



LOCATION PLAN (1:1250)

No.	Rev.	Issue	By	Rev.	Issue	Details	By
						<p>THIS DRAWING WAS PREPARED TO OBTAIN BUILDING CONTROL, BEFORE PLANNING PERMISSION AND CAN ONLY BE USED AS A REFERENCE DRAWING TO THE PLANNING PERMISSION.</p> <p>THIS OFFICE'S LIABILITY IS FOR THE PRESENT OF A DESIGN FOR THE BUILDING CONTROL, AND NOT FOR THE PRESENT OF A DESIGN FOR THE BUILDING CONTROL.</p> <p>THIS DRAWING IS NOT TO BE REPRODUCED WITHOUT PERMISSION.</p> <p>CONTRACTOR NOT TO DEVIATE FROM THE APPROVED DRAWINGS WITHOUT PERMISSION.</p> <p>ALL WORK AND MATERIALS TO BE VERIFIED ON SITE BY CONTRACTOR AND SUPERVISOR.</p>	
<p>REVISED NOTICE</p> <p>HEADLINE SURVEY PLANNING CONTROL, FOR THE PLANNING, STUDIES NEW BUILDING</p> <p>PLANNING APPLICATION L1010 BUILDING APPLICATION BUILDING MATERIAL APPLICATION L1010 BUILDING APPLICATION L1010 BUILDING APPLICATION</p>							
<p>Drawing: Site Location Plan Job: Site 17 Development, Building Client: Mr P. Fisher Date: 14.05.2014 Drawing: Planning</p> <p>format DESIGN PADDON LIME Halswood Business Park 148 Duddingston Road, Warr, Cheshire, CH15 4AD</p> <p>Scale: 1:1250 @A4 Drawing No: 1020 Date: 14.05.2014 Drawing: CS</p> <p>Tel: 01273 601 7000 Fax: 01273 601 7000 Email: info@formatdesign.com Web: www.formatdesign.com</p>							

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 necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000099157-001

The online ref number 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:

Format Design

Ref. Number:

First Name: *

Bob

Last Name: *

Tait

Telephone Number: *

01316617666

Extension Number:

Mobile Number:

Fax Number:

01316596033

Email Address: *

formatdesign@aol.com

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

Building Name:

Format Design

Building Number:

146

Address 1 (Street): *

Duddingston Road West

Address 2:

Town/City: *

Edinburgh

Country: *

UK

Postcode: *

EH16 4AP

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both:*	
Other Title:	<input type="text"/>		Building Name:
First Name: *	<input type="text" value="Peter"/>	Building Number:	<input type="text" value="17"/>
Last Name: *	<input type="text" value="Fairbairn"/>	Address 1 (Street): *	<input type="text" value="Broomieknowe"/>
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number:	<input type="text"/>	Town/City: *	<input type="text" value="Lasswade"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH18 1LN"/>
Fax Number:	<input type="text"/>		
Email Address:	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="Midlothian Council"/>		
Full postal address of the site (including postcode where available):			
Address 1:	<input type="text" value="GLENORD"/>	Address 5:	<input type="text"/>
Address 2:	<input type="text" value="17 BROOMIEKNOWE"/>	Town/City/Settlement:	<input type="text" value="LASSWADE"/>
Address 3:	<input type="text" value="BONNYRIGG"/>	Post Code:	<input type="text" value="EH18 1LN"/>
Address 4:	<input type="text"/>		

Please identify/describe the location of the site or sites.

Northing	<input type="text" value="665735"/>	Easting	<input type="text" value="330406"/>
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Description of the Proposal

Please provide a description of the 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)

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 of 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.

Please see Grounds of appeal and photographs of appeal fence and gates

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

☐ Yes ☒ No

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)

Supporting statement and photos of gates and fence

Application Details

Please provide details of the application and decision.

What is the application reference number? *

14/00361/DPP

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

16/05/14

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

14/07/14

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 conducted by a combination of procedures.

