



**APPLICATION FOR PLANNING PERMISSION (13/00242/DPP) FOR
EXTENSION TO DWELLINGHOUSE AT BOWLING GREEN COTTAGE,
MURDERDEAN ROAD, NEWTONGRANGE**

Report by Head of Planning and Development

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The application is for an extension to Bowling Green Cottage, Murderdean Road, Newtongrange. There have been 14 letters of representation objecting to the proposed development and a consultation response from the Council's Policy and Road Safety Manager. The relevant development plan policies are RP20 and DP6 of the adopted Midlothian Local Plan and the recommendation is to grant planning permission subject to a condition.**

2 LOCATION AND SITE DESCRIPTION

- 2.1** The application site is located on the east side of Murderdean Road. The application property comprises a large, previously extended, detached dwellinghouse with accommodation at ground floor and at first floor level within the roofspace. It is finished externally in render with white plastic windows and grey plain concrete roof tiles. The property is set back and down from the road. There is an existing garage building towards the north east corner of the site and a 1.8m high fence along the frontage of the site.
- 2.2** To the north of the site is a bowling green and to the east of the site is the under construction Borders railway line beyond which is a rear access lane and the rear gardens of single storey former miners' cottages at Dean Park, together with more modern single storey houses at Dean Park Court. There are trees and shrubs along the opposite side of the road. To the south of the site is a road bridge crossing the railway line.

3 PROPOSAL

- 3.1** It is proposed to erect a pitched roof extension to the north side of the house with accommodation at first floor level within the roof space. The extension measures 9m wide and 8.3m deep. External wall and window finishes are to match existing house.

4 BACKGROUND

- 4.1 Planning application 09/00577/DP for the formation of a driveway and erection of a gate, fence and retaining wall was granted in 2010. The consent has been implemented.
- 4.2 Planning application 09/00632/DPP for an extension to the house, measuring 10m wide and 8.3m deep including dormers serving accommodation at first floor level within the roof space was granted in 2010. The extension has been built.
- 4.3 The application has been called in to be determined by the Planning Committee by Cllr Pottinger, the reasons being; the number of objections, the visual impact of the development, the need for a site visit, the need to consider the Community Council's views and the possible need for further information.

5 CONSULTATIONS

- 5.1 The Council's **Policy and Road Safety Manager** states that planning consent for the vehicle access into this site was granted in 2010 and it appears to be operating satisfactorily with no reports on the road accident database of any injury accidents occurring on this section of road in the current 3-year period. The current proposal is for an extension to the existing property and not for a separate dwelling, and as such it is not anticipated there will be any significant change to the current level of vehicle access to the site.
- 5.2 **Newtongrange Community Council** was consulted and has not objected to the application.

6 REPRESENTATIONS

- 6.1 Fourteen letters of representation have been received in relation to the application from local residents all objecting to the proposed extension. The concerns raised are as follows:
 - Impact on privacy to properties on the opposite side of the railway line;
 - Impact on views from properties on the opposite side of the railway line;
 - Reduction in sunlight to properties on the opposite side of the railway line;
 - Noise and disturbance. The applicant is not a good neighbour with construction work on the previous extension having taken place at unsociable hours and at weekends;
 - Noise from the applicant's dog;
 - Decrease in property values;
 - Area already dominated by the "cottage" as previously extended;
 - Substantial increase in size of property and change in character from cottage to a mansion;

- Existing extension has already had a detrimental impact on surrounding properties and the surrounding area; and
- Concern regarding possible increase in traffic using the existing vehicular access on to the busy A7 which is not fit for purpose.

7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and the Lothians Structure Plan 2015, approved in June 2004, and the Midlothian Local Plan, adopted in December 2008. The following policies are relevant to the proposal:
- 7.2 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; and
- 7.3 Midlothian Local Plan Policy **DP6: House Extensions** requires that house extensions be well designed to maintain or enhance the appearance of the house and locality. The guidelines also relate to the size of extensions, external finishes, remaining garden area and impact on neighbouring properties.

