



**APPLICATION FOR PLANNING PERMISSION 24/00176/DPP FOR THE
ERECTION OF DWELLINGHOUSE AND ASSOCIATED WORKS ON LAND
AT 4 FALA VILLAGE, PATHHEAD**

Report by Chief Officer Place

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The planning application is for the erection of a single dwellinghouse on land at 4 Fala Village, Pathhead. The site is located within the Fala Conservation Area.**
- 1.2 There have been no representations or consultations received. The relevant development plan policies are policies 1, 2, 3, 7, 14 and 16 of National Planning Framework 4 (NPF4) and policies STRAT2, DEV2, DEV5, DEV6, DEV7, TRAN5, IT1 and ENV19 of the Midlothian Local Development Plan 2017.**
- 1.3 The recommendation is to grant planning permission subject to conditions.**

2. LOCATION AND SITE DESCRIPTION

- 2.1** The application site comprises an area of land covering approximately 615sqm, located in Fala Village. The site comprises an area of hardstanding that previously served as a car park for the former primary school/nursery, which is now used as a dwellinghouse. The site is bound by a stone wall to the northwest and southwest, the existing dwelling (former school/nursery building) to the southeast and its associated garden ground to the northeast.
- 2.2** Fala Village and Fala Conservation Area are characterised by traditional stone buildings of various forms and architectural styles, typically with slate roofs. Contemporary dwellinghouses have been added in the 20th and 21st century, adding a mix of wet and dry dash render as well as timber cladding. The impact of these more recent dwellinhouses on the built form and character of the village has been minimised through careful siting and design. Smaller cottages and older buildings tend to front directly onto the road or close to the road. Larger buildings such as Fala House and Kirkland House, and the more modern buildings, are set back from the road, behind high walls and/or hedges. The village also features a small allotment area which

neighbours the application site to the southwest. The entire village is designated as a conservation area, which extends beyond the village to include fields to the west and north.

- 2.3 The layout of the village is influenced by the existing road network which takes a general square form with houses fronting onto the road from either side. The form of the road network and subsequent siting of the dwellings contributes to much of the village's character and appearance.

3. PROPOSAL

- 3.1 It is proposed to erect a single dwellinghouse on the application site. The proposed dwelling takes on a traditional L-shape form and would be two storeys in height, with the second floor being accommodated within a pitched roof (reaching a maximum height of approximately 6.6m). The dwelling would be finished in a wet dash render, timber doors and sash and case windows, bargeboards and a slate roof. The northeast roof elevation features three dormers and two velux conservation rooflights. The southwest roof slope features a further three rooflights as well five solar panels. A further two solar panels are placed on the southeast roof slope.
- 3.2 Within the grounds of the dwellinghouse it is proposed to form a new 5m wide vehicular access point at the western boundary. This would result in a small area of existing stone wall being removed. However, the remaining stone wall on the northwest and southwest boundaries will remain intact. A gravel drive/parking area would be formed covering approximately 100sqm. The remainder of the site will form a garden area, covering 315sqm with a mix of grassed and planted garden ground and permeable paving, which would surround the perimeter of the house. A post and rail fence with mixed species hedge is proposed to bound the site to the southeast and northeast, where no boundary treatments are currently established.

4. BACKGROUND

- 4.1 May 2006 – conservation area consent 06/00238/CAC was granted for the demolition of classrooms, toilet accommodation and boiler room at Fala and Soutra Primary School, 4 Fala Village.
- 4.2 August 2006 – planning permission 06/00324/FUL was granted, subject to conditions, for a change of use from primary school/janitor's house to nursery school, erection of extension and formation of ramped access at Fala and Soutra Primary School, 4 Fala Village.
- 4.3 July 2008 – planning permission was granted, subject to conditions, to amend condition 2 of planning consent 06/00324/FUL (change of use from primary school/janitor's house to nursery school, erection of extension and formation of ramped access) to increase the number of

childcare places from 29 to 44 at Clover Country Nursery, 4 Fala Village. The nursery closed in 2021.

- 4.4 March 2023 – planning permission was granted, subject to conditions, for a change of use from children’s nursery to dwellinghouse and associated works at Clover Country Nursery, 4 Fala Village.
- 4.5 The planning application has been ‘called-in’ to Committee for determination by Councillor Smail because of the site’s location within the Fala Conservation Area.

5. CONSULTATIONS

- 5.1 The **Council’s Senior Manager Neighbourhood Services (Roads)** was consulted but offered no comment on the proposal.

