect the privacy of the occupants of the adjoining property.

Action
Head of Communities and Economy

The meeting terminated at 2.56pm.

Local Review Body: Review of Planning Application Reg. No. 16/00213/DPP

Alan Anderson
62 Donibristle Gardens
Dalgety Bay
Fife
KY11 9NQ

Midlothian Council, as Planning Authority, having considered the review of the application by James Raeburn, 47 Arthur View Terrace, Danderhall, Midlothian, which was registered on 1 June 2016 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Erection of a two storey and a single storey extension at 47 Arthur View Terrace, Danderhall, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	SP 001 1:1000	23.03.2016
Site Plan	SP 002 1:100	23.03.2016
Existing floor plan	1:50	23.03.2016
Existing elevations	1:100	23.03.2016
Proposed floor plan	Rev A 1:50	23.03.2016
Proposed elevations	1:100	23.03.2016

Subject to the following conditions:

1. Unless otherwise approved in writing by the Planning Authority the 1.8m high fence indicated by a broken black line on the approved site plan, drawing no. SP 002, shall comprise a close boarded timber fence and shall be erected within three months of the rear extension being completed or brought in to use whichever is the earlier date and thereafter shall not be removed.

Reason: *In order to minimise overlooking and protect the privacy of the occupants of the adjoining property.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 6 September 2016. The LRB carried out a site visit on the 5 September 2016.

In reaching its decision the LRB gave consideration to the following development plan policies and material considerations:

Development Plan Policies:

1. RP20 Midlothian Local Plan – Development within the built-up area
2. DP6 Midlothian Local Plan – House Extensions

Material considerations:

1. The individual circumstances of the proposal

In determining the review the LRB concluded:

The proposed extension by means of its scale, form and design is compatible with its location and the host building and will not have a significant impact on neighbouring and nearby properties.

Dated: 06/09/2016

A handwritten signature in dark ink, appearing to read 'Peter Arnsdorf', with a stylized, flowing script.

Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Communities and Economy
Midlothian Council
On behalf of:

Councillor J Bryant
Chair of the Local Review Body
Midlothian Council

NOTICE TO ACCOMPANY REFUSAL ETC.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions, or

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the town and Country Planning (Scotland) Act 1997

Advisory note:

If you have any questions or enquiries regarding the Local Review Body procedures or this decision notice please do not hesitate to contact Peter Arnsdorf, Planning Manager tel: 0131 2713310 or via peter.arnsdorf@midlothian.gov.uk

Local Review Body: Review of Planning Application Reg. No. 16/00193/DPP

Brent Quinn
Cockburn's Consultants
29 Ryehill Terrace
Edinburgh
EH6 8EN

Midlothian Council, as Planning Authority, having considered the review of the application by Mr S Alexander, Lothian Cottage, Lothian Bridge, Dalkeith, Midlothian, EH22 4TS, which was registered on 9 August 2016 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Erection of a two storey and a single storey extension at Lothian Cottage, Dalkeith, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	070/LP 1:1250	17.03.2016
Elevations, floor plan and cross section	070/PL1A 1:100 1:50	17.03.2016
Elevations, floor plan and cross section	070/PL2 1:500 1:100 1:50	17.03.2016

Subject to the following conditions:

1. Development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
 - i the nature, extent and types of contamination and/or previous mineral workings on the site;
 - ii measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
 - iii measures to deal with contamination and/or previous mineral workings encountered during construction work; and
 - iv the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied for residential purposes, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

Reason: *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.*

2. Before the extension is occupied for residential purposes any remedial measures required in accordance with the scheme approved in terms of condition 1 shall be completed.

Reason: *To ensure that the site is in a suitable condition for its proposed use for residential purposes given the industrial history of the site.*

3. The external walls and copes of the extension shall be finished in natural stone.
4. The size, colour, texture and coursing of the natural stone to be used on the external walls of the extension shall match those of the external walls of the original dwellinghouse.
5. Revised elevation drawings shall be submitted to the Planning Authority showing:
 - a) the design, size and surround details of the windows and doors, which shall match those of the original dwellinghouse; and
 - b) the provision of a chimney on the proposed gable feature to relate to the existing chimneys on the original dwellinghouse.

No work shall start on the extension until these details have been approved in writing by the Planning Authority. The proposed extension shall be constructed in accordance with the details hereby approved.

6. The slate on the roof of the extension shall match the size, colour and coursing of the slate on the roof of the original dwellinghouse.
7. Details of the design of the garage doors shall be submitted to the Planning Authority for written prior approval. The approved design shall be implemented and retained unless otherwise agreed in writing by the Planning Authority. The garage doors shall be of a form and design which complements the elevation of the extension and its relation to the original house.

Reason for conditions 3- 7: *To safeguard the character of the house as extended and the visual amenity of the surrounding area.*

8. Development shall not begin until a report/investigation on bat activity/presence is undertaken by a qualified ecologist and any mitigation measures identified implemented in accordance with details to be submitted and approved in writing by the planning authority. The update investigation shall be carried out within the 6 months prior to development commencing.

Reason: *In the interests of safeguarding otter, barn owl, badger and bats in accordance with Policy RP13 of the Adopted Midlothian Local Plan and to ensure that an up to date understanding of these species on the site is available prior to development commencing.*

9. Unless otherwise approved in writing by the Planning Authority the 1.8m high fence indicated by a broken black line on the approved site plan, drawing no. SP 002, shall comprise a close boarded timber fence and shall be erected within three months of the rear extension being completed or brought in to use whichever is the earlier date and thereafter shall not be removed.

Reason: *In order to minimise overlooking and protect the privacy of the occupants of the adjoining property.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 6 September 2016. The LRB carried out a site visit on the 5 September 2016.

In reaching its decision the LRB gave consideration to the following development plan policies and material considerations:

Development Plan Policies:

1. RP1 Midlothian Local Plan – Protection of the Countryside
2. RP8 Midlothian Local Plan – Water Environment
3. RP9 Midlothian Local Plan – Protection of River Valleys
4. DP3 Midlothian Local Plan – Protection of the Water Environment
5. DP6 Midlothian Local Plan – House Extensions

Material considerations:

1. The individual circumstances of the proposal

In determining the review the LRB concluded:

The proposed extension by means of its scale and compliance with the stated conditions is compatible with its location and the host building and will not have a significant impact on neighbouring and nearby properties.

Dated: 06/09/2016

A handwritten signature in black ink, appearing to read 'Peter Arnsdorf', with a large, stylized initial 'P'.

Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Communities and Economy
Midlothian Council
On behalf of:

Councillor J Bryant
Chair of the Local Review Body
Midlothian Council

NOTICE TO ACCOMPANY REFUSAL ETC.

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions, or

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the town and Country Planning (Scotland) Act 1997

Advisory note:

If you have any questions or enquiries regarding the Local Review Body procedures or this decision notice please do not hesitate to contact Peter Arnsdorf, Planning Manager tel: 0131 2713310 or via peter.arnsdorf@midlothian.gov.uk

Notice of Review: Land to south of Hilltown House, Woolmet, Dalkeith

Update Determination Report

Report by Ian Johnson, Head of Communities and Economy

1 Purpose of Report

- 1.1 The purpose of this report is to provide an update for the Local Review Body (LRB) regarding an application for planning permission for the erection of four dwellinghouses at land to the south of Hilltown House, Woolmet, Dalkeith.

2 Background

- 2.1 Planning application 12/00111/DPP for the erection of four dwellinghouses at land to the south of Hilltown House, Woolmet, Dalkeith was refused planning permission on 31 July 2012 for the following reasons:
1. In terms of their combined size and scale and the lack of scope for landscape mitigation the proposed four houses would not be satisfactorily integrated into the landscape; but instead, they would appear unduly prominent, exposed and intrusive in the landscape, harmful to the landscape character and amenity of the area. Thereby they are contrary to adopted Midlothian Local Plan Policies RP7 and RP20.
 2. The number of dwellings proposed would result in an over development of the site, with deficient useable private garden ground and landscaping, to the detriment of the residential amenity of the future occupants of the houses, contrary to adopted Midlothian Local Plan Policy DP2.
 3. The additional vehicle movements resulting from the proposed four house development would have a harmful impact on road safety within the local road network.
- 2.2 A Notice of Review was submitted by the applicants and at its meeting of 4 September 2012 the LRB was minded to uphold the review and grant planning permission subject to conditions and the prior signing of a legal agreement to secure developer contributions towards, education provision, children's play provision and the Borders Rail Line.
- #### **3 Current Position**
- 3.1 To date the applicants have not concluded the legal agreement despite the planning authority chasing the applicants on numerous occasions over the last four years.

4 Recommendations

- 4.1 At its meeting of 4 September 2012 the LRB was minded to uphold the review and grant planning permission subject to conditions and the prior signing of a legal agreement to secure developer contributions towards education provision, children's play provision and the Borders Rail Line. However, as the applicants are not in a position to conclude the legal agreement it is appropriate for the LRB to determine to follow one of the following courses of action, or an alternative course of action as may be stated by the LRB:

Options:

- a) uphold the review and grant planning permission subject to conditions, but not subject to the legal agreement to secure developer contributions; or
- b) Give the applicants a further 3 months to conclude the legal agreement. But if the agreement is not concluded then dismiss the review and refuse planning permission for the reasons outlined in the planning officers decision; or
- c) defer the review and reinforce the LRB's original decision only to grant planning permission subject to securing developer contributions and that the review will be held in abeyance until such time a legal agreement has been concluded.

Date: 11 October 2016

Report Contact: Peter Arnsdorf, Planning Manager
peter.arnsdorf@midlothian.gov.uk

Tel No: 0131 271 3310

Background Papers: Planning application 12/00111/DPP available for inspection online.

Notice of Review: 2 Lamb's Pend, Penicuik

Determination Report

Report by Ian Johnson, Head of Communities and Economy

1 Purpose of Report

- 1.1 The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the change of use from office (class 4) to residential (class 9) to form 5 flatted dwellings and associated external alterations at 2 Lamb's Pend, Penicuik.

2 Background

- 2.1 Planning application 16/00474/DPP for the change of use from office (class 4) to residential (class 9) to form 5 flatted dwellings and associated external alterations at 2 Lamb's Pend, Penicuik was refused planning permission on 2 September 2016; a copy of the decision is attached to this report.
- 2.2 The review has progressed through the following stages:
- 1 Submission of Notice of Review by the applicant.
 - 2 The Registration and Acknowledgement of the Notice of Review.
 - 3 Carrying out Notification and Consultation.

3 Supporting Documents

- 3.1 Attached to this report are the following documents:
- A site location plan (Appendix A);
 - A copy of the notice of review form and supporting statement (Appendix B). Any duplication of information is not attached;
 - A copy of the case officer's report (Appendix C);
 - A copy of the decision notice, issued on 2 September 2016 (Appendix D); and
 - A copy of the relevant drawings/plans (Appendix E).
- 3.2 The full planning application case file and the development plan policies referred to in the case officer's report can be viewed online via www.midlothian.gov.uk

4 Procedures

- 4.1 In accordance with procedures agreed by the LRB, the LRB by agreement of the Chair:

- Have scheduled an unaccompanied site visit for Monday 24 October 2016; and
 - Have determined to progress the review by way of written submissions.
- 4.2 The case officer's report identified that two consultation responses have been received. As part of the review process the interested parties were notified of the review. No additional comments have been received. All the comments can be viewed online on the electronic planning application case file via www.midlothian.gov.uk.
- 4.3 The next stage in the process is for the LRB to determine the review in accordance with the agreed procedure:
- Identify any provisions of the development plan which are relevant to the decision;
 - Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;
 - Consider whether or not the proposal accords with the development plan;
 - Identify and consider relevant material considerations for and against the proposal;
 - Assess whether these considerations warrant a departure from the development plan; and
 - State the reason/s for the decision and state any conditions required if planning permission is granted.
- 4.4 In reaching a decision on the case the planning advisor can advise on appropriate phraseology and on appropriate planning reasons for reaching a decision.
- 4.5 Following the determination of the review the planning advisor will prepare a decision notice for issuing through the Chair of the LRB. A copy of the decision notice will be reported to the next LRB for noting.
- 4.6 A copy of the LRB decision will be placed on the planning authority's planning register and made available for inspection online.

5 Conditions

- 5.1 In accordance with the procedures agreed by the LRB at its meeting of 19 June 2012 and 26 November 2013, and without prejudice to the determination of the review, the following conditions have been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.
1. Prior to the commencement of development, the following details shall be submitted to and approved in writing by the Planning Authority:
 - a) Details and samples of all proposed wall materials; and
 - b) Details of the colour and materials of the door hereby approved.

Reason: *These details were not submitted with the original application; in order to ensure that these details are in keeping with*

and do not detract from the character and appearance of the surrounding Conservation Area.

- 5.2 If the LRB is minded to uphold the review and grant planning permission for the proposed development it shall be subject to a legal agreement to secure developer contributions towards education provision and children's play provision. The legal agreement shall be concluded prior to the issuing of the LRB decision. The LRB may also wish to consider setting a 6 month time period to conclude the agreement with the sanction of refusing permission if the applicant does not conclude the agreement.

6 Recommendations

- 6.1 It is recommended that the LRB:
- a) determine the review; and
 - b) the planning advisor draft and issue the decision of the LRB through the Chair

Date: 11 October 2016

Report Contact: Peter Arnsdorf, Planning Manager (LRB Advisor)
peter.arnsdorf@midlothian.gov.uk

Tel No: 0131 271 3310

Background Papers: Planning application 16/00474/DPP available for inspection online.



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

Change of use from office (class 4) to residential (class 9) to form 5 flatted dwellings and associated external alterations at 2 Lamb's Pend, Penicuik

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Midlothian Council Licence No. 100023416 (2016)

File No. 16/00474/DPP

Scale: 1:1,250



Midlothian



Fairfield House 8 Lothian Road Dalkeith EH22 3ZN Tel: 0131 271 3302 Fax: 0131 271 3537 Email: planning-applications@midlothian.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100025938-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:

Mr

You must enter a Building Name or Number, or both: *

Other Title:

Building Name:

First Name: *

David

Building Number:

22

Last Name: *

Thomson

Address 1
(Street): *

Sill Haugh

Company/Organisation

Address 2:

Telephone Number: *

01578 760650

Town/City: *

Fountainhall

Extension Number:

Country: *

Scottish Borders

Mobile Number:

Postcode: *

TD12SL

Fax Number:

Email Address: *

david@cradedin.co.uk

Site Address Details

Planning Authority:

Midlothian Council

Full postal address of the site (including postcode where available):

Address 1:

2 LAMB'S PEND

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

PENICUIK

Post Code:

EH26 8HR

Please identify/describe the location of the site or sites

Northing

659910

Easting

323547

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *

(Max 500 characters)

Proposed Change of Use of Suites 5 to 7 (Office - Class 4) to form 5No Apartments (Residential – Class 9)

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

refer to supporting documentation for "Review Statement"

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

- Review Statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

16/00474/DPP

What date was the application submitted to the planning authority? *

04/07/2016

What date was the decision issued by the planning authority? *

02/09/2016

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☐ Yes ☒ No

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

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Poor outlook from the proposed properties was sighted in the refusal, due to the convoluted nature of the building this would be better assessed by a visit.

