

# Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body  
Tuesday 1 September 2015  
Item No 5(a)

## Local Review Body: Review of Planning Application Reg. No. 14/00855/DPP

Mr Stuart Law  
15 St James Gardens  
Penicuik  
EH26 9DX

Midlothian Council, as Planning Authority, having considered the review of the application by Mr Stuart Law, 15 St James Gardens, Penicuik, EH26 9DX, which was registered on 12 February 2015 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

**Erection of a porch at 15 St James Gardens, Penicuik**, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	SJG/15/P01 1:2500	08.12.2014
Site Plan	SJG/15/P02 1:1250	08.12.2014
Proposed floor plan	SJG/15/P03	08.12.2014
Proposed elevations	SJG/15/P04	08.12.2014
Proposed elevations	SJG/15/P05	08.12.2014
Proposed elevations	SJG/15/P06	08.12.2014

Conditions 1 attached to the grant of planning permission dated 20 January 2015 under reference 14/00855/DPP has been removed by the Local Review Body (LRB). A non conditional planning permission for the erection of a porch at 15 St James Gardens, Penicuik has been granted. Please attach this decision notice to your original grant of planning permission.

The Local Review Body (LRB) considered the review of the planning application at its meeting of 28 April 2015. The LRB carried out an unaccompanied site visit on the 27 April 2015.

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. Other materials used in the local area.
2. The original colour of the roof tiles

In determining the review the LRB concluded:

The LRB concluded that although the principle of matching the roof tiles of an extension to those of the host house is the correct approach, in this case, the proposed porch is of limited size that a variation in colour when compared to the main house will not have a detrimental impact on the street scene. The variation in roofing tiles within the street and the fact that the house tiles of 15 St James Gardens were originally a different colour to the existing red/orange colour, further supports the approach of varying the porch roof material compared to the main house.

Dated: 28/04/2015

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