6 REPRESENTATIONS

- 6.1 No representations have been received.

7 PLANNING POLICY

- 7.1 The development plan is comprised of National Planning Framework 4 (2023) and the Midlothian Local Development Plan (2017).

- 7.2 The following Policies are relevant to the proposal:

National Planning Framework 4 (NPF4)

- 7.3 **Policy 1 Tackling the climate and nature crises**; sets out to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.
- 7.4 **Policy 2 Climate mitigation and adaptation**; sets out to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
- 7.5 **Policy 3 Biodiversity**; sets out to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.
- 7.6 **Policy 7 Historic assets and places**; sets out to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.
- 7.7 **Policy 14 Design, quality and place**; sets out to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

- 7.8 Policy **16 Quality homes**; sets out to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.

Midlothian Local Development Plan (2017)

- 7.9 Policy **STRAT2: Windfall Housing Sites** supports housing on non-allocated sites within the built-up area provided: it does not lead to loss or damage of valuable open space; does not conflict with the established land use of the area; has regard to the character of the area in terms of scale, form, design and materials and accords with relevant policies and proposals.
- 7.10 Policy **DEV2: Protecting Amenity within the Built-Up Area** states that development will not be permitted within existing and future built-up areas where it is likely to detract materially from the existing character or amenity of the area.
- 7.11 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.12 Policy **DEV6: Layout and Design of New Development** states that good design and a high quality of architecture will be required in the overall layout of development proposals. This also provides guidance on design principles for development, materials, access, and passive energy gain, positioning of buildings, open and private amenity space provision and parking.
- 7.13 Policy **DEV7: Landscaping in New Development** requires development proposals to be accompanied by a comprehensive scheme of landscaping. The design of the scheme is to be informed by the results of an appropriately detailed landscape assessment.
- 7.14 Policy **TRAN5: Electric Vehicle Charging** seeks to support and promote the development of a network of electric vehicle charging stations by requiring provision to be considered as an integral part of any new development or redevelopment proposals.
- 7.15 Policy **IT1: Digital Infrastructure** supports the incorporation of high-speed broadband connections and other digital technologies into new homes, business properties and redevelopment proposals.
- 7.16 Policy **ENV19: Conservation Areas** states that development will not be permitted within or adjacent to conservation areas where it would have any adverse effect on its character or appearance.

National Policy

- 7.17 The Scottish Government policy statement **Creating Places** emphasises the importance of quality design in delivering quality places. These are communities which are safe, socially stable and resilient.
- 7.18 **Designing Places, A Policy Statement for Scotland** sets out the six key qualities which are at the heart of good design namely identity, safe and pleasant environment, ease of movement, a sense of welcome, adaptability and good use of resources.
- 7.19 **The Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design.
- 7.20 The Scottish Government policy statement **Designing Streets** emphasises that street design must consider place before movement, that street design guidance (as set out on the document) can be a material consideration in determining planning applications and that street design should be based on balanced decision-making.
- 7.21 **Historic Environment Scotland (HES) Policy Statement 2016** replaces Scottish Historic Environment Policy (SHEP) for operational matters. The policy statement should be used by local authorities when considering planning applications which have an historical or cultural dimension. The policy statement was prepared in response to changes introduced by the Historic Environment Scotland Act 2014. Additional guidance on managing change in conservation areas is available via the HES website.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise.
- 8.2 The application site is located within the built-up area of Fala Village, where there is a presumption in favour of appropriate development provided it does not detract materially from the character or amenity of the area. The site is also within the Fala Conservation Area where any new development is expected to enhance or preserve the character of the conservation area.
- 8.3 The configuration of Fala Village and its settlement pattern is clearly defined. The proposal is located in the centre of the village, on a disused car park and as such would not result in an extension of the current village settlement boundary or change the settlement pattern or street configuration. Most dwellings front onto the road network, as does the proposed dwellinghouse.