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

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare – Notice of Review

We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr David Thomson

Declaration Date: 21/09/2016

REVIEW STATEMENT

**Proposed change of use from office (class 4) to residential (class 9) in
the form of 5 (Five) flatted dwellings and associated external
alterations to 2 Lambs Pend, Penicuik**

On behalf of Mr Hendry & Mr Thomson

September 2016

Executive Summary

1. The application site comprises part of the upper floor of a two storey commercial building in Lambs Pend, Penicuik.
2. The application submitted and subsequently refused by the Planning Officer sought full planning permission for the change of use of three office suites and associated common areas to five residential flats including alterations to the external fabric.
3. The application was refused by the Planning Officer as it was considered to be contrary to the terms of the following policies:

- RP20: Development in built up areas
- DP2: Development Guidelines
- RP22: Conservation Areas

Specifically the planning Officer felt that the flatted dwellings would have significantly low levels of amenity with no usable outside space, a poor outlook and that proposed alterations to the external fabric would not maintain or enhance the appearance of an existing building within a conservation area. In addition, the Policy & Roads Safety Manger objected based on concerns regarding existing on street parking provisions being likely exacerbated and that this could lead to illegal parking and impact road safety.

4. We disagree with both the Planning Officer and Policy & Road Safety Mangers opinion and would state the following reasons:
 - A parking stress assessment was submitted which considered the available parking covering Jackson Street & Bank Street, these being closest and therefore the most likely areas to attract any additional parking. This report was bench marked against Midlothian Councils "Parking Standards" policy (2014 edition). While the classification of the current office situation is open to interpretation the fact 57 on street parking spaces are available beyond that required by local residents is factual.
 - The subject building, located within the town centre of Penicuik, would have the highest level of amenity's Penicuik has to offer.
 - While Lamb Pend's is within the conservation area, Banks Street which is the principal elevation and proposed point of access is not. Objectively speaking any modification to this particular buildings external appearance can only be considered as an enhancement to both the structure and surrounding area.

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Location & Site Description

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Midlothian Council Parking Policy

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Summary & Conclusions

Appendix 1	Copy of planning application
Appendix 2	Copy of Parking Stress Assessment documentation
Appendix 3	Copy of Decision Notice
Appendix 4	Copy of Planning Officers Report Delegated Report

1. INTRODUCTION

This statement is in support of a request to review the decision of the Appointed Officer in relation to a Planning Application for the proposed change of use of a first floor office building situated at 2 Lambs Pend, Penicuik to residential use providing five flats. The application was refused planning permission under delegated powers on the 2nd of September 2016 (Planning Application Reference Number 16/00474/DPP). This review has been requested by Mr Hendry & Mr Thomson who are the owners of 2 Lambs Pend.

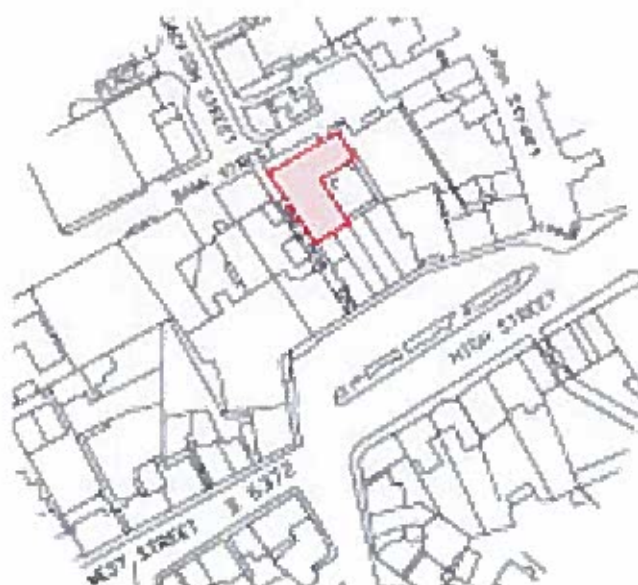
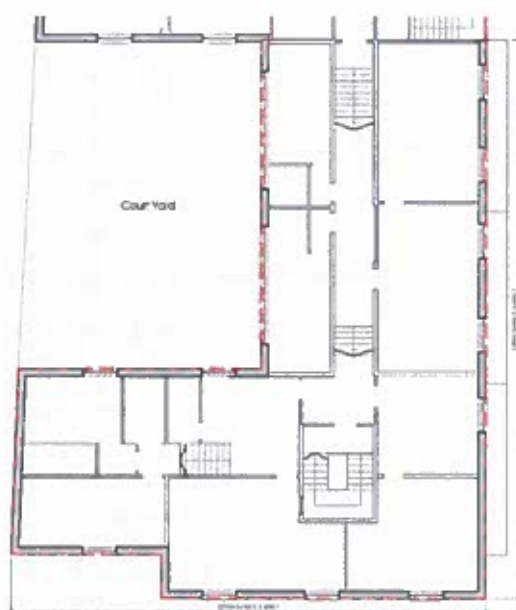


Bank Street above / Lambs Pend Below



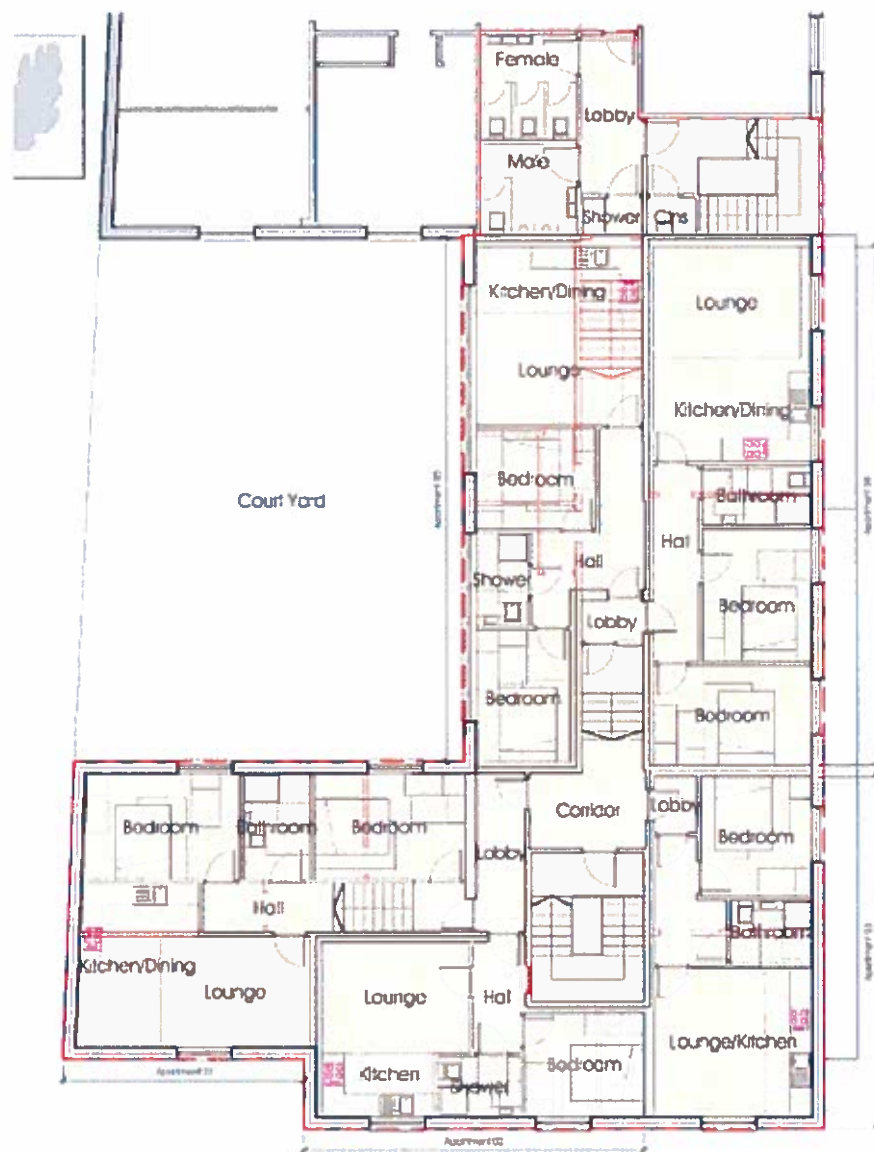
2. LOCATION & SITE DESCRIPTION

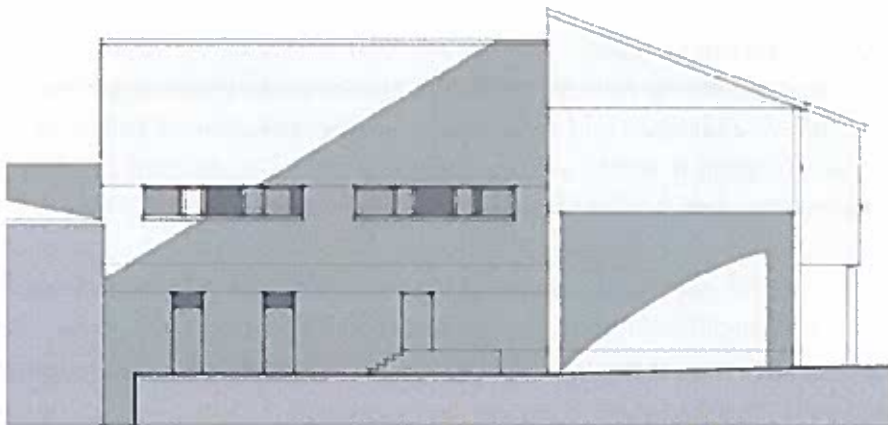
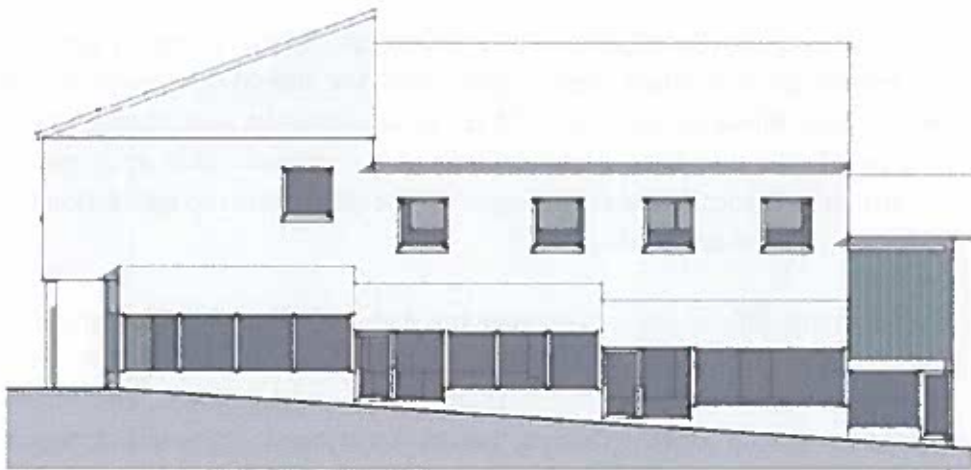
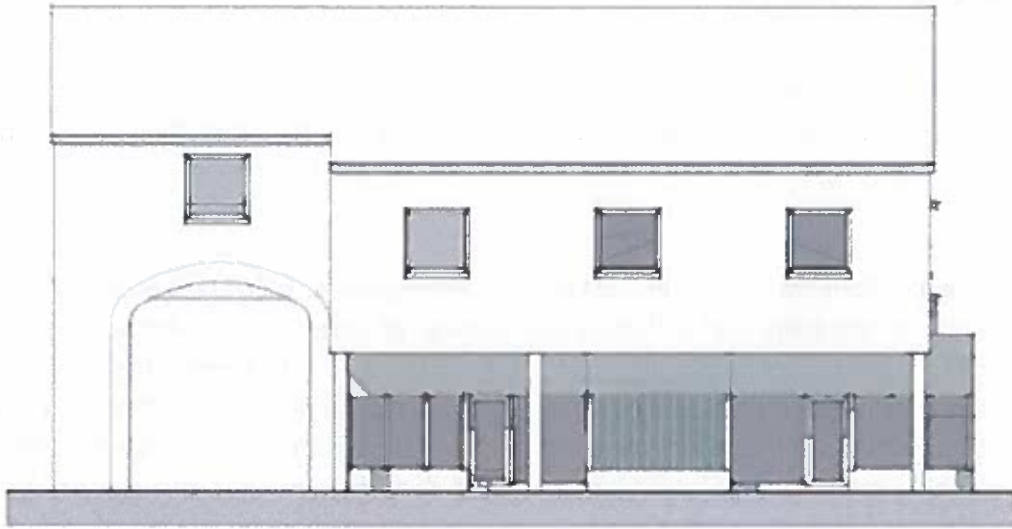
The application site encompasses the first floor of a commercial building within Penicuik town centre. The full building footprint, although not all subject to the submitted planning application, straddles High Street, Lambs Pend and Bank Street with a number of self-contained retail premises at ground floor. The first floor, 2 Lambs Pend, houses seven self-contained office suites with separate toilet facilities. The office suites cover four different floor levels following the incline of Lambs Pend. Lambs Pend itself consists entirely of commercial properties and overlooks the rear of Railway Tavern, with the Bank Street end of the property situation at the south end of a residential street. Bank Street itself is predominantly residential with a small number of commercial premises.



3. DESCRIPTION OF PROPOSED DEVELOPMENT

The application submitted to the Council Planning Department sought full planning permission for the part conversion of a 1st floor of an office building to residential. The works would comprise the conversion of office suites five, six and seven which would be accessed off an existing private stair situated on Bank Street with associated internal modifications to relocate toilet facilities to the lower retained section of office suites. The proposal included over cladding the existing render in zinc, with stone cladding to replace the existing muster tiled columns with the entrance to be framed in new stone walls including glazed entrance and grey framed replacement window throughout.





