

# Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body  
Tuesday 7 June 2016  
Item No 5.2

## Local Review Body: Review of Planning Application Reg. No. 15/00948/DPP

Ms Fiona Macaulay  
Rosebank Cottage  
Chapel Loan  
Roslin  
EH25 9PU

Midlothian Council, as Planning Authority, having considered the review of the application by Ms Fiona Macaulay, Rosebank Cottage, Chapel Loan, Roslin, EH25 9PU, which was registered on 22 March 2016 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

**Demolition of derelict outbuilding and erection of replacement outbuilding at land to the rear of Rosebank North Cottage, Roslin, EH25 9PU**, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan		08.12.2015
Proposed elevations		08.12.2015
Proposed elevations		08.12.2015
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Proposed elevations		08.12.2015
Proposed floor plan		08.12.2015
Roof Plan		08.12.2015

Subject to the following condition:

1. Prior to the commencement of development, details and samples of the proposed external materials of the outbuilding shall be submitted to and approved by the Planning Authority. The development shall comprise all natural materials which are sympathetic to its rural setting.

**Reason:** *These details were not submitted with the original application: to ensure that the development is in keeping with and does not detract from the*

*surrounding countryside, Green Belt, Area of Great Landscape Value, Conservation Area and listed building.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 26 April 2016. The LRB carried out an unaccompanied site visit on the 25 April 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. RP2 Midlothian Local Plan – Protection of the Green Belt
3. RP4 Midlothian Local Plan – Prime Agricultural Land
4. RP6 Midlothian Local Plan – Areas of Great Landscape Value
5. RP22 Midlothian Local Plan – Conservation Areas
6. RP24 Midlothian Local Plan – Listed Buildings

Material Considerations:

1. The individual circumstances of the site.

In determining the review the LRB concluded:

The proposed development by means of its size, design and location does not distract from its rural location and as such could be supported.

Dated: 26/04/2016

Councillor J Bryant  
Chair of the Local Review Body  
Midlothian Council

## **IMPORTANT NOTE**

In granting planning permission the Local Review Body expressed concern with regard the unkempt state of the site and the land in close proximity of the application site. The LRB have requested that the land is tidied up. Please ensure any disused materials are removed from the site and any paraphernalia and miscellaneous articles stored on the site in association with the neighbouring residential use are removed from the land.

Furthermore the grant of planning permission is for the erection of a new building subject to a stated condition. The proposed building can be used for agricultural/horticultural purposes as per the permitted land use of the site. It is not a grant of planning permission to change the use of the building/land to a residential/garden use associated with the neighbouring dwellinghouse. A separate planning application is required to use the land for an office/studio or other purposes associated with, or incidental to, Rosebank North Cottage.

## 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](mailto:peter.arnsdorf@midlothian.gov.uk)*