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. The representations and consultation responses received are material considerations.
- 8.2 The central issues in the consideration of the application are the size and design of the extension, its impact on the visual amenity of the surrounding area, its impact on the amenity of residential properties in the surrounding area and road safety.
- 8.3 The report on the application for the previous extension noted that the original building was of limited architectural merit and that located within the built-up area the existing house could be demolished and a new dwellinghouse erected of the same size and scale of the house as extended. The currently proposed extension is large, and in combination with the existing extension the additional footprint would be just over 1½ times the footprint of the original dwellinghouse. Although policy DP6 states that extensions should be clearly subservient to the original property, there is justification to allow the proposed development.
- 8.4 The design of the extension is sympathetic to the character of the house as currently extended. The application site is located within the built up area, where there is a presumption in favour of development, which would allow for the existing house to be demolished and the

erection of a new dwellinghouse which could be of the same size and scale as the current proposal. This is because the dwellinghouse sits within a substantial plot which can accommodate a house with a large footprint. This is also demonstrated by the fact that there would be sufficient garden area, well in excess of the policy standard set for new build dwellings, remaining after the erection of the currently proposed extension. Two or three small trees within the site will have to be removed; however these do not make a significant contribution to the visual amenity of the area.

- 8.5 The plans state that the roof tiles are to match the existing, however they also state that they will be red in colour. According to the report on the previous extension the original cottage had red roof tiles and a condition was attached to the planning permission requiring the roof tiles on the extension to match existing. The roof tiles on the property are now grey. Whilst this does not accord with the condition on the previous consent the current tiles do not detract from the visual amenity of the area and the roof tiles on the proposed extension should match them. This can be covered by condition.
- 8.6 Set down from the main Murderdean Road to the south and west the house is not a prominent feature in the street scene.
- 8.7 The proposed extension would be set back a minimum of 12m from the rear boundary of the application property. Beyond this is the Borders railway line which is approximately 20m wide. Beyond this is a verge and access road to the rear of the rear gardens of nos 79-86 Dean Park, the combined width of which is approximately 5.5m. The distance between the proposed extension and the properties on the opposite side of the railway line at Dean Park exceeds the Council's back to back space standard of 25m for new houses. As a result the impact on privacy and overshadowing to the properties at Dean Park will not be significant. Whilst the extension will be visible from the properties at Dean Park and will obstruct distant views it will not be overbearing to the outlook from these properties.
- 8.8 The properties at Dean Park Court and Dean Park Place on the opposite side of the railway line are located some distance away (over 40 metres) and at an oblique angle to the proposed extension. The proposal will not have a significant impact on the amenity of the occupiers of these properties.
- 8.9 As stated above, in paragraph 5.1 of this report, in response to concerns raised by one of the objectors about the vehicular access to the site, the Council's Policy and Road Safety Manager advises that the current access arrangements operate safely and the proposed development will not place additional burdens on the access to change this position.
- 8.10 As regards the other issues raised by the objectors it is not the usual practice of the Council to condition the length of the construction

period, working hours and practice, in relation to house extensions due to the relatively small scale and general short term nature of such works. Furthermore, no such restriction is required because of the site's proximity to the railway line and the A7 and its separation from other residential properties. Any problems with noise or disturbance should be reported to the Council's Environmental Health and Trading Standards section. The Council's Environmental Health and Trading Standard's section has received a complaint regarding the applicant's dog which has been investigated and advice provided to the complainant.

- 8.11 The impact on property values is not a material planning consideration in the assessment of the planning application.
- 8.12 Although the proposed extension does not comply fully with policy DP6, in that taken together the previous and currently proposed extensions would not be subservient to the original property, it will not have a significant impact on the character or amenity of the surrounding area and as such the proposal is acceptable in terms of policy RP20.

9 RECOMMENDATION

- 9.1 That planning permission be granted for the following reason:

The proposed extension would not detract from the appearance of the property or the surrounding area in terms of its design, form or scale and so accords with Midlothian Local Plan policy RP20 and the aims of policy DP6.

Subject to the following condition:

1. The colour, size, texture and profile of the roof tiles on the extension shall match those of the roof tiles on the existing building.

Reason: *To safeguard the character of the existing building.*

Ian Johnson
Head of Planning and Development

Date: 20 August 2013

Application No: 13/00242/DPP (Available online)
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Validation Date: 9th April 2013
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Background Papers: 13/00242/DPP, 09/00577/DPP, 09/00632/DPP
(Available online)