4. PLANNING POLICY

4.1 RP20: Development within Built-up Area

"Development will not be permitted within existing and future built-up areas, and in particular within residential areas, where it is likely to detract materially from the existing character and amenity of the area"

National Planning Policy SPP1 states the three general objectives of development plans to maintain and enhance the quality of our natural heritage and built environment as mistakes cannot be easily rectified. The Planning Officer has made reference to the current building form not contributing positively to the surrounding conservation area, in short the building could be classified as an Architectural and Planning mistake. The introduction of zinc cladding does not add another finish, rather replacing the existing harling on the elevations that can be viewed from Bank Street and Lambs Pend. Any proposal to change the cladding must be given careful consideration to ensure that it does enhance the building while not emphasizing the poorer design aspect of the lower building.

The conversion can be achieved without any material change to the elevations with the exception of window replacements and the alterations associated with the ground floor entrance vestibule. To do so would be an opportunity missed to, in part, rectify the perceived design failures of the original 1960s development. Both the Structure & Local plans encourage the redevelopment and conversion of existing buildings within existing urban areas.

The Planning Officer did not engage the client or their duly appointed agent to explore other options in regard to the proposed over cladding. This would have resulted in a constructive dialogue to achieve any planning requirement related to the design as our client's primary object is to improve the visual aspect of the building. The client would be amenable to the incorporation of constructive design advice from the Planning Authority.

4.2 RP22: Conservation Areas

"The development will not be permitted in such areas which would have any adverse effect on its character and appearance. In the selection of choice of material and details of design it will be ensured that alterations to existing buildings preserve or enhance the character and appearance of the conservation area"

Lambs Pend is within the conservation area albeit the subject building and the rear of the Railway Tavern are only two structures that frame the Pend. Works are ongoing to reconstruct the Railway Tavern which include a significant extension to the rear with the original beer garden being reduced in size. During the course of the

works the property has now been de-listed with the image below showing how the completed renovation will look on the opposing side of the Pend.



Bank Street is a mixture of more modern residential property to the west with a small terrace of original stone office buildings to the east. The proposed new access would be positioned in the middle of Bank Street with commercial properties either side.



The pictorial record above suggests that there are no buildings within the immediate area that could be considered of special Architectural or Historical interest, and therefore suggest any proposed development could only enhance this very tired area of Penicuik Town Centre. Again RP22 encourages the reuse and enhancement of buildings in conservation areas.

4.3 DP2: Development Guidelines

"Sets out guidelines for residential development, indicating standards that should be applied when consider applications for dwellings"

The Planning officer has not considered the quality of the development high enough to make allowances in reference to outside space, amenity's and further sighted poor outlooks for the rationale behind non-compliance with the above policy.

As a first floor conversion, without flat roof, there is no scope to provide outside space. The site is 50m from designated public outside seating areas within the precinct and High Street, the public park is 300m to the north end of Jackson Street with the public swimming baths and gym situated at the opposite end of the park.

Penicuik's shopping centre including the bulk of restaurants and bars are all within 75m from the building.

The current proposal encompasses an off street bin store situated within the building.

We understand the client made contact with the Planning Officer to arrange a site visit. The client was subsequently informed that a visit was not necessary to assess the application. Given the building is situated on the 1st floor and stepped, with the section of building under consideration constructed on three different levels we would suggest that the Planning Officers conclusions in reference to outlook would not withstand closer scrutiny.

The following pictorial record is a sample of the available outlooks. The building offers clear views to the Pentland Hills, Uttershill Castle with further broken views to the Cowan Centre clock, St Mungos church and St James with the proposed flats layouts ensuring any lesser outlooks are situated at bedroom locations.



Flat 1 - Lounge View



Flat 2 - Lounge View



Flat 4 - Lounge View

5. MIDLOTHIAN COUNCIL PARKING POLICY (2014)

During the consultation period the Policy & Road Safety Manager objected to the application based on the lack of parking provision – *“The proposed development would place additional pressure on the limited number of on street space presently available in the area and may lead to inconsiderate or illegal parking”*

A Parking Stress Assessment, which is attached to this document, was submitted. This assessment concluded that within the Bank Street and Jackson Street area there were 115 available unrestricted parking spaces for long term use against a local residential need for 63 spaces, thus the area is oversubscribed by 57 on street parking spaces.

A residential / office comparative parking requirement was assessed and concluded the following based on the office building being situated in a rural area, which Penicuik's usual town centre position relative to the pollution density, reinforced by a transport survey of the current office tenants, suggests is the correct clarification.

	Max	Min
Office Use (Rural)	12.4	7.75
Office Use (Town centre)	6	3
Residential Use (5 Apartments)	N/A	7.5

The report concludes that in a rural office classification a change of use to residential would have little impact, if not slightly favourable for residential use based on the minimum provision. If considered a town centre the minimum provision of three spaces would fall 4.5 short of the residential requirement. Given the calculated 57 long term on street available parking spaces there clearly would be no additional pressure applied to the surrounding area as the provision would not be considered “limited”

The parking calculations were based on Midlothian Council's current Parking Policy which has not been referred to directly at any time by the Planning Officer or the Road Safety Manager as policy requirement for the proposal.

A second response from the Policy & Road Safety Manager simply noted the report and reaffirmed his original position remained unchanged effectively dismissing the factual content within the report. At this time the agent made contact with the Planning Officer to arrange a meeting with the Policy & Road Safety Manager with a view to agreeing times and days to conduct a parking stress test survey to validate the submitted report. Within hours of the Policy & Road Safety Manager's second response the planning refusal notice had been issued through the online portal.

6. MIDLOTHIAN COUNCIL – PLANNING PRECEDENT

The most recent planning application which is directly comparable to this application is summarised below.

Site Address: 1 Edinburgh Road, Dalkeith

Planning Application Reference: 12/00599/DPP

Description

The conversion of three upper floors of four storey office building to 6(six) residential flats. The building is "B" listed and located within Dalkeith Town Centre, Dalkeith House and Park Conservation area.



Policy & Road Safety Manager Response:

"No objection to the development. Normally the provision of 6 flats would require one and a half parking spaces each. However, the application is for the change of uses of an existing building within a town centre where there is access to public transport and local shops and services. There is also on-street parking and car parks in the area."

Representations

Two objections were received from sitting office tenants on the second floor.

Planning Officer

"Whilst policy DP2 requires the provision of private outdoor space for new residential development, where an existing building is to be reused it can be appropriate to make allowances for the constraints of the particular site, especially within a town

centre, if the amenity of the property created is otherwise of a high standard. The flats will be adequate in respect of their outlook and level of daylight provided. The location, in the town centre, provides a high level of amenity in terms of the facilities available. In these circumstances, the absence of private open space would not warrant refusal"

"From a transportation perspective, the proposal does not fully address the issues of residential and visitor parking which would arise from the provision of residential accommodation. Notwithstanding these reservations, exceptions can be made for the conversion of existing building where the site is within an area of high amenity. The site is located in close proximity to public transport and local service. As such, refusal of the application on these grounds would not be warranted."

Approval Observations:

1. The owners of the flats must keep there refuse bins within their properties and only bring to street level on agreed days and times.
2. Apartment 6 which is within the roof space is served by small slit windows for the kitchen and bathroom. The lounge which is also the bedroom has daylight provide by a roof light with no outlook at all.
3. The building is situated on the road junction between Edinburgh Road and High Street. It is not possible to stop a vehicle and park within 50m of the building with Dalkeith High Street parking limited, particular for long stay, on street, unrestricted parking.
4. The is no external space provision.
5. External public seating is available 100m to the south within the shopping precinct.
6. Dalkeith County Park, 500m to the north, provides the closest recreational outside space.
7. Throughout the application process there was dialogue between the Planning Officer and the agent with suggestions on how best to adapt the building within the constraints applied.

7. PENICUIK NEIGHBOURHOOD PROFILE

The following key points were obtained from the "Midlothian Moving Forward" community planning document issued in January 2015.

The key housing points are:

- Midlothian has a growing population
- There is a high need for affordable housing, particularly in Penicuik which is considered to be a high-pressure area.
- Penuik's housing stock survey reveals 17.6% flats, with the Scottish town average at 36.4%
- Penicuik housing is 71% privately owned, the national average is 62%

- Recent social housing construction in Penicuik centre has been predominantly one and two bedroom flatted development.

This development would support housing strategy / requirements of Midlothian Council are currently perusing in terms of town centre affordable housing. While not social rented accommodation the flats would be available to the lower quartile of those most in need of affordable housing.

8. SUMMARY AND CONCLUSIONS

Having considered the proposed development against the terms of both the development plan and other material considerations we are firmly of the opinion that the application should be granted planning permission.

The applicant believes that the Planning Officer and Road Safety Manger have misdirected themselves in their interpretation and application of the relevant policies, please note the following points -

- The conversion could be achieved with minimal change to the appearance of the building. However, this would be an opportunity missed to enhance a building which sits within a very run down, tired area of Penicuik Town Centre.
- The conservation policies primary objective is to protect and enhance buildings that are of Architectural or Historical importance. The application of this policy in this particular location may be considered harsh given the poor quality to building in the vicinity. Any sympathetic and carefully considered external upgrading to the building would only enhance both Lambs Pend and Bank Street.
- The Road Safety Manager has not considered the factual content of a Stress Assessment report and based his conclusion solely on his judgment rather than objectively considering the reports content.
- The proposed development site is served by the highest level of services Penicuik has to offer in terms of local shopping, public services and public transport.
- Each planning application must assessed on its own merits however, we would consider the Planning Officer & Road Safety Manager to have applied the relevant policy inconsistently when reviewing the very similar Edinburgh Road application as described in section 6, which was approved. The building itself does not compare to our application in terms of its obvious

Architectural and Historical importance nevertheless the application of identical planning policy beyond conservation is arbitrary at best.

"In the exercise of planning judgement relevant consideration may be the local authorities own approach to similar applications in the locality. Public law principles demand consistency in the application of policies by public bodies such as local planning authorities, unless there are good reasons to the contrary. Consistency is required as a board principle of good administration and derives from general principles of fairness in the treatment of citizens"

The Planning Authority's position would indicate that any further development or redevelopment in this particular area of Penicuik Town Centre would be viewed negatively, where investment and redevelopment should be encouraged.

We reserve the right to respond to any submissions made to the review body in response to this review by either the Appointed Officers or relevant third parties.

Parking Stress Assessment



Bank Street & Jackson Street, Penicuik

August 2016

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6	Conclusions.....	6

Table 1.1 Property Review by Classification

Drawing: HT01

1.0 Introduction

This report has been commissioned in support of the current live planning application ref: 16/00474/DPP following the consultee report issued by Mr Jim Gilfillan, Policy & Road Safety consultant representing Midlothian Council.

The proposal constitutes a change of use to a proportion of an existing first floor office building (class 4) to residential (class 9). Five new apartments would be formed with pedestrian access off Bank Street. The object of this report is to review the existing parking conditions relative to the proposed development and consider the impacts associated with the change of use.

2.0 Current Policy

This assessment will be carried out in accordance with the parameters and requirements of Midlothian Councils "Parking Standards" (MCPS) policy (2014 edition). This policy outlines the maximum/minimum parking standards covering vehicles, cycling and disabled requirements.

3.0 Change of Use Comparative Assessment

Two Lambs Pend provides access to seven self-contained office suites and associated sanitary facilities. The proposed new access off Bank Street is the existing secondary fire escape serving office suites five, six and seven. The total floor area subject to conversion equates to 310m². The offices do not have any designated parking provision for staff or visitors with rear yard access off Bank Street restricted to the lower commercial units that are situated on the High Street and Lambs Pend. This yard area is only for delivery's and does not constitute parking.

MCPS Table 1 – Housing (extract)

Housing	Number of Bedrooms			
	1		2	
Private	residents	visitors	residents	visitors
	1.0	0.5	1.0	0.5

The proposal is for three, two bed apartments and two, one bed apartments.

This would constitute a parking requirement of 7.5 parking spaces.

MCPS Table 2 – Office & Industry (extract)

Office / General Industry m ² per space					
Town Centre		Public Transport Corridor		Rural Areas	
Min	Max	Min	Max	Min	Max
100	50	50	40	40	25

Penicuik town centre, or at least what is referred to as main shopping centre has a quite unique position in that it's located on the southern edge of the town. The most densely populated areas are in excess of one mile from this centre. From Lambs Pend, Penicuik extends 400 meters to the south residentially, and then is extremely rural following the A701 where the next sizable town is Peebles, some 21 mile away.

When assessing the Lambs Pend office parking requirements it is clear that it could sit within all three designated areas noted in the above table.

Office suites one, two, three and four are currently occupied by CRA (Edinburgh) Ltd Consulting Engineers who employee five staff and Allan MacDougall Solicitors who employee twelve. The bulk of the staff travel from other towns in Midlothian and indeed Edinburgh, with four who are Penicuik residents. Due to the residential locations only two of the four walk to work, with all other utilising private transport.

The remaining four office suites have a combined floor area of 410m² which with fifteen traveling by single car journeys would equated to 27.33m² office space to parking ratio. Based on this sample of information the office would most comfortably sit within the rural classification, with the upper end maximum parking provisions likely to be required.

The office area subject to change of use equates to 310m², if categories as rural, which the survey evidence would suggest is more than a reasonable assumption, a minimum parking provision of one space per 40m² would generate a requirement of 7.75 parking spaces.

4.0 Public Transport

By foot from the proposed Bank Street access, the nearest bus stop is situated on the High Street 60m away.

Lothian Busses (Service 40)	-	Every 30min to Edinburgh weekdays Every 60min Sunday & Evenings
Lothian Busses (Service 37)	-	Every 15min to Edinburgh weekdays Every 20min at weekends
First Buses (service x62)	-	Every 30min to Edinburgh weekdays

From the High Street bus stop travel to Edinburgh is available every 15 minutes with travel to the Scottish Borders every 30 minutes.

5.0 Area Analysis

Bank Street is in-effect a hammer head to the south end of Jackson Street. Jackson Street mainly comprises of two storey flatted residential properties with a small number of two storey semi-detached and detached dwelling. Toward the hammer head that is Banks Street, there are small scale commercial properties, offices and one leisure club amongst further residential developments. In modelling the current parking stress levels we would restrict the review area to 200m from the subject development which is a 2 minute walk. In this instance we would restrict this further to only consider Banks Street and Jackson Street and these are the only unrestricted on-street parking areas available.