Please select a further procedure *

Inspection of the land subject of the appeal. (Further details below are not required)

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)

To allow the Local Review Body to see the gates and fence

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: Bob Tait
Declaration Date: 05/09/2014
Submission Date: 05/09/2014

Proposal Details

Proposal Name	APPEAL TO LRB - 17 BROOMIEKNOWE
Proposal Description	APPEAL TO LRB - 17 BROOMIEKNOWE
Address	GLENORD, 17 BROOMIEKNOWE, BONNYRIGG, LASSWADE, EH18 1LN
Local Authority	Midlothian Council
Application Online Reference	000099157-001

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete
Payment Method	incomplete

Attachment Details

Grounds of Appeal	Attached	A4
Notice of Review	System	A4
Notice of Review	System	A4
Photos of gates and fence	Attached	A4
scotapp	System	A4

Grounds of Appeal - 17 Broomieknowe – Planning Ref: 14/00361/DPP

The planning application was lodged for the erection of entrance gates and fence in retrospect and was approved on the basis that the "scale and design of the gates do not have an adverse effect on the character and appearance of the Conservation Area; the gates therefore comply with policies RP20 and RP22 of the Midlothian Local Plan."

The planning permission is subject to the following condition "Unless otherwise approved in writing by the Planning Authority the gates and fence shall, within one month of the date of this planning permission, be painted black." The reason for this condition is "to safeguard the character and appearance of the conservation area." We are appealing against this condition as the gates are primarily black, however the gates are not simply traditional entrance gates they are "a work of art". The very reason given for the approval is that the "scale and design of the gates do not have an adverse effect on the character and appearance of the Conservation Area; the gates therefore comply with policies RP20 and RP22 of the Midlothian Local Plan". There is a slight tinge of dark green and a slight tinge of purple to the gates and fence, the traditional colours of the thistle, Scotland's national emblem, and they are very subtly painted.

We appeal against the condition on the basis that painting the gates and fence black would have an adverse and detrimental effect on the artwork that has been put together in creating the gates and fence.

For the above reasons we hope that the appeal can be upheld by the Local Review Body.



MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Case Officer: Graeme King **Site Visit Date:** 23/05/2014

Planning Application Reference: 14/00361/DPP

Site Address: Glenord, 17 Broomieknowe, Lasswade

Site Description: Glenord is a large detached 2 storey 19th century dwellinghouse; the walls are finished in stone, the roof is slate and the windows are timber sash and case. Like many properties of this age in the Broomieknowe area the principal elevation does not front the road and instead faces North Westwards to maximise the view across the valley of the North Esk. The house is not easily visible from the street and the only street facing section of the plot is an 8.6m wide corridor which contains a driveway with landscaping either side. The gates and fence that are the subject of this application are the street entrance to the said corridor. The property is situated within Broomieknowe conservation area.

Proposed Development: Erection of entrance gates and fence (retrospective)

Proposed Development Details: The gates and fence were erected in February of this year. The gates are 4.5m wide and range in height from 2m, at the gate piers, to 2.6m, where the 2 gates meet in the centre of the opening. There are 2 sections of fencing either side of the gate piers, these fencing sections are mounted above a 0.8m high stone wall and are 2.1m wide and 0.9m wide. The gates are metal and are predominantly black in colour with the exception of large thistle motifs which are coloured purple and green and an area of silver coloured distressed metalwork at the bottom of the gates.

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

11/00218/DPP

Glenord, 17 Broomieknowe, Bonnyrigg, Lasswade, Midlothian, EH18 1LN

Erection of decking (part retrospective)

Case Officer: Ingrid Forteath

Decision: CONPER

09/00626/DPP

Glenord, 17 Broomieknowe, Bonnyrigg, Lasswade, Midlothian, EH18 1LN

Erection of dwellinghouse

Case Officer: Mhairi-Anne Cowie

Decision: REF

08/00183/OUT

Glenord, 17 Broomieknowe, Bonnyrigg, Midlothian, EH18 1LN

Erection of dwellinghouse

Case Officer: Mr Iain McFarlane

Decision: WDN

06/00675/FUL

Glenord, 17 Broomieknowe, Bonnyrigg, Midlothian, EH18 1LN

Extension and alterations to dwellinghouse, including replacement windows, erection of garage block, formation of hard standing, landscaping and erection of new boundary wall and entrance gates.