- 8.4 Fala Village is a small settlement where most dwellings are either single storey or two storeys with the second story of accommodation being within the roofspace (this is often referred to as one and half story). The built form of Fala Village is predominantly one of smaller dwellinghouses, typically bungalows and cottages, but there is also an occasional two story dwellinghouse and a range of building heights. The applicant proposes one appropriately sized dwelling, comprising two storeys, but with the second storey being entirely within the roofspace. This reflects some of the existing traditional dwellings in the village. Additionally, the proposal includes a palette of materials, all of which are appropriate and acceptable in the historic built environment and would not visually detract from the current character and appearance of the conservation area.
- 8.5 The application site is situated in the grounds of the former primary school, which was latterly used as a nursery. The site is a prominent one in the village given the former use of the site. The current state of the site is not positively contributing to the character and appearance of the village and its conservation area. The site is covered in hardstanding and is currently part of the garden ground of 4 Fala Village. Given the former car park is no longer in use or necessary for the function of the village, appropriate development of the site could result in a positive contribution to the visual character and appearance of the village and its conservation area.
- 8.6 Regarding the sustainability of the proposal and the site, Fala Village is not immediately served well by public transport and so it is envisioned that journeys would be most likely taken by car. As a consequence, it is considered appropriate that an electric vehicle charging point (EVCP) is incorporated into the scheme for future occupants, and as such a condition is recommended to secure an EVCP.
- 8.7 The erection of a traditional styled dwelling, significantly smaller in scale than the former school and nearby two storey dwelling would appear subservient in the street scene. This is appropriate given the previous use, scale and design features on these buildings as well as the traditional style cottages to the north and west. When viewing the site from various points of the village, the dwelling would not look out of place and would contribute to a desirable diverse, yet traditional mix of building heights. The introduction of the proposed dwelling reflects the traditional design of the village and is in scale with other buildings in the area.
- 8.8 The proposed solar panels are required to be assessed due to the site's location in a conservation area (otherwise they would not require planning permission once a dwellinghouse is built). The panels on the southwest elevation would be particularly prominent, being visible from the main road, while the panels on the southeast elevation would likely not be easily visible. Given the inclusion of rooflights, the appearance of the roof may appear busy in an otherwise traditional area. However, NPF4 places particular importance on the climate crisis and as

identified elsewhere in the report, the location of the site is not inherently sustainable (in the absence of public transport provision). It is therefore considered important for the scheme to include a mechanism for the dwellinghouse to be powered from a renewable energy source. On balance, the consideration of the climate crisis is considered to outweigh the concern of the potential detrimental impact on the Fala Conservation Area in this particular case.

- 8.9 As the site is currently covered by hardstanding, the proposal brings the opportunity for improved landscaping and biodiversity enhancement. Much of the existing stone walls are to be retained, with the exception of a 5m wide section being removed to accommodate the new vehicular access. Mixed species hedgerows along the northeast and southeast boundaries are also positive in that they contribute to visual amenity and offer the potential to enhance biodiversity. It is recommended that detailed landscape proposals are conditioned as part of any grant of planning permission. The submissions should generally include a landscape layout plan with plant schedule and landscape specifications for all new hard and soft landscaping features. To optimise biodiversity value of the site the landscape proposals must include native tree planting at suitable locations, nectar rich planting for pollinators and nesting and wildlife homes.
- 8.10 While it is acknowledged that the loss of the 5m length of stone wall is undesirable, it should be noted that the demolition itself would not require conservation area consent. Additionally, the retention of most of the boundary wall is a welcome factor of the proposal and the addition of any potential gate would be covered by condition. Therefore, the negative impact of losing a section of wall are outweighed by the positives that the proposed scheme offers. The location of the gravel parking area (the provision of three spaces) is suitably located within the site. The increase in traffic levels in the area as a result of the development will be minimal, especially if compared to the previous nursesey use of the site.
- 8.11 With regards to amenity, the dwelling is located 16 metres away from the nearest dwelling to the east, 16.2 metres from the dwelling to the southeast and 16.5 metres from the dwelling to the north. This reflects the street layout and character of the area and should not be intrusive in terms privacy, overlooking or being overbearing on neighbouring properties. The separation distances to the front and rear exceed the 'standard' spatial separation requirements of 25m and 22m.
- 8.12 No details of the private sewage treatment system and site drainage have been submitted but can be secured by condition if planning permission is granted. The appropriate consultations can then be undertaken depending on the details of the proposals.

9 RECOMMENDATION

9.1 That planning permission be granted for the following reason:

The proposed dwellinghouse is located within the built-up area of Fala Village where there is a presumption in favour of appropriate development. Furthermore, by means of its scale, orientation and design it will complement the character and appearance of the Fala Conservation Area and will not have a detrimental impact on the residential amenity of the area nor raise any road safety concerns and as such complies with the relevant policies of National Planning Framework 4 and of the Midlothian Local Development Plan 2017.