Within a street context MCPS outlines the standard dimensions for a single parking space as 5m long x 2.5m wide with a minimum of 2m head room. In addition, any assessment should not include a garage as an additional parking space.

Table 1.1 "Property Review by Classification" calculates the parking requirements for Banks Street and Jackson Street based on the requirements of MCPS and is detail on our drawing HT01.

The tabulated findings are based on the following assumptions:

1. Defined on street disabled spaces are not considered as restricted parking for calculation purposes. The associated property without off street parking would be scored as 1.5 so an allowance is recognised.
2. All private flats are assumed to be two bed.
3. Only off street drives with drop kerbs will be considered. I.e. 18 Jackson Street has off street parking for four vehicles with no drop kerb.
4. All social housing that require on street parking are assumed to be 3 bed or less.
5. Social housing on Bank Street i.e. bock 13, 15, 17, 18 are served by private off street parking. It is assumed that the parking meets the minimum requirements at the time of development and these properties are therefore excluded from calculation.
6. 1 – 22 Vaucluse Place are designed general need housing and are served by off street parking. It is assumed that the parking meets the minimum requirements at the time of development and these properties are therefore excluded from calculation.
7. 11A – 11H / 13A – 13E Jackson Street are all social housing but do not have private parking. During our walk over survey we noted parking bay's to the rear

of these properties with stair access to their common stair and ground floor back entrances. For this reason we have included these parking areas with the calculation.

8. 15A – 15H and 16A & B Jackson Street are the most recent social housing addition with off street parking provided to the rear. It is assumed that the parking meets the minimum requirements at the time of development and these properties are therefore excluded from calculation.
9. Flats within the High Street and the shopping precinct have been omitted for the calculation. There are only a small number and these could not be quantified.
10. 8A – 8J High Street private parking is located off Bank Street. It is assumed that the parking meets the minimum requirements at the time of development and these properties are therefore excluded from calculation.
11. St Mungo's Parish Church has a significantly sized off street car park. Given the optimum traffic generated would be considered off peak, the Church has been omitted from calculation.
12. Impact of Lambs Pend / Kentigern mall as existing has not been factored in.

Summary of on street parking:

Street	Requirement	Provision
Bank Street	7	10
Jackson Street	56.1	99
Off Street Parking Provided		7
Total	63.1	115

Net total parking provisions beyond minimum requirement – 51.9 parking spaces

6.0 Conclusions

The analysis of parking stresses did not consider parking requirements for the immediately adjacent High Street or the retail situated Kentigern Mall. Although time restricted, the mall is served by a 90 space off street parking facility, with a further 25 spaces available on the High Street. These parking areas which are within 200m of the proposed development would provide further unrestricted off peak parking for potential visitors to the area. Residential flatted property above ground floor commercial units are sparse in number and could be further served by a 16 space permit holder only facility situated behind the High Street. This level of parking with the private parking noted in Bank Street and Jackson Street does provide a significant total designated parking, possibly more than would be expected in a town centre setting.

Public transport has been demonstrated to be very regular and in close proximity to the development. MCPS states that a *"town centre with high frequency, quality buses service with short walking distance "* could be used as a contributing factor to reduce the parking provision required. The development would meet this criteria.

Bank Street on street parking's spaces 5, 6,7,8,9 & 10 were includes as during our walk over survey vehicles were sighted in these locations with no parking restrictions applicable. Lambs Pend is a pedestrian link between Banks Street and High Street, with Bank Street itself used as pedestrian access to Kentigern Mall. This is an area of safety concern as parked vehicles in these locations significantly narrow access to the surround areas with one vehicle mounting the pavement to pass during our visit. Enforced restricted parking along these parking lines would be beneficial to pedestrian safety and would not be to the detriment of capacity.

Jackson Street would provide parking for both staff and customers to Kentigern Mall. While the calculation makes no allowance for this, with a spare capacity of 64 spaces, 115 spaces with two hours max stay, and no further assessment of parking provided by the Bridge Street, West Street and John Street which are in close proximity to the centre, we would suggest the town centre has satisfactory levels of parking.

When comparing office to residential uses it has become clear that additional parking resulting from the proposed change of use are likely negligible, if not slightly in favour of the residential change.

The analysis leads to the conclusion that there is an ample level of parking available, particularly considering the high level of off street residential parking provision at Banks Street and Jackson Street.

Table 1.1 Property review by classification

Address	Property Classification	Number of Bedrooms	On street Parking Requirement	Existing Parking Provision
1 Bank Street	Retail (Closed > 20 years)	Not applicable	None	None
4-6 Bank Street	Office	Not applicable	1	None
5 Bank Street	Public Toilet	Not Applicable	1 (assumed allowance)	None
8 Bank Street	Hot food takeaway (closed)	Not Applicable	1	None
12 Bank Street	Retail (closed)	Not Applicable	2	None
12A Bank Street	Commercial	Not Applicable	2	None
13A – 13E Bank Street	Social Housing	Assumed all two bed	None	Private off street parking
15A – 15F Bank Street	Social Housing	Assumed all two bed	None	Private off street parking
17A – 17F Bank Street	Social Housing	Assumed all two bed	None	Private off street parking
18A – 18F Bank Street	Social Housing	Assumed all two bed	None	Private off Street Parking
20A – 20F Bank Street	Social Housing	Assumed all two bed	None	Private off street parking
8A – 8J High Street	Private Residential	Two & Three bed	None	Private off street parking (via Bank Street Access)
1 – 22 Vauluse Place	Social (general Needs)	20 Flats & two Houses	None	Private off street parking
2-4 Jackson Street	Commercial	Not Applicable	2	None
5 Jackson Street	Private Residential	Assumed two bed	1.5	None
7 Jackson Street	Private Residential	Assumed two bed	1.5	None
6A Jackson Street	Private Residential	Assumed two bed	1.5	1
6B Jackson Street	Private Residential	Assumed two bed	1.5	1
8 Jackson Street	Private Residential	Assumed two bed	1.5	None
9A Jackson Street	Private Residential	Assumed two bed	1.5	None
9B Jackson Street	Private Residential	Assumed two bed	1.5	None
10 Jackson Street	Private Residential	Assumed two bed	1.5	None

11 Jackson Street	Snooker Club(Leisure)	Not Applicable	Estimation: 10 Players – 5 3 Staff – 0.6 Total – 5.6	None
11A – 11H Jackson Street	Social Housing	Assumed < three bed	8	None
12 Jackson Street	Private Residential	Assumed two bed	1.5	None
13A – 13E Jackson Street	Social Housing	Assumed < three bed	5	1
14 Jackson Street	Private Residential	Assumed two bed	1.5	None
15 Jackson Street	Private	Five	2.5	1
15A – 15H Jackson Street	Social	Assumed < three bed	None	Off street parking provided
16A Jackson Street	Private Residential	Assumed two bed	1.5	1
16B Jackson Street	Private Residential	Assumed two bed	1.5	1
18A – 18d Jackson Street	Social	Assumed < three bed	None	Off street parking provided
20 Jackson Street	Private Residential	Assumed two bed	1.5	None
22 Jackson Street	Private Residential	Assumed two bed	1.5	None
24 Jackson Street	Private Residential	Assumed two bed	1.5	None
26 Jackson Street	Private Residential	Assumed two bed	1.5	None
28 Jackson Street	Private Residential	Assumed two bed	1.5	None
30 Jackson Street	Private Residential	Assumed two bed	1.5	1
32 Jackson Street	Private Residential	Assumed two bed	1.5	None
34 Jackson Street	Private Residential	Assumed two bed	1.5	None
36 Jackson Street	Private Residential	Assumed two bed	1.5	None
38 Jackson Street	Private Residential	Assumed two bed	1.5	None
St Mungo's Parish Church	Place of worship	Not Applicable	None	Private car park access of Wilson Street
Total			63.1	7
Total Current Parking required			56.1	

A detailed street map of a residential area in Glasgow, Scotland. The map shows a grid of streets including Cowan Street, Jackson Street, and various smaller lanes. Buildings are outlined in red, and some are labeled with numbers. Key features include a 'Factory' at the top, a 'Bowling Green' in the center, a 'Health Centre' at the bottom right, and a 'Presbytery' on the right. A red L-shaped area is highlighted on the left side of the map, near the bottom. The map also shows a 'Bank' and a 'Post Office' (PO). The streets are labeled with their names, and some are numbered. The map is oriented with North at the top.

- | | |
|---------------|---|
| CLIENT | Mr Hendry & Mr Thomson |
| PROJECT | Parking Stress Review
Lambis Perdt Residential |
| DRAWING TITLE | Master Plan |
| DATE | August 2016 |
| SCALES | |
| CHECKED BY | DRAWN BY |
| DWG NO | H1701 |

MIDLOTHIAN COUNCIL**DEVELOPMENT MANAGEMENT
PLANNING APPLICATION DELEGATED WORKSHEET:****Planning Application Reference:** 16/00474/DPP**Site Address:** 2 Lamb's Pend, Penicuik.

Site Description: The application site forms part of the first floor accommodation of a two storey building within Penicuik Town Centre. The walls are finished with stone and harled with slate and concrete tile roofs. There are currently three offices within the site. The remainder of the first floor of the building, outwith the application site, are also offices. The ground floor units are in commercial use, including a cafe and hot food takeaway. There is a public house to the west (currently under renovation), commercial units to the south and east and a public toilet to the north. The site is also within Penicuik Conservation Area.

Proposed Development: Change of use from office (class 4) to residential (class 9) to form 5 flatted dwellings and associated external alterations.

Proposed Development Details: It is proposed to change the use of the offices to form five flatted dwellings. Associated external alterations are proposed, namely: recladding the front and side elevations with zinc cladding; rendering areas on the side elevations; replacing existing windows with uPVC grey framed units, installing enlarged window openings and a new window on the side elevations. A new entrance to the flats is proposed at the north elevation which is to be mainly glazed with areas of stone to match existing.

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

07/00375/DPP 2 Lamb's Pend (front offices facing High St) Installation of replacement windows. Permitted.

12 High Street (public house)

16/00129/DPP Partial demolition of building and erection of new frontage; erection of two storey and single storey extension and alterations to boundary wall (part retrospective). Consent with conditions.

16/00128/LBC Partial demolition of building and erection of new frontage; erection of two storey and single storey extension and alterations to boundary wall. Consent with conditions.

15/00176/DPP Erection of two storey and single storey extension; alterations to boundary wall and formation of entrance gate and change of use to form flatted dwelling. Consent with conditions.

15/00175/LBC Erection of two storey and single storey extension; alterations to boundary wall and formation of entrance gate and associated internal alterations. Consent with conditions.

12A Bank Street

15/00579/DPP Change of use from retail (class 1) to veterinary practice (class 2) and external alterations. Consent with conditions.

12/00318/DPP Change of use of mixed use building to office and shop; and installation of replacement door. Consent with conditions.

Consultations:

The **Policy and Road Safety Manager** does not support the application and raises road safety concerns over the lack of parking for the five flats proposed. This is a busy town centre area where public on-street parking is at a premium. The proposal would place additional pressure on the limited number of on-street spaces and may lead to inconsiderate or illegal parking in the area. The agent has submitted additional information responding to these comments. The Policy and Road Safety Manager has considered the additional submission but has stated this does not alter his original comments and concerns raised – see planning issues below.

The Council's **Education** team state that a development of five flatted dwellings will result in two additional pupils for non-denominational primary places and one non-denominational secondary place.

The Council's **Lead Officer for Planning Obligations** has stated that there would be a requirement for developer contributions for three of the proposed properties, including towards education provision.

Representations: No representations have been received.

Relevant Planning Policies: The relevant policies of the **2008 Midlothian Local Plan** are;

RP20 Development Within the Built-Up Area states that development will not be permitted where it is likely to detract materially from the existing character or amenity of the area;

RP22 Conservation Areas states that development will not be permitted in such areas which would have any adverse effect on its character and appearance. In the selection of choice of materials and details of design it will be ensured that alterations to existing buildings preserve or enhance the character and appearance of the conservation area;

SHOP1 Town Centres states there is a presumption in favour of development if it does not adversely affect the character and amenity of the area and complies with other development plan policies;

IMP1 New Development advises that planning conditions will be applied and, where appropriate, legal agreements sought to ensure that, where new development gives rise to a need, appropriate provision is made for necessary infrastructure, community facilities and services (see list in local plan); and

DP2 Development Guidelines sets out guidelines for residential development, indication standards that should be applied when considering applications for dwellings.

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 the proposed application site is located within the built up area, there is a presumption in favour of development provided that the proposal complies with related

local plan policies and would not have a detrimental impact on the character or amenity of the surrounding area. The main consideration for this proposal is the amenity provided for proposed and existing occupants of the area.

The submitted plans do not show any areas for amenity for the proposed occupants of the flats in relation to the provision of private garden ground and parking. Policy DP2 requires each flat property be provided with 50 square metres of amenity ground. Whilst this policy requires the provision of private outdoor space for new residential development, where an existing building is to be re-developed it can sometimes be appropriate to make allowance for the constraints of the particular site, if the amenity of the properties created and the overall quality of the development are otherwise of a high standard. The proposed flats will have a poor outlook, over a beer garden associated with a public house and a small car park with other two storey buildings in close proximity. The standard of amenity associated with the development is not sufficiently high so as to mitigate against the lack of garden ground.

Also, there is a lack of resident and visitor parking spaces proposed as part of this development and from a transportation perspective the proposal does not fully address the issues of residential and visitor parking which would arise from the provision of five flats. The agent for the application submitted a 'Parking Stress Assessment' in response to the Policy and Road Safety Manager's consultation response. The Policy and Road Safety Manager has considered this and stated that this has not altered his original comments. He has stated that while it is true that the flats would be in a town centre location with good access to public transport, the lack of private, dedicated, residential parking will still be an issue. There is a range of public and private parking areas located nearby, however the general town centre parking is designed for office / business / shopping use and as such would not be suitable as long-stay residential parking.

As above, there can be exceptions made for the conversion of existing buildings where it may be difficult to provide the expected level of parking and central locations with access to public transport is taken into consideration. However, the proposed development would place additional pressure on the limited number of on-street spaces presently available in the area and may lead to inconsiderate or illegal parking in the surrounding area.

A number of external alterations are proposed which include the use of zinc cladding on the north and west elevations. The existing north elevation has stone and harled walls with areas of tiling and glazing at ground floor level with a concrete profiled tile roof. The west elevation has slate cladding and harling at first floor level and purple mosaic, glazing and tiling at ground floor. The use of zinc cladding will introduce a sixth finish/material on the elevations of a relatively small building. Although the existing building does not positively contribute to the surrounding conservation area the proposed cladding would result in a combination of materials which do not relate to each other, result in any improvement of the existing building or the surrounding area. In addition, the combination of slate cladding, zinc cladding, purple mosaic and brown tiles on the elevation facing Lamb's Pend itself would result in a very dark, large expanse of wall which would have the effect of enclosing this alley.