Case Officer: Ingrid Forteath

Decision: CONPER

05/00927/FUL

Glenord, 17 Broomieknowe, Bonnyrigg, Midlothian, EH18 1LN

Extension and alterations to dwellinghouse, erection of garage block, replacement windows, formation of hardstanding, landscaping and erection of new boundary wall and entrance gates

Case Officer: Ingrid Forteath

Decision: WDN

00/00653/FUL

15 Broomieknowe, Lasswade, Midlothian, EH18 1LN

Alterations to boundary wall to increase height to 2 metres

Case Officer: Joyce Learmonth

Decision: PER

Consultations: No consultations were required.

Representations: Seven representations have been received, all seven are objections to the proposal. Six representations are from local residents, the seventh is from Lasswade District Civic Society. The grounds for objection are that the design of the gates and fence are too modern and ostentatious and are therefore out of character with the conservation area; and that the scale of the gates is not in keeping with that of other gates in the conservation area.

Relevant Planning Policies:

Midlothian Local Plan Policy **RP20: Development within the Built-up Area** states that development will not be permitted within the built-up area where it is likely to detract materially from the existing character or amenity of the area.

Midlothian Local Plan Policy **RP22: Conservation Areas** seeks to prevent development which would have any adverse effect on the character and appearance of Conservation Areas.

Planning Issues: New gates and fencing were approved as part of application 06/00675/FUL; the approved gates and fencing were of similar scale to those that have been erected, however they were of a plainer design with smaller thistle motifs along the top of the gates and fences. Condition 13 of the said planning permission required that the gates and fence panels be painted black unless otherwise approved in writing by the Planning Authority.

The scale of the gates and fence sections that have been erected is acceptable. While the central section of the gates is taller than the gate piers the height is not out of proportion with the width of the opening or the scale of the piers. It is acknowledged that the gates are taller than the other gates in the immediate surrounding area however the scale of the gates is not out of character with the scale of the buildings and boundary treatments in the surrounding area.

The design of the gates is undoubtedly more ostentatious than other gates in the area, however there is no common design of gates in the area. There are examples of more decorative gate designs within the surrounding area and these designs may well have appeared similarly ostentatious when first erected; such gates are now accepted features of the area. The design of the gates, while not to everyone's taste, is reflective of current fashions and the gates have been finished to a high standard. On balance the design of the gates is acceptable

The aspect of the gates and fences that most readily draws attention is the choice and variety of colours; gates and fences within the area are predominantly muted in colour and generally of a single colour. If the gates and fences were a single colour they would match the character of the surrounding area. As the approved gates were conditioned to be painted black it would be appropriate to attach a similar condition on this occasion.

The scale and design of the gates and fences will not have a detrimental impact on the character and amenity of the surrounding conservation area, subject to the gates and fences being painted black within an agreed time period.

Recommendation: Grant planning permission subject to condition

Planning Permission

Town and Country Planning (Scotland) Act 1997

Reg. No. 14/00361/DPP

Format Design
146 Duddingston Road West
Edinburgh
EH16 4AP

Midlothian Council, as Planning Authority, having considered the application by Mr Peter Fairbairn, 146 Duddingston Road West, Edinburgh, EH16 4AP, which was registered on 16 May 2014, in pursuance of their powers under the above Acts, hereby grant permission to carry out the following proposed development:

Erection of entrance gates and fence (retrospective) at Glenord, 17 Broomieknowe, Lasswade, EH18 1LN

In accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	9624 1:1250	16.05.2014
Illustration/Photograph	9624 01	16.05.2014

This permission is granted for the following reasons:

The scale and design of the gates do not have an adverse effect on the character and appearance of the Conservation Area; the gates therefore comply with policies RP20 and RP22 of the Midlothian Local Plan

Subject to the following condition:

1. Unless otherwise approved in writing by the Planning Authority the gates and fence shall, within one month of the date of this planning permission, be painted black.

Reason: *To safeguard the character of the character and appearance conservation area.*

Dated 14 / 7 / 2014



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