Subject to the following conditions:

1. The development to which this permission relates shall commence no later than the expiration of three years beginning with the date of this permission.

Reason: To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning (Scotland) Act 2019).

2. 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 the external materials of the house, including any colours to be used;
 - b) Details of the size, design, position and materials of all proposed walls, fences, gates or other means of enclosure;
 - c) Details of the proposed hardstanding materials;
 - d) Details of the proposed solar panels;
 - e) Proposals for the treatment and disposal of foul and water surface drainage, including the location of any new equipment; and
 - f) A landscape plan, including details of a scheme of landscaping for the site. Details shall include the position, number, size and species of all trees and shrubs proposed, as well as identifying all trees on site which are proposed to be removed and retained and details of plant protection.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *These details were not submitted as part of the application: to protect the visual amenity of the surrounding rural area; to integrate the development into the area; to provide adequate amenity to future occupants.*

3. The proposed drainage treatment and disposal required in condition 2i) shall consider the creation of a biodiverse Sustainable Urban Drainage System (SUDS) such as a pond, rain garden and/or planted bioswale.
4. Before the house is occupied, the installation of the means of drainage treatment and disposal in terms of condition 2i) shall be completed to the satisfaction of the planning authority.

Reason for conditions 3 and 4: To ensure that the house is provided with adequate drainage facilities prior to occupation.

5. Development shall not begin until details, including a timetable of implementation, of superfast broadband have been submitted to and approved in writing by the planning authority. The details shall include delivery of superfast broadband prior to the occupation of the dwellinghouse. The delivery of superfast broadband shall be implemented as per the approved details.

Reason: To ensure the quality of the development is enhanced by the provision of appropriate digital infrastructure in accordance with the requirements of policy IT1 of the adopted Midlothian Local Development Plan.

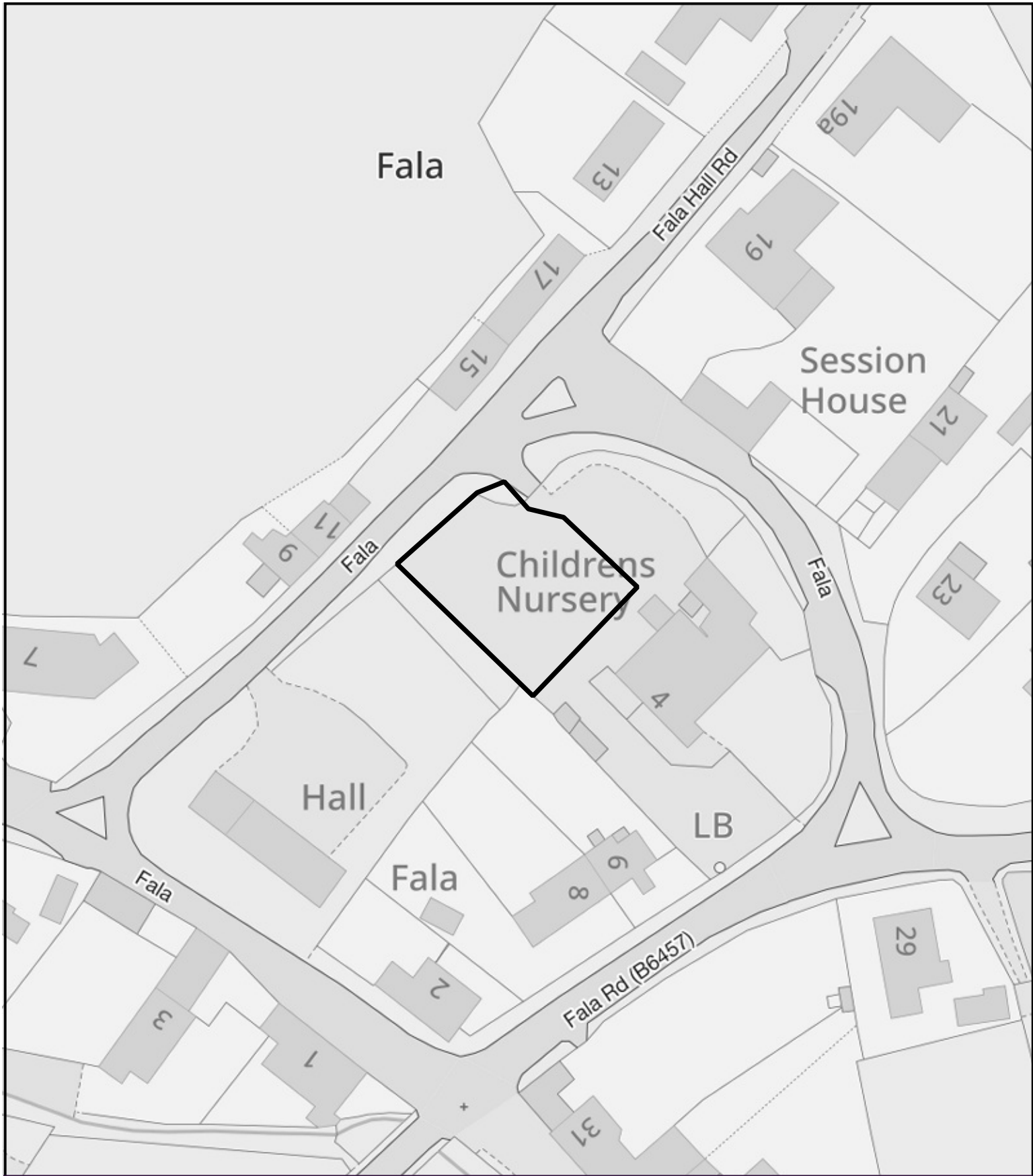
6. Development shall not begin until details of the provision and use of an electric vehicle charging station have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details, or such alternatives as may be approved in writing by the planning authority.