The rendering the internal courtyard wall may potentially be acceptable but further details of the proposed render would be required to assess this fully. The majority of other window frames in the area are white. Given that the Planning Authority does not support the cladding of the walls, their preference is for the window frames remain white as existing and that any change from this forms part of a larger, well designed proposal for altering the existing building. The slight extension of the building at ground floor level to accommodate a larger entrance could potentially be acceptable as part of a well designed scheme of alterations to the building.

Should the proposed development have been considered acceptable, a legal agreement would have been required in order to secure contributions towards the improvement of school facilities and child play facilities.

Recommendation: Refuse planning permission.

Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

Reg. No. 16/00474/DPP

Scott Allan
36 Wallace Avenue
Wallyford
East Lothian
EH21 8BZ

Midlothian Council, as Planning Authority, having considered the application by Mr Mark/David Hendry/Thomson, 2 Lambs Pend, Penicuik, EH26 8HR, which was registered on 4 July 2016 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Change of use from office (class 4) to residential (class 9) to form 5 flatted dwellings and associated external alterations at 2 Lamb's Pend, Penicuik, EH26 8HR

In accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	2016-21-000 1:1250	04.07.2016
Site plan, location plan and elevations	2016-21-001 1:1250 1:500 1:250 1:100 1:50	04.07.2016
Site plan, location plan and elevations	2016-21-002 1:1250 1:500 1:250 1:100 1:50	04.07.2016

The reasons for the Council's decision are set out below:

1. *The proposed flatted dwellings would have significantly low levels of amenity with no usable amenity space and a poor outlook.*
2. *For the above reason, the Planning Authority considers that the proposal represents an overdevelopment of the premises which does not comply with policies RP20 and DP2 of the adopted Midlothian Local Plan.*
3. *The proposed development is likely to exacerbate existing on-street parking problems in the surrounding area due to the lack of parking provided for the proposed flatted dwellings which may result in inconsiderate or illegal parking and have a detrimental impact on road safety.*
4. *The proposed external alterations would not maintain or enhance the appearance of the existing building and would detract from the character and appearance of the conservation area and are contrary to policy RP22 of the adopted Midlothian Local Plan.*

Dated 2 / 9 / 2016



.....
Duncan Robertson
Lead Officer – Local Developments
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN



Location Plan | 1:1250



Block Plan | 1:500



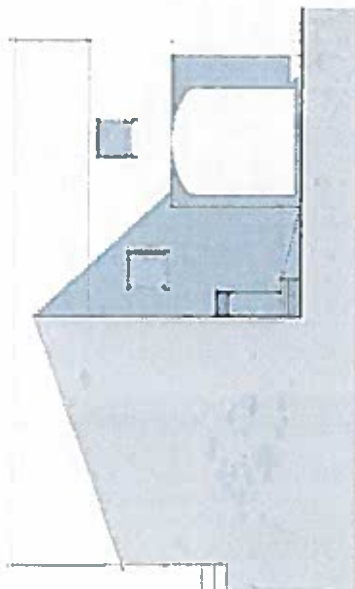
Photo 01 | NIS



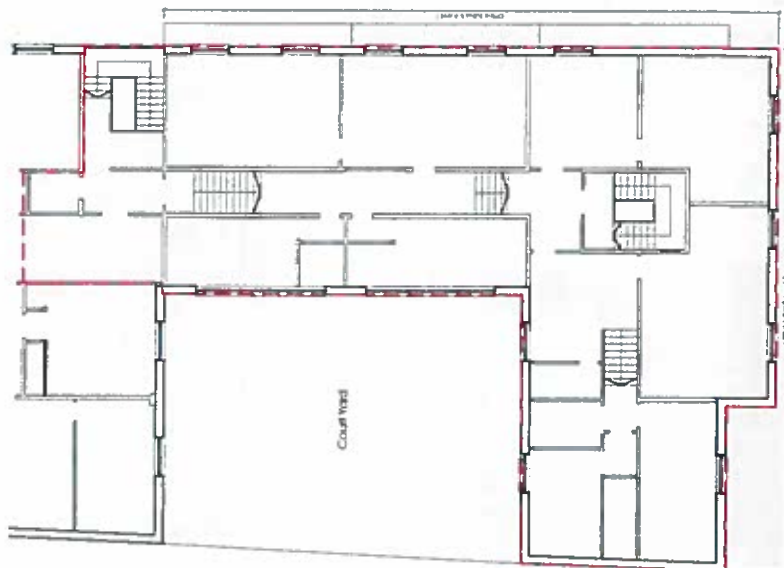
Photo 02 | NIS



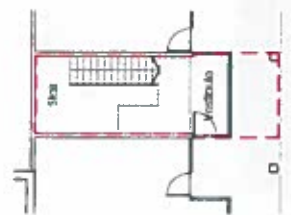
Building Layout | 1:250



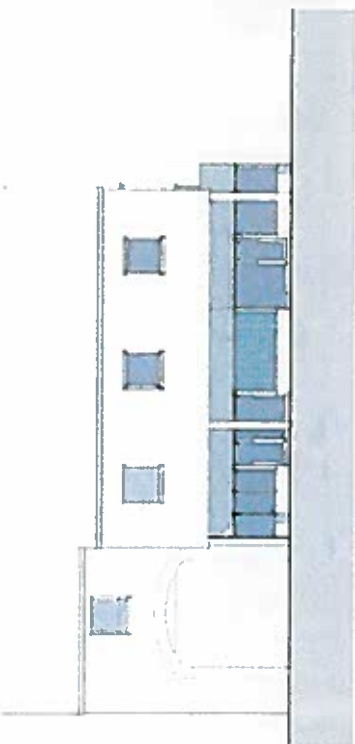
Proposed South East Elevation | 1:50



Existing Office Layout (First Floor) | 1:100



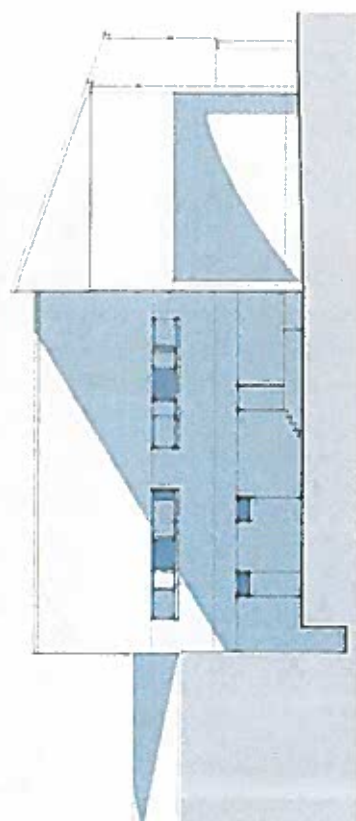
Existing Entrance | 1:100



Proposed North West Elevation | 1:100



Proposed South West Elevation | 1:100



Proposed North East Elevation | 1:100

Notice of Review: Grange Dell Lodge, Penicuik Determination Report

Report by Ian Johnson, Head of Communities and Economy

1 Purpose of Report

- 1.1 The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the subdivision of single dwellinghouse to form two dwellinghouses and associated extension and alterations at Grange Dell Lodge, Penicuik.

2 Background

- 2.1 Planning application 16/00470/DPP for the subdivision of single dwellinghouse to form two dwellinghouses and associated extension and alterations at Grange Dell Lodge, Penicuik was refused planning permission on 16 August 2016; a copy of the decision is attached to this report.

- 2.2 The review has progressed through the following stages:

- 1 Submission of Notice of Review by the applicant.
- 2 The Registration and Acknowledgement of the Notice of Review.
- 3 Carrying out Notification and Consultation.

3 Supporting Documents

- 3.1 Attached to this report are the following documents:

- A site location plan (Appendix A);
- A copy of the notice of review form and supporting statement (Appendix B). Any duplication of information is not attached;
- A copy of the case officer's report (Appendix C);
- A copy of the decision notice, issued on 16 August 2016 (Appendix D); and
- A copy of the relevant drawings/plans (Appendix E).

- 3.2 The full planning application case file and the development plan policies referred to in the case officer's report can be viewed online via www.midlothian.gov.uk

4 Procedures

- 4.1 In accordance with procedures agreed by the LRB, the LRB by agreement of the Chair:

- Have scheduled an unaccompanied site visit for Monday 24 October 2016; and
 - Have determined to progress the review by way of written submissions.
- 4.2 The case officer's report identified that one consultation response has been received. As part of the review process the interested party was notified of the review. No additional comments have been received. All the comments can be viewed online on the electronic planning application case file via www.midlothian.gov.uk.
- 4.3 The next stage in the process is for the LRB to determine the review in accordance with the agreed procedure:
- Identify any provisions of the development plan which are relevant to the decision;
 - Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;
 - Consider whether or not the proposal accords with the development plan;
 - Identify and consider relevant material considerations for and against the proposal;
 - Assess whether these considerations warrant a departure from the development plan; and
 - State the reason/s for the decision and state any conditions required if planning permission is granted.
- 4.4 In reaching a decision on the case the planning advisor can advise on appropriate phraseology and on appropriate planning reasons for reaching a decision.
- 4.5 Following the determination of the review the planning advisor will prepare a decision notice for issuing through the Chair of the LRB. A copy of the decision notice will be reported to the next LRB for noting.
- 4.6 A copy of the LRB decision will be placed on the planning authority's planning register and made available for inspection online.

5 Conditions

- 5.1 In accordance with the procedures agreed by the LRB at its meeting of 19 June 2012 and 26 November 2013, and without prejudice to the determination of the review, the following conditions have been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.
1. All the external walling and roofing materials and the window frame and glazing details on the proposed extension/alterations shall match those on the existing building in terms of the material used and the colour and form of that material. If any other material is proposed no development shall take place until such material has been approved in writing by the Local Planning Authority.

Reason: *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with*

policy DP1 of the Midlothian Local Plan and national planning guidance and advice.

2. The boundary treatment of the additional house hereby approved, including the division between the existing and proposed houses, shall comprise of native hedgerow maintained to a height no lower than 1.5 metres (once established). The hedgerow shall be planted within six months of the date of the works being completed or prior to the new house being occupied, whichever is the earlier date. Any hedging removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced in the following planting season by trees or shrubs of a size and species similar to those originally required.

Reason: *To protect the character and amenity of the surrounding rural area through the use of appropriate boundary treatments rather than timber fencing or inappropriate landscaping which would be of a more suburban character.*

6 Recommendations

- 6.1 It is recommended that the LRB:
 - a) determine the review; and
 - b) the planning advisor draft and issue the decision of the LRB through the Chair

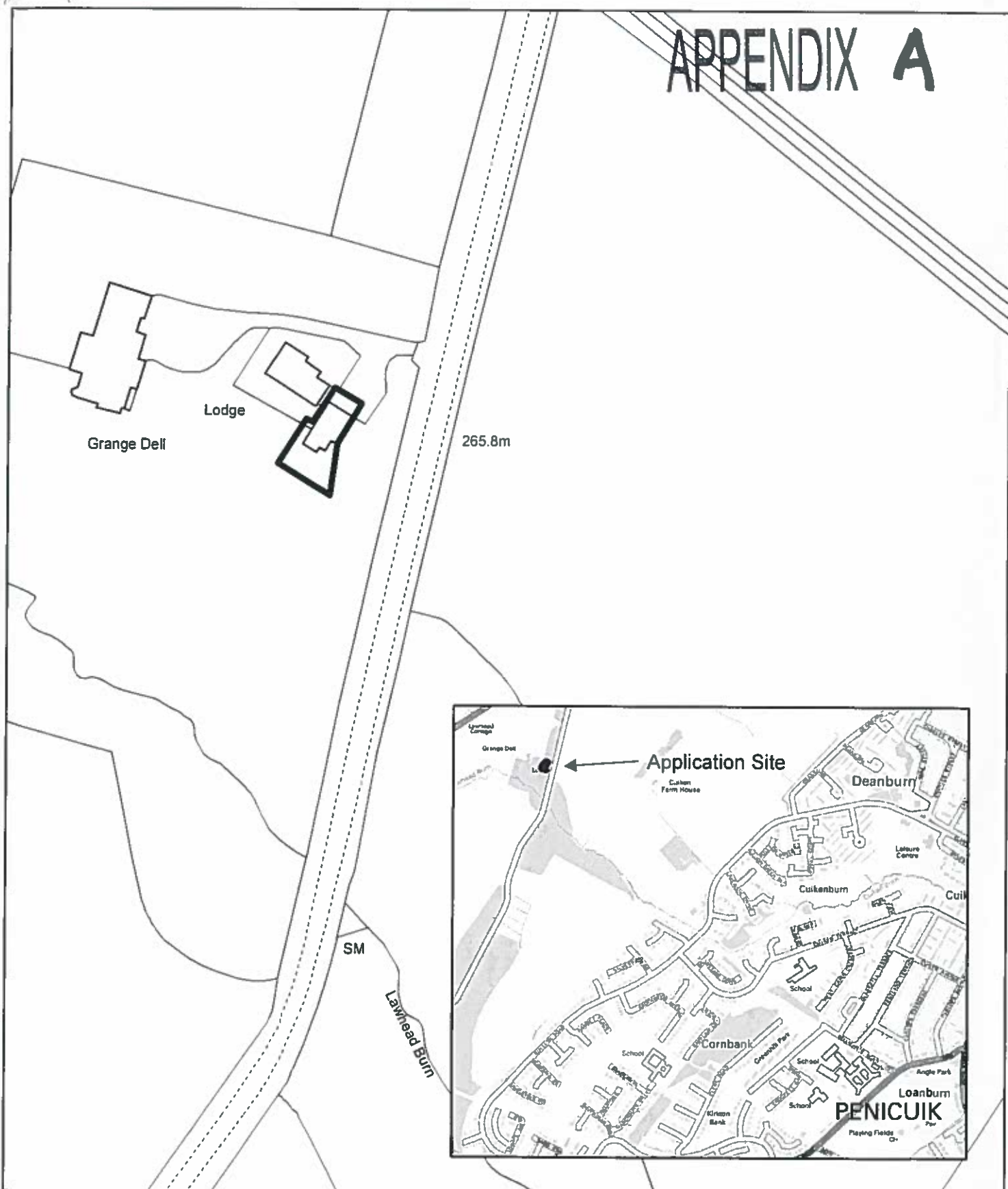
Date: 11 October 2016

Report Contact: Peter Arnsdorf, Planning Manager (LRB Advisor)
peter.arnsdorf@midlothian.gov.uk

Tel No: 0131 271 3310

Background Papers: Planning application 16/00470/DPP available for inspection online.

