

Refuse of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body: Review of Planning Application Reg. No. 12/00314/DPP

David Ingram
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Penicuik
EH26 8LN

Midlothian Council, as Planning Authority, having considered the review of the application by Mr Ian Davie, Cleikhimin Cottage , Howgate, EH26 8QD, which was registered on 9 October 2012 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Extension to dwellinghouse at Cleikhimin Cottage, Penicuik, EH26 8QD, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	PL01 1:200 1:1250	23.05.2012
Existing elevations	PL02 1:100	23.05.2012
Elevations, floor plan and cross section	PL03 1:100	23.05.2012

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

As a result of its size and design the extension would appear as a bulky addition unsympathetic to and detracting from the character and appearance of the existing building contrary to policy DP6 of the adopted Midlothian Local Plan.

The Local Review Body (LRB) considered the review of the planning application at its meeting of 27 November 2012. The LRB carried out an accompanied site visit on the 21 November 2012.

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. DP6 Midlothian Local Plan – House extensions

Material Considerations:

1. The individual circumstances of the site.

Dated: 27/11/2012

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, Development Management Manager tel: 0131 2713310 or via peter.arnsdorf@midlothian.gov.uk