Reason: To ensure the development accords with the requirements of policy TRAN5 of the adopted Midlothian Local Development Plan 2017.

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 10 May 2024

Application No: 24/00176/DPP (Available online)
Applicant: Mrs Fiona Harvey-Jones
Agent: N/A
Validation Date: 13 March 2024
Contact Person: Jack Wilson
Email: jack.wilson2@midlothian.gov.uk
Attached Plan: Location Plan, Site Plan and Elevations



**Planning Service
Place Directorate**

Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith, EH22 3AA

Erection of dwellinghouse and associated works

Land At 4 Fala Village Pathhead

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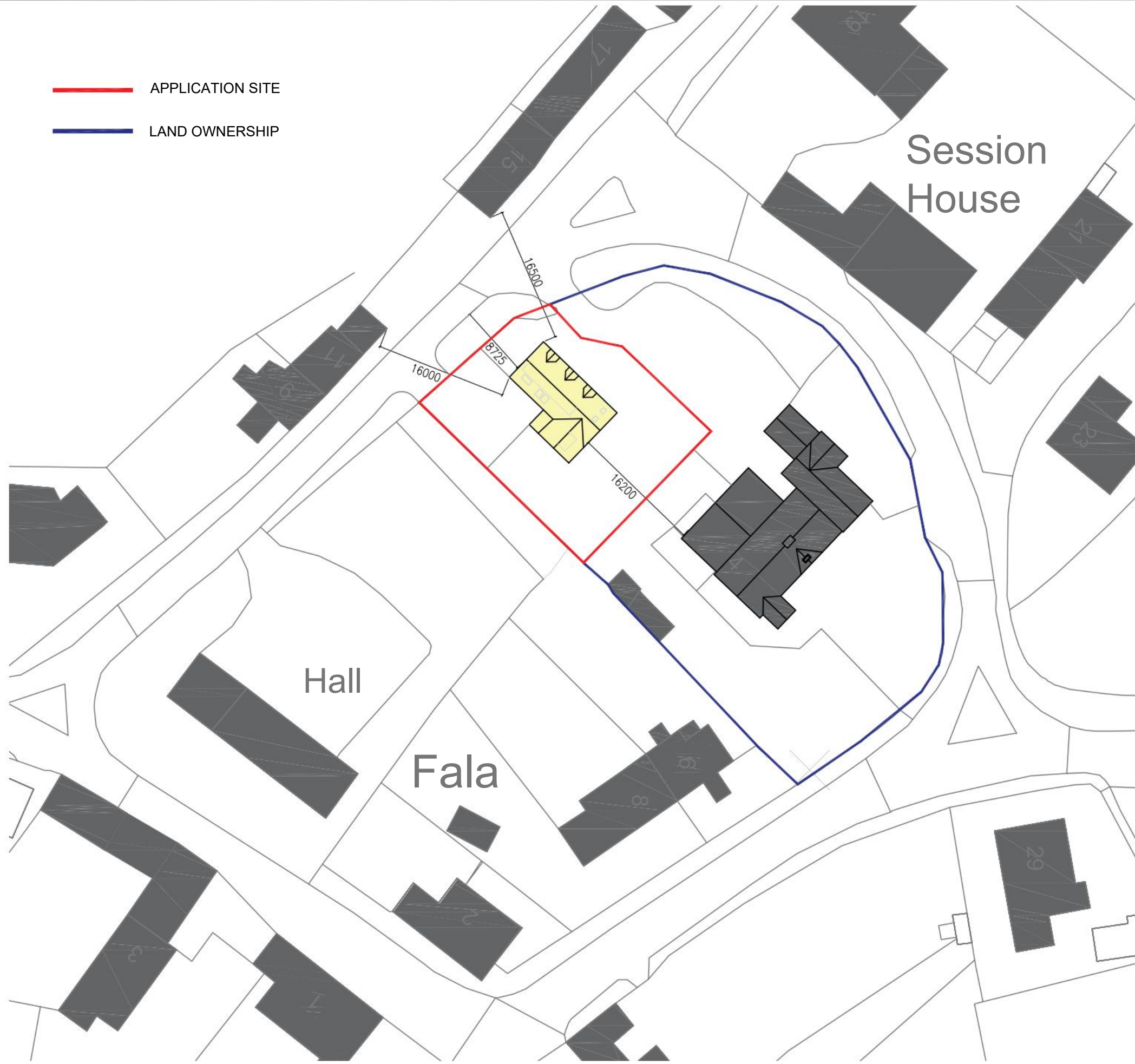
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Midlothian Council Licence No. AC0000811376 (2024)