APPENDIX A



Midlothian

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

Subdivision of dwellinghouse to form one further dwellinghouse; associated extension to building and formation of pitched roof over existing flat roofed workshop at Grange Dell Lodge Penicuik

File No. 16/00470/DPP

Scale: 1:1,250

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Midlothian

Fairfield House 8 Lothian Road Dalkeith EH22 3ZN Tel: 0131 271 3302 Fax: 0131 271 3537 Email: planning-applications@midlothian.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100024345-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:	Alan Hardie Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alan	Building Name:	Suite 4 Dundas House
Last Name: *	Hardie	Building Number:	
Telephone Number: *	0131 448 1249	Address 1 (Street): *	Westfield Park
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Eskbank
Fax Number:		Country: *	UK
		Postcode: *	EH22 3FB
Email Address: *	alan@alanhardie.co.uk		

Is the applicant an individual or an organisation/corporate entity? *

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	Grange Dell
First Name: *	Alastair & Fiona	Building Number:	
Last Name: *	Reynolds	Address 1 (Street): *	Grange Dell
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Penicuik
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	EH26 9LE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:	Midlothian Council
Full postal address of the site (including postcode where available):	
Address 1:	GRANGE DELL LODGE
Address 2:	GRANGE DELL
Address 3:	PENICUIK
Address 4:	
Address 5:	
Town/City/Settlement:	MIDLOTHIAN
Post Code:	EH26 9LE

Please identify/describe the location of the site or sites

--	--

Northing	661352	Easting	322202
----------	--------	---------	--------

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Removal of existing dilapidated garages and refurbishment of former gardener's bothy and adjoining extension to create a new dwelling.

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
☐ Application for planning permission in principle.
☐ Further application.
☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
☐ Grant of permission with Conditions imposed.
☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Refer supporting documents attached to application.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Refer electronic attachments and client's own letter sent under separate cover.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

16/00470/DPP

What date was the application submitted to the planning authority? *

30/06/2016

What date was the decision issued by the planning authority? *

16/08/2016

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.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

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

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: 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. 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.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

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 (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Alan Hardie

Declaration Date: 07/09/2016

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.

We are appealing against the decision to refuse planning permission on sub-dividing our lodge property, as we believe it to be entirely based on the officers subjective requests to align with the officers vision of the necessary appearance of the proposed extension.

We find it unreasonable that having requested feedback and subsequently amended our proposed designs to reflect the vast majority of this feedback on two or three separate occasions, it ultimately became clear that the officer was happy to approve the principle of the sub-division of the property, but only if it appeared to be a 'glass box' type of structure. This seems to be an unreasonable request to accommodate and completely different from the architecture of the main house and lodge property. Additionally, it would be outside of our budget for the proposal.

The principle of creating the sub-division was never questioned in any of the feedback message or discussion from the officer to the architect. Additionally, neither was the principle of the sub-division questioned when the officer met with my wife, rather, and again, the visual appearance was discussed and would appear to have driven the decision to refuse the application.

Having considered this matter, I am sure that in reviewing the application and associated drawings, together with a site visit if required, I am confident that you will agree that the appearance of the propose extension is entirely fitting for the premises and aligns with the existing architecture of Grange Dell. I would request that review process can assess that the appeal is valid and that the refusal decision should be overturned.

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 your 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.

The refusal of the sub-division was never discussed or fed-back to the architect or ourselves as owners.

The feedback was limited to the requirement that the appearance of the extension should be as a 'glass box'. We have tried to reflect and accommodate the feedback as far as possible

I believe that the decision was ultimately taken on subjective grounds on this occasion.

Alan Hardie Architect

Springfords Business Hub, Suite 4 Dundas House, Westfield Park, Eskbank EH22 3FB

06/09/2016

2016-001A.08.AH.03

Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3ZN

Dear Sirs

**Application for Review: reference 16/00470/DPP
Extension to former gardener's bothy to create new dwelling,
Grange Dell Lodge, Penicuik EH26 9LE.**

With reference to the decision for the above, dated 16 August 2016, my clients have requested that the Decision for a Refusal be submitted to the Local Review Body for further consideration as they believe that the reasons for refusal were subjective opinion and not strictly based on specific Planning Policy.

Accordingly, on behalf of my clients, Alastair & Fiona Reynolds of Grange Dell, Penicuik, I present the following to be considered with the Application for Review.

With reference to the Case Officer's Planning Application Delegated Worksheet, it states that:

"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." and further states that "The case officer stated that the creation of a new house in the countryside was contrary to policy unless there were mitigating circumstances to justify a departure from policy" and that "In this instance, this would only be from the visual improvement brought about by the removal of the existing garages and workshop/bothy and replacement with an extension of very high quality design and materials".

A review of the decision is sought as it is my client's opinion that the Decision that "*The proposed design is not of a sufficiently high quality to justify a departure from the adopted policy to allow the creation of a new dwelling house in the countryside.*" is a purely subjective opinion and it can be argued that the opposite is in fact the case – that the proposal is well thought through with regard to the client's requirements and impact on the existing buildings and environment - and is intended to marry a modern building utilising elements of sustainable materials with the more traditional style of the existing lodge dwelling house and the associated large house at Grange Dell.

BACKGROUND



The present arrangement comprises a flat roofed former gardener's bothy which at one time comprised living accommodation with bathroom and living quarters with fireplace (since removed at some point in the past) with its own entrance. The structure is sound with no obvious dampness or dilapidation internally, although the render is becoming stained externally and will require remedial work. This building abuts the original garage, which from the outside appears to be of masonry construction, but is slightly unusual in that it is actually render on timber cladding. The roof is of bituminous felt which offers no aesthetic value to the building's overall appearance. The garage is becoming dilapidated and is too small for a modern car and is coming to the end of its useful life. Located between it and Grange Dell Lodge is another garage which, from its appearance seems to date to the 60's or 70's and is effectively a "lean-to" spanning between the two older buildings. Again, it is too small for a modern car and again is becoming dilapidated and likewise nearing the end of its useful life.

My clients will at some point in the near future have to replace both garages. Therefore, their proposal is to enhance the property further by retaining those parts which are structurally sound and remove those parts which are dilapidated and which now serve no useful purpose. My clients presently rent out the existing Lodge and will continue to do so

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06/09/2016

2016-001A.08.AH.03

and wish to extend this business further either through short term let for tourism purposes or longer term let for local residents. Accordingly it made sense to combine the two and design in a solution which met both criteria.

DESIGN PROPOSALS

The present Lodge appears to have been extended at some point in the past to include another "wing" containing a bedroom off the family room - refer drawing A(01)002 and the original proposal was to rationalise this and include the bedroom with the new proposed extension to create two 2-bed dwellings sharing a roof. The Planning Officer had concerns about the expanse of roof and this was noted by my clients and that proposal was subsequently withdrawn.

After discussions with the Planning Officer, the floor plan was reduced to a one bed property and endeavoured to minimise the impact on the Lodge and reduce the expanse of roof (which had been the Case Officer's concern in the first application) by reflecting the roofs which already existed on the two garages and the gardener's bothy. This plan proposal utilised the existing gardener's bothy as a kitchen – refer dwg A(01)004 in the attached documentation which, from the evidence available would have reflected its original layout. On elevation, this new application endeavoured to present a design which married the existing dwelling to a more modern building and which utilised elements of sustainable materials (timber cladding) as well as traditional materials and which reflected the existing buildings. This can be seen by comparing the existing elevations on dwg. A(03)001 with the proposed elevations on A(03)002.

REASONS FOR REQUEST FOR REVIEW

1. The Case Officer's report states that *"The case officer referred to Historic Environment Scotland guidance on extending lodge houses, which are generally difficult to extend due to their modest scale and general attractiveness. The existing house on site is not listed but the guidance was applicable in order to demonstrate potential design solutions, such as a modern, contemporary approach*

which would contrast with, yet compliment, the existing house." My clients contend that as neither the Lodge nor the main house are Listed the guidance applicable to Listed buildings has simply no relevance in this instance and this criteria should not be applied to my client's case.

2. The Case Officer's report finally asserts that *"The proposed design is not of a sufficiently high quality to justify a departure from the adopted policy to allow the creation of a new dwelling house in the countryside".* It is my client's contention that the statement about quality is purely subjective and does not reflect specific Planning Policy. As stated earlier, the proposed design intended to marry a modern style of building utilising some sustainable materials to the more traditional style of the existing lodge dwelling house and the associated large house at Grange Dell. This is a perfectly valid design approach and is intended to lessen the impact of the new extension on the existing buildings, the local environment and surroundings. As can be seen from the 3D "existing" and 3D "proposed" images on drawing A(03)004 it is intended to "reflect" though not "copy" the massing, elements and colouring already evident on the existing buildings.

It is my client's contention that if it can be accepted in principle that the existing buildings can be extended to create a new dwelling house - but that any extension can only be in a style deemed by the Individual Case Officer to be an "acceptable" style of modern building, then this is not a valid reason for refusal as the design proposal stands on its own merits. Many would argue that this is preferable to a (for example) flat roofed glass extension or some other modern style.

As the dilapidated buildings will have to be replaced at some point and my clients are endeavouring to extend their business to cater for both tourism or single bed letted accommodation for local residents, then it is my client's hope that a review will allow them to proceed and to retain and enhance the current buildings for years to come.

Yours sincerely



Alan Hardie Architect

MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Planning Application Reference: 16/00470/DPP

Site Address: Grange Dell Lodge, Penicuik.

Site Description: The application site comprises a lodge house and garden ground which is associated with a large two storey dwellinghouse. The house on the site is a single storey lodge house with a hipped slate roof and white painted harled walls. The lodgehouse has previously been extended and the newer part of the building matches the design and materials of the original lodge. There are two garages, one flat and one pitched roofed, and a flat roofed workshop/bothy to the side of the house. There is open countryside and woodland surrounding the site with the Pentlands to the north.

Proposed Development: Subdivision of dwellinghouse to form one further dwellinghouse; associated extension to building and formation of pitched roof over existing flat roofed workshop.

Proposed Development Details: It is proposed to subdivide and extend the existing house to form two dwellinghouses. The new dwelling will largely be in the footprint of the existing garages and will utilise the workshop/bothy building. The workshop/bothy is to retain its flat roof, with the new area of accommodation to have a hipped roof which will be slightly lower than the existing house, with a small flat roofed link between the two properties. The walls are to be roughcast render and timber clad, with a slate or single ply membrane roof and timber doors and window frames.

The new house is to have hedging along the boundaries, with a timber fence between the existing and proposed gardens. Five parking spaces are proposed for the two houses outwith the application site. It is proposed that the new house will connect to the septic tank for the existing lodge and will use a private water supply.

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

The case officer and the applicant have had numerous discussions regarding the proposed works.

16/00195/DPP Sub division of dwellinghouse to form one further dwellinghouse; associated extension to building and formation of pitched roof over existing flat roof workshop. Withdrawn.

04/00207/FUL Erection of conservatory to rear and side extension. Permitted.

Grange Dell

16/00194/DPP Sub division of existing dwellinghouse to create dwellinghouse and 1 flatted dwelling and associated external alterations and access. Consent with

conditions – this was justified as the proposed external alterations associated with the subdivision were relatively minor with no significant additional impact on the character or appearance of the countryside as a result of the subdivision and creation of a new residential unit as compared the existing situation.

Consultations: The Policy and Road Safety Manager has no objection.

Representations: No representations have been received.

Relevant Planning Policies: The relevant policies of the 2008 Midlothian Local Plan are;

RP1 Protection of the Countryside states 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, tourism, or waste disposal (where this is shown to be essential as a method of site restoration); it is within a designated non-conforming use in the Green Belt; or it accords with policy DP1. In addition, all such development will need to: demonstrate the requirement for a countryside location; be of a scale and character appropriate to the rural area; be well integrated into the rural landscape; avoid a significant permanent loss of prime quality agricultural land; and take account of accessibility to public transport and services (where appropriate);

DP1 Development in the Countryside is divided into 5 Sections: New Housing; Design of new housing; house extensions; replacement houses; and appearance of all buildings. New housing within the countryside is acceptable only if it is demonstrated that it is required for the furtherance of an established countryside activity; if it forms part of a housing group as identified in the accompanying SPG; if it involves the redevelopment or conversion of redundant farm steadings and other redundant non-residential buildings in the countryside; or if it involves the reuse of a rural building of value; and

RP6 Areas of Great Landscape Value states development will not be permitted where it may adversely affect the special scenic qualities and integrity of the AGLV. The scale, siting, design, form, materials and impact on the important landscape features are all aspects that could have an adverse effect on the AGLV;

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. The application site is located within an area covered by the Midlothian Local Plan.

As noted above, the case officer and the agent have previously discussed this proposal. The case officer stated that the creation of a new house in the countryside was contrary to policy unless there were mitigating circumstances to justify a departure from policy. In this instance, this would only be from the visual improvement brought about by the removal of the existing garages and workshop/bothy and replacement with an extension of very high quality design and materials. The case officer and agent met and discussed a number of options, with the case officer expressing concern over the large expanse of roof being created by continuing the form of the existing lodge house. The case officer referred to Historic Environment Scotland guidance on extending lodge houses, which are generally difficult to extend due to their modest scale and general attractiveness. The existing

house on site is not listed but the guidance was applicable in order to demonstrate potential design solutions, such as a modern, contemporary approach which would contrast with, yet compliment, the existing house. The case officer also showed the agent examples of extensions to lodge houses, including one which was already extended (similar to the current site), which have adopted a more modern design approach which have been approved on listed buildings and also in conservation areas.

Notwithstanding the above discussions, the agent has submitted a proposal which has not adopted the modern design approach recommended by the case officer. The application includes a flat roof link between the existing and proposed houses, but has retained the proposed hipped roof over the majority of the new extension, which measures 10 square metres larger than the existing footprint of the garages and bothy, and retained the flat roofed workshop/bothy. The application also includes areas of timber cladding which appears an attempt at including contemporary detailing. The resulting extension is a combination of retaining the existing form of the lodge house with the inclusion of timber cladding in an attempt to add interest. The proposed design is not of a sufficiently high quality to justify a departure from the adopted policy to allow the creation of a new dwellinghouse in the countryside. In addition, the design of the proposed development will not have a positive impact on the appearance of the Area of Great Landscape Value.