Scale 1:750



- APPLICATION SITE
- LAND OWNERSHIP



ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE
 DISCREPANCIES TO BE REPORTED TO ARCHITECT BEFORE
 PROCEEDING
 IF IN ANY DOUBT ABOUT INFORMATION ON THIS DRAWING
 CONTACT ARCHITECT



CLIENT

MR & MRS HARVEY-JONES

PROJECT

4 FALA, FALA VILLAGE, EH37 5SY

DRAWING TITLE

PROPOSED BLOCK PLAN

SCALE

1:500 @ A3

DATE

02/02/24

CAD FILE

2303-PL

DRAWN BY

FH

PLANNING

STATUS

DRAWING NUMBER

2303-PL-02

fiona harvey

architect



1:500 @ A3

THE SCHOOLHOUSE
 4 FALA VILLAGE
 FALA, EH37 5SY
 TEL: 07776 804 188
 E-MAIL: fodge89@yahoo.com

ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE
 DISCREPANCIES TO BE REPORTED TO ARCHITECT BEFORE PROCEEDING
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Existing stone wall to be retained along North west and South west boundaries.
 Timber post and rail fence 1.2m high to North east and South east boundaries.
 There are no existing trees within the proposed application site.
 All proposed planting to be undertaken during the first planting season following completion of the construction works. Planting to be maintained until fully established. Any planting requiring replacement to be replaced within the next planting season. All planting to be maintained.
 Hedging to be planted in a double staggered row in accordance with recommendation for spacing.
 Paving and gravel types and colour to be agreed with the council for approval.

CLIENT
MR & MRS HARVEY-JONES

PROJECT
4 FALA, FALA VILLAGE, EH37 5SY

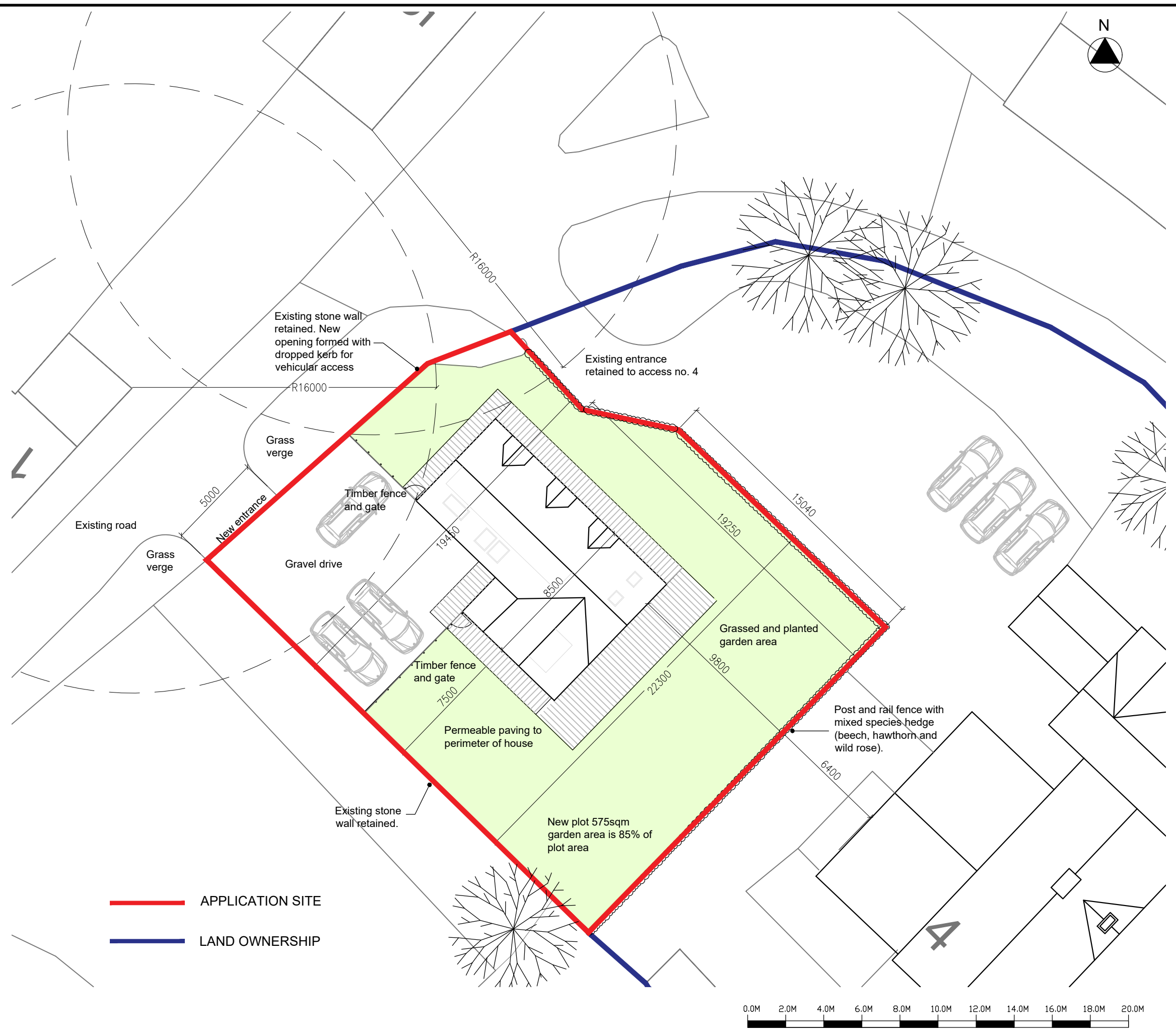
DRAWING TITLE
PROPOSED SITE PLAN

SCALE	DATE
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CAD FILE	DRAWN BY
2303-PL	FH

PLANNING	STATUS
	DRAWING NUMBER
	2303-PL-03

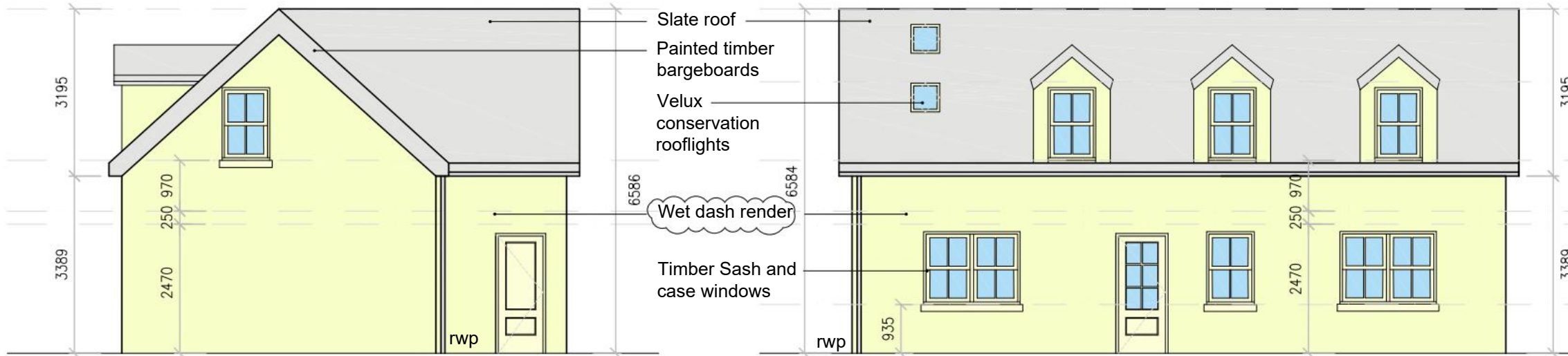
fiona harvey architect

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— APPLICATION SITE
 — LAND OWNERSHIP