The proposed area of garden ground is sufficient for the size of the proposed house. The proposed boundary treatment includes hedging around three sides of the site, which is acceptable given the rural location. An area of fencing is proposed between the existing and proposed gardens which would be out of keeping with the area. Fencing is more commonly found in suburban locations. Should permission be granted, it would be required that this area be also hedging to be maintained to a height of 1.6 metres to limit overlooking between the properties.

Two parking spaces for the flatted dwelling have been shown outwith the application site boundary in an area identified as shared ground for the existing and proposed houses. The applicant controls the application site and the surrounding area and so this would be under their control. There are no road safety or parking concerns regarding the proposal.

Recommendation: Refuse planning permission.

Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

Reg. No. 16/00470/DPP

Alan Hardie Architect
Suite 4 Dundas House
Westfield Park
Eskbank
EH22 3FB

Midlothian Council, as Planning Authority, having considered the application by Mr And Mrs Alastair And Fiona Reynolds, Grange Dell, Penicuik, EH26 9LE, which was registered on 1 July 2016 in pursuance of their powers under the above Acts, hereby refuse permission to carry out the following proposed development:

Subdivision of dwellinghouse to form one further dwellinghouse; associated extension to building and formation of pitched roof over existing flat roofed workshop at Grange Dell Lodge, Penicuik, EH26 9LE

in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan, Site Plan	A(01)001 D 1:1250 1:250	01.07.2016
Existing Floor Plan	A(01)002 B 1:100	01.07.2016
Existing Elevations	A(03)001 1:100	01.07.2016
Proposed Floor Plan	A(01)004 F 1:100	01.07.2016
Proposed Elevations	A(03)003 E 1:100	01.07.2016
Illustration/Photograph	A(03)004 E	01.07.2016

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

- The proposed development is not required in connection with an established countryside activity, nor is it in an existing housing group or involving the redevelopment of a redundant building and so is contrary to policies RP1 and DP1 of the adopted Midlothian Local Plan and there are no material considerations which would otherwise justify approval.*

Dated 16 / 8 / 2016



.....
Duncan Robertson
Lead Officer – Local Developments
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN

23/06/2016 13:30:12

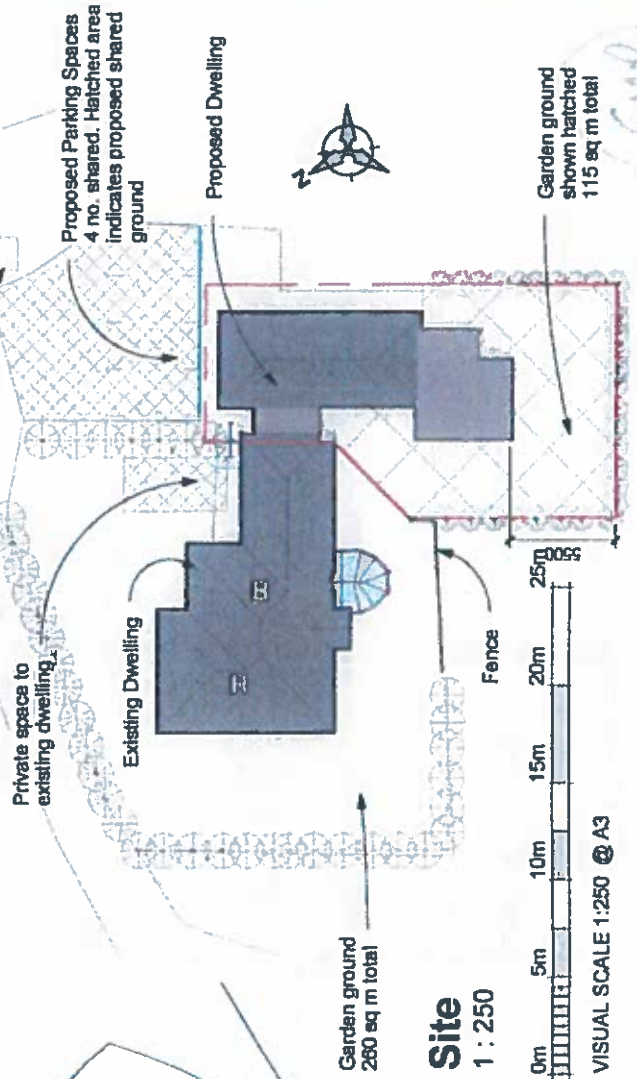
CORPORATE RESOURCES
FILE:
RECEIVED - 5 SEP 2016



Aerial Image indicating trees (none affected by proposed development)



Location Plan
1 : 1250



Site
1 : 250

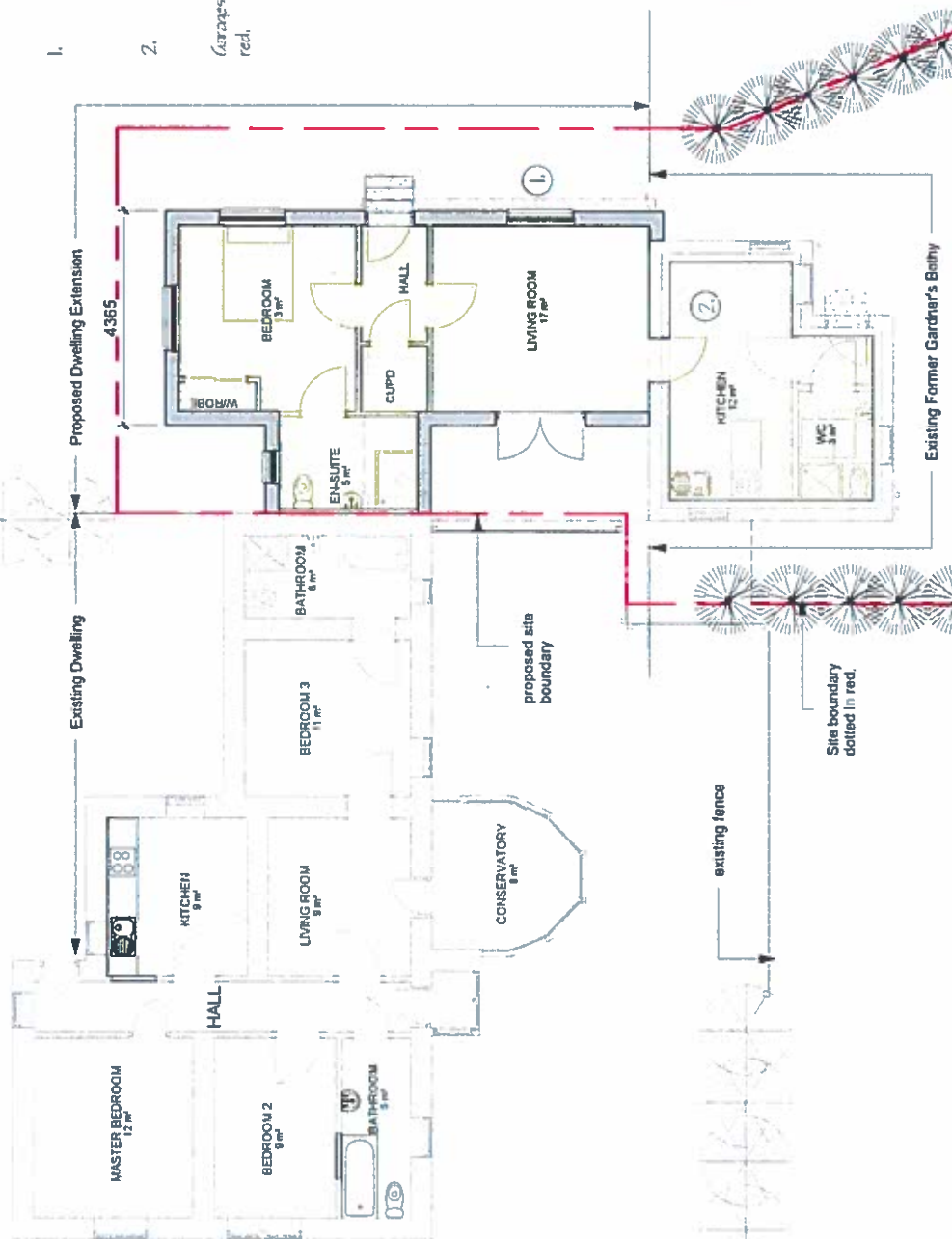
Rev	Description	Date
C	Design revised	22.06.2016
B	Design revised	02.06.2016
A	Amendments to Planning requirements	07.04.2016

Location & Site Plan	
Project number	2016-001A
Date	January 2016
Drawn by	Author
Status	PRELIMINARY
Scale	As indicated

Alastair & Fiona Reynolds
Alterations to Create New Single Storey Dwelling
Grange Dell Lodge, Penicuik

Alan Hardie Architect

Scrimshaw Business Park, Suite 4, Dundas House,
Westhead Park, Edinburgh EC2 3JF
T 0131 446 2200 M 07706 270072 E www.alanhardie.co.uk
The contractor will be held to have visited the site and checked all dimensions and levels prior to commencing work. No liability for errors or omissions shall be accepted by the contractor. The contractor shall be responsible for obtaining all necessary permissions and consents from the planning authorities. The contractor shall be responsible for obtaining all necessary permissions and consents from the planning authorities. The contractor shall be responsible for obtaining all necessary permissions and consents from the planning authorities.



05 Ground Floor Proposed

1 : 100

1. Demolish dilapidated garages and erect new single storey extension to former bathy, comprising new bedroom and living room with entrance hall and en-suite.
2. Form opening into existing building and create new kitchen and shower room.

Garages to be demolished shown dotted in red.

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Westfield Park, Esbank EH22 3PB
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Alastair & Fiona Reynolds
Alterations to Create New Single Storey Dwelling
Grange Dell Lodge, Penicuik

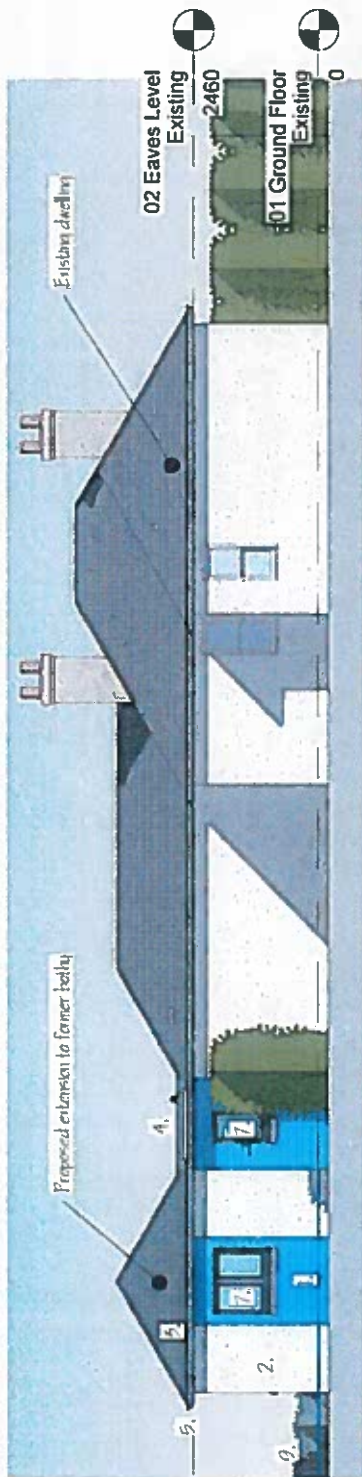
Ground Floor Proposed

Project number: 2016-001A
Date: January 2016
Drawn by: Author
Status: PLANNING

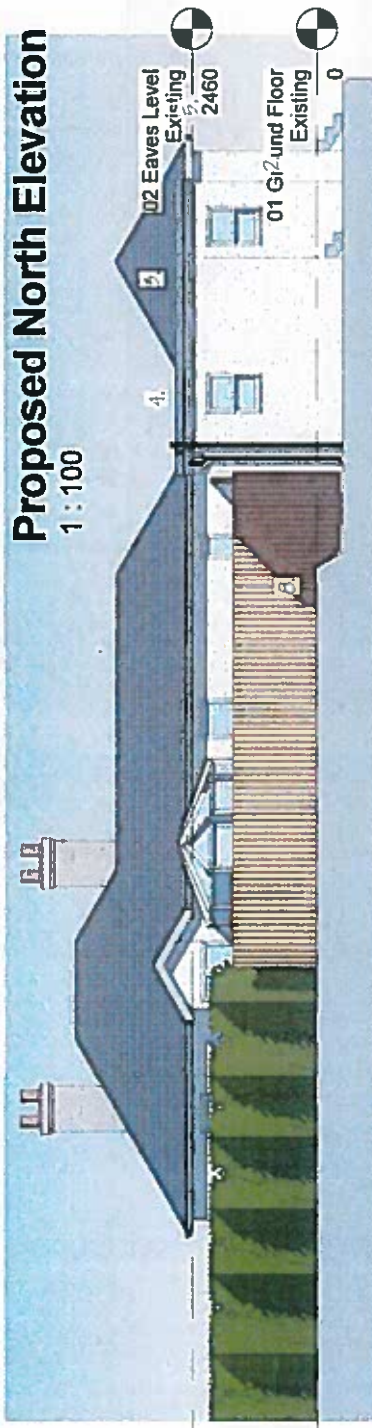
A(01)004

Rev	Description	Date
F	Site layout revised	29.06.2016
E	Design revised	22.06.2016
D	Design revised	02.06.2016
C	Amendments to Planning requirements	07.04.2016
B	Drawing updated to Planning status	03.03.2016
A	Client amendments	26.02.2016