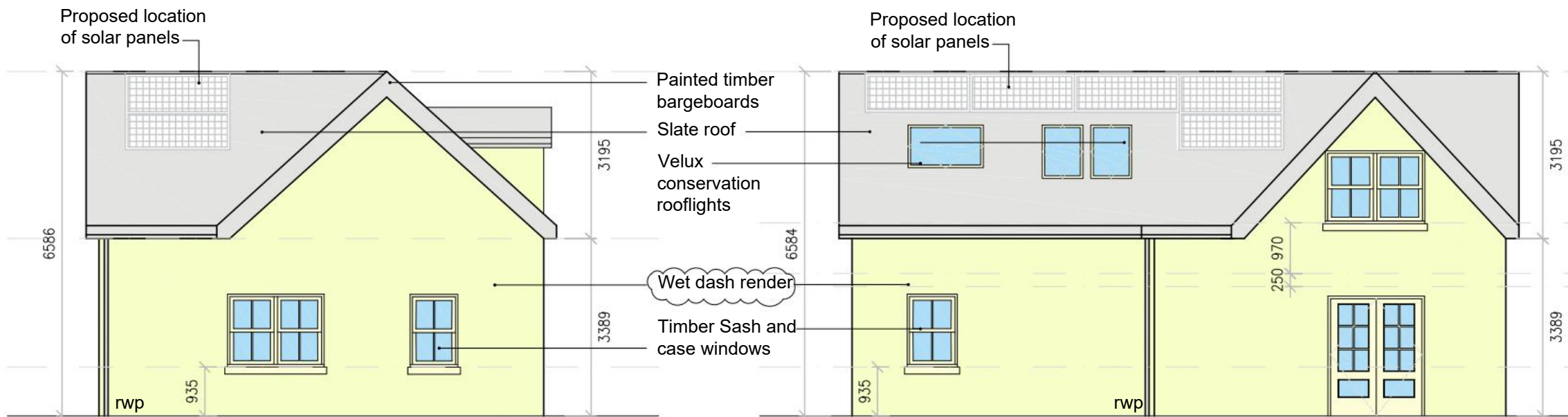
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NORTH WEST ELEVATION

NORTH EAST ELEVATION

Proposed building height reduced in line with Planning Officer comments. The proposed amended heights of the eaves and ridge are in accordance with the heights of the existing 1 1/2 storey properties at numbers 6, 8 and 23 Fala Village. The window levels are as per the property at number 23.



SOUTH EAST ELEVATION

SOUTH WEST ELEVATION



1:100 @ A3

ALL DIMENSIONS AND LEVELS TO BE CHECKED ON SITE
DISCREPANCIES TO BE REPORTED TO ARCHITECT BEFORE PROCEEDING
IF IN ANY DOUBT ABOUT INFORMATION ON THIS DRAWING CONTACT ARCHITECT

Roof to be slate finish

All external walls to be wet dash rendered with white finish. RAL colour to be to the approval of the Planning Department.

All external doors and windows to be timber framed triple glazed. Windows to be sash and case with timber through astragals no greater than 27mm wide with profile to match existing astragals at number 4. All timber to be painted in Farrow and Ball Hague Blue or equal and approved. Full construction details to be submitted to Planning Department for approval prior to commencement of construction.

Rooflights to be velux conservation rooflights.

Solar panels to be installed on pitched roof to South east and South west elevations.

Rev A Building height and wall finish amended 19/03/24

CLIENT

MR & MRS HARVEY-JONES

PROJECT

4 FALA, FALA VILLAGE, EH37 5SY

DRAWING TITLE

PROPOSED ELEVATIONS

SCALE DATE

1:100 @ A3

02/02/24

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PLANNING STATUS

DRAWING NUMBER

2303-PL-06 Rev A

fiona harvey architect

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