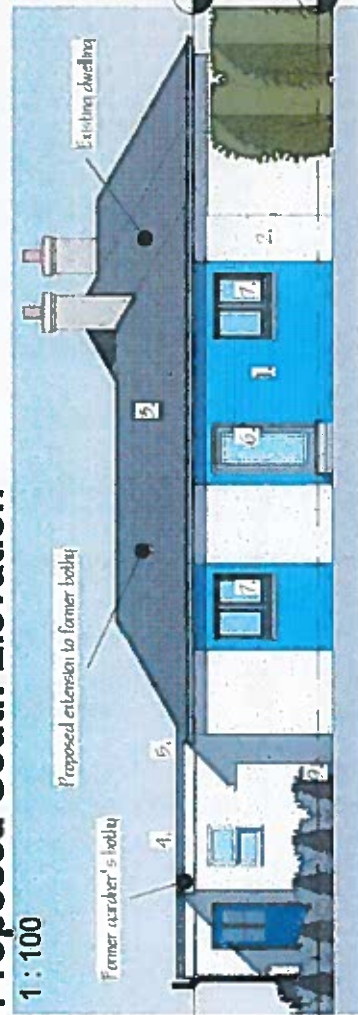
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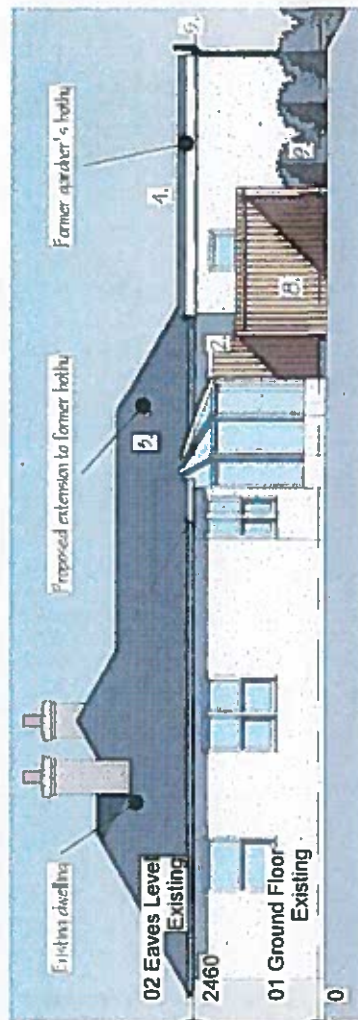
Proposed North Elevation
1 : 100



Proposed South Elevation
1 : 100



Proposed East Elevation
1 : 100



Proposed West Elevation
1 : 100

Materials Index:

1. Timber cladding - cedar to match existing doors
2. Roughcast render
3. Electric Stakes or equal
4. Flat roof - single ply membrane
5. RWP & gutter
6. Timber Door
7. Timber Windows
8. Fence
9. Hedge



VISUAL SCALE 1:100 @ A3

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Alastair & Fiona Reynolds
Alterations to Create New Single Storey Dwelling
Grange Dell Lodge, Penicuik

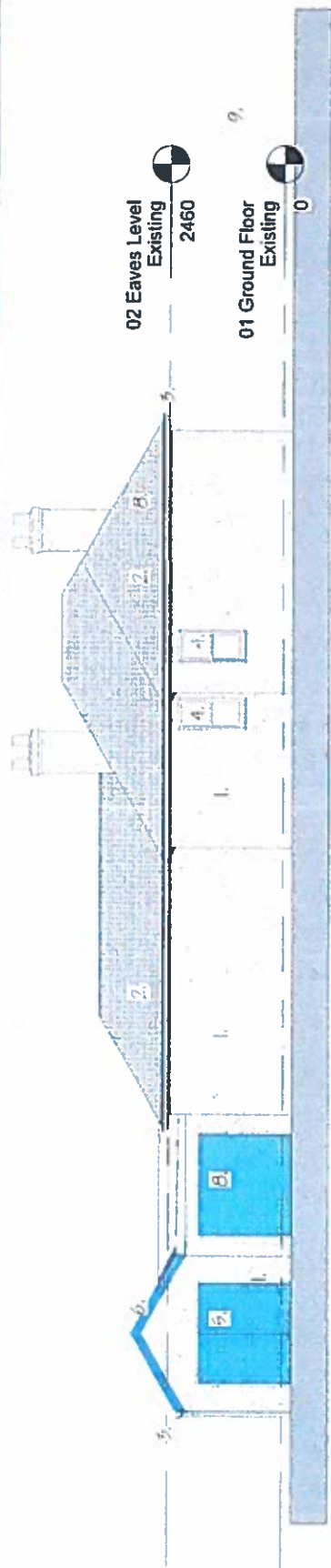
Proposed Elevations

Project number	2016-001A
Date	January 2016
Drawn by	AH
Status	PLANNING
Scale	1 : 100

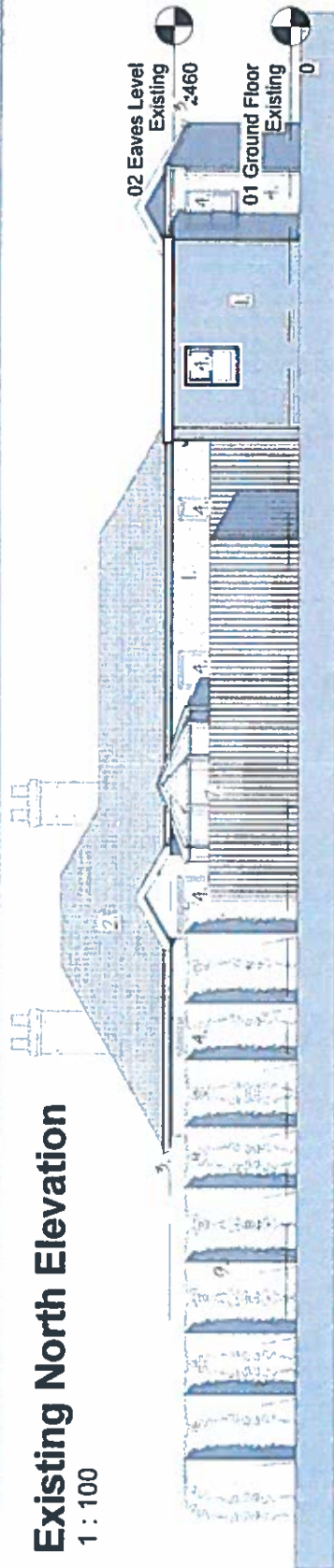
A(03)003

Rev Description

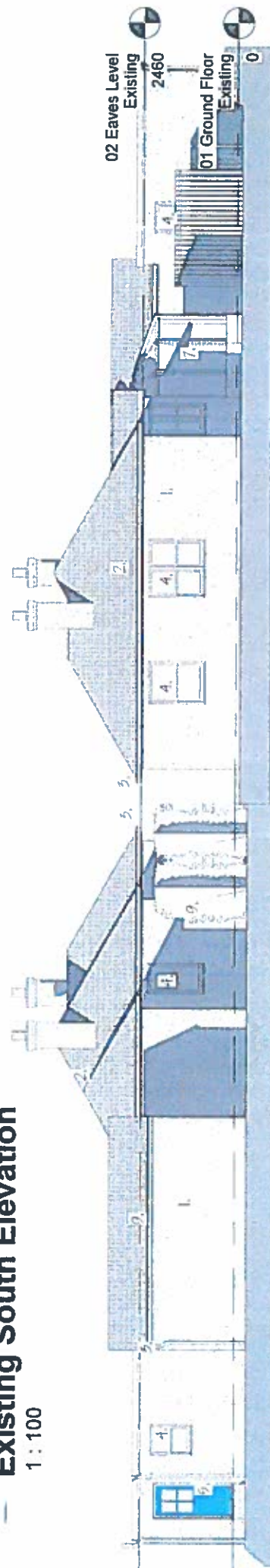
Rev	Description	Date
E	Design revised	22.06.2016
D	Design revised	02.06.2016
C	Amendments to Planning requirements	07.04.2016
B	Drawing updated to Planning status	03.03.2016
A	Client amendments	26.02.2016



Existing North Elevation
1 : 100



Existing South Elevation
1 : 100



Existing East Elevation
1 : 100

Existing West Elevation
1 : 100



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Alastair & Fiona Reynolds
Alterations to Create New Single Storey Dwelling
Grange Dell Lodge, Penicuik

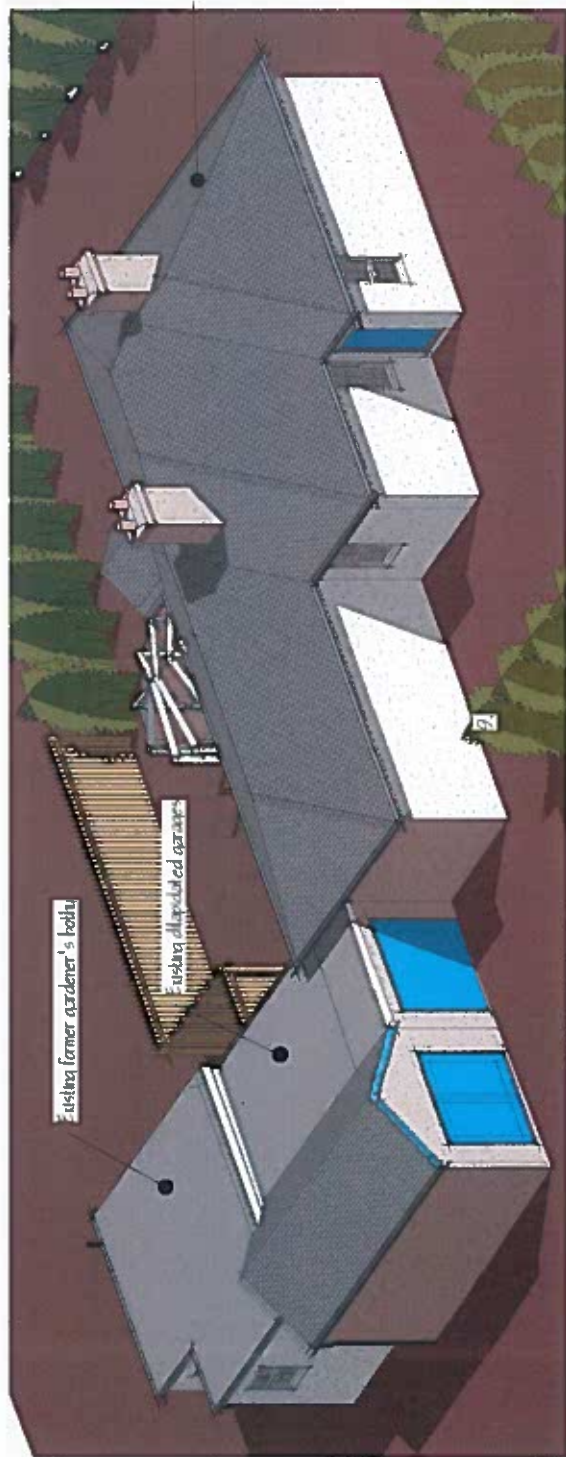
Existing Elevations

Project number	2016-001A
Date	January 2016
Drawn by	Author
Status	PLANNING
Scale	1 : 100

A(03)001

Rev Description

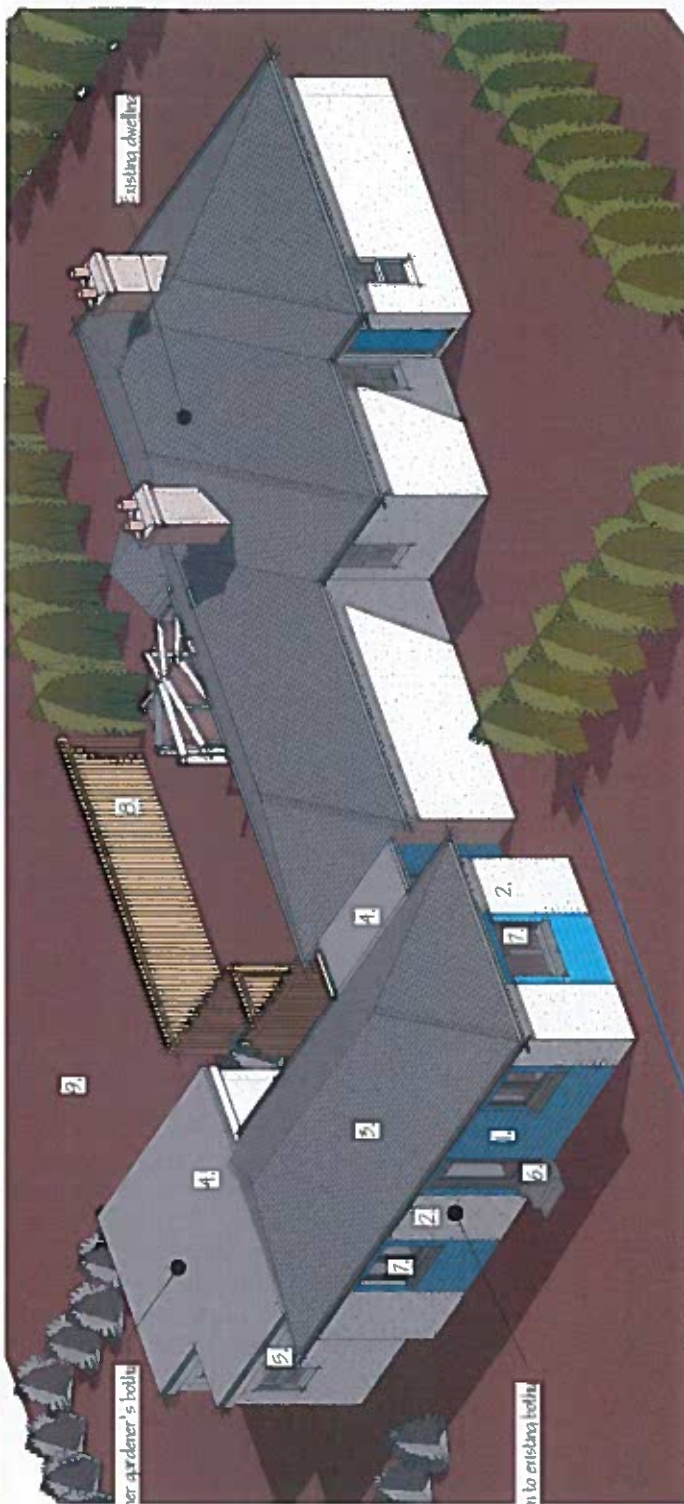
Date



3D Existing

Materials Index:

1. Timber cladding - cedar to match existing doors
2. Roughcast render
3. Electric Slates or eaved
4. Flat roof single ply membrane
5. RWP & gutter
6. Timber Door
7. Timber Windows
8. Fence
9. Hedge



3D Proposed

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Alastair & Fiona Reynolds Alterations to Create New Single Storey Dwelling Grange Dell Lodge, Penicuik

Existing & Proposed 3D Views

Project number	2016-001A	A(03)004
Date	January 2016	
Drawn by	Author	
Status	PLANNING	
		Scale

Rev	Description	Date
E	Design revised	22.06.2016
D	Design revised	02.06.2016
C	Amendments to Planning requirements	07.04.2016
B	Drawing updated to Planning status	03.03.2016
A	Client amendments	26.02.2016

