

## **Notice of Review: 24 Newton Church Road, Danderhall**

### **Determination Report**

Report by Chief Officer Place

#### **1 Purpose of Report**

- 1.1 The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the formation of access and driveway at 24 Newton Church Road, Danderhall.

#### **2 Background**

- 2.1 Planning application 20/00541/DPP for the formation of access and driveway at 24 Newton Church Road, Danderhall was refused planning permission on 18 November 2020; a copy of the decision is attached to this report.

- 2.2 The review has progressed through the following stages:

- 1 Submission of Notice of Review by the applicant.
- 2 The Registration and Acknowledgement of the Notice of Review.
- 3 Carrying out Notification and Consultation.

#### **3 Supporting Documents**

- 3.1 Attached to this report are the following documents:

- A site location plan (Appendix A);
- A copy of the notice of review form and supporting statement (Appendix B). Any duplication of information is not attached;
- A copy of the case officer's report (Appendix C);
- A copy of the decision notice, excluding the standard advisory notes, issued on 18 November 2020 (Appendix D); and
- A copy of the key plans/drawings (Appendix E).

- 3.2 The full planning application case file and the development plan policies referred to in the case officer's report can be viewed online via [www.midlothian.gov.uk](http://www.midlothian.gov.uk)

#### **4 Procedures**

- 4.1 In accordance with procedures agreed by the LRB, the LRB by agreement of the Chair:

- Have determined to consider a visual presentation of the site instead of undertaking a site visit because of the COVID-19 pandemic restrictions; and
  - Have determined to progress the review by written submissions.
- 4.2 The case officer's report identified that there was one consultation response and two representations received. As part of the review process the interested parties were notified of the review. No additional comments have been received. All comments can be viewed online on the electronic planning application case file.
- 4.3 The next stage in the process is for the LRB to determine the review in accordance with the agreed procedure:
- Identify any provisions of the development plan which are relevant to the decision;
  - Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;
  - Consider whether or not the proposal accords with the development plan;
  - Identify and consider relevant material considerations for and against the proposal;
  - Assess whether these considerations warrant a departure from the development plan; and
  - State the reason/s for the decision and state any conditions required if planning permission is granted.
- 4.4 In reaching a decision on the case the planning advisor can advise on appropriate phraseology and on appropriate planning reasons for reaching a decision.
- 4.5 Following the determination of the review the planning advisor will prepare a decision notice for issuing through the Chair of the LRB. A copy of the decision notice will be reported to the next LRB for noting.
- 4.6 A copy of the LRB decision will be placed on the planning authority's planning register and made available for inspection online.

## **5 Conditions**

- 5.1 In accordance with the procedures agreed by the LRB at its meeting of 13 June 2017, and without prejudice to the determination of the review, the following conditions have been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.
1. Prior to the commencement of development, the following details shall be submitted and approved in writing by the Planning Authority:
    - a) Details of the materials of all areas of hardstanding; and
    - b) Details of the design, dimensions, materials and colour finish of all new walls, gates, fences or other means of enclosure over 1 metre in height.

**Reason:** *These details were not submitted with the application; in order to ensure that the development hereby approved does not detract from the character and appearance of the existing building and surrounding area.*

2. The details of the hardstanding required in terms of condition 1a) shall be a porous material/surface.

**Reason:** *To prevent water run-off from the site to neighbouring properties.*

## **6 Recommendations**

- 6.1 It is recommended that the LRB:
  - a) determine the review; and
  - b) the planning advisor draft and issue the decision of the LRB through the Chair

**Date:** 7 May 2021

**Report Contact:** Peter Arnsdorf, Planning Manager  
[peter.arnsdorf@midlothian.gov.uk](mailto:peter.arnsdorf@midlothian.gov.uk)

**Background Papers:** Planning application 20/00541/DPP available for inspection online.



**Planning Service  
Place Directorate**  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3AA

Formation of access and driveway at 24 Newton Church Road,  
Danderhall, EH22 1LU

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File No: 20/00541/DPP

Scale: 1:500

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Fairfield House 8 Lothian Road Dalkeith EH22 3ZN Tel: 0131 271 3302 Fax: 0131 271 3537 Email: [planning-applications@midlothian.gov.uk](mailto:planning-applications@midlothian.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE      100297189-005

The online reference 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:	<input type="text" value="Suzanne McIntosh Planning Limited"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Suzanne"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="McIntosh"/>	Building Number:	<input type="text" value="45C"/>
Telephone Number: *	<input type="text" value="07792230979"/>	Address 1 (Street): *	<input type="text" value="Bath Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Portobello"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="EH15 1HB"/>
Email Address: *	<input type="text" value="smcintoshplan@gmail.com"/>		

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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Bryan"/>	Building Number:	<input type="text" value="24"/>
Last Name: *	<input type="text" value="Ramsay"/>	Address 1 (Street): *	<input type="text" value="Newton Church Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Danderhall"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH22 1LU"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="smcintoshplan@gmail.com"/>		

## 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="24 NEWTON CHURCH ROAD"/>
Address 2:	<input type="text" value="DANDERHALL"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DALKEITH"/>
Post Code:	<input type="text" value="EH22 1LU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="669293"/>	Easting	<input type="text" value="330816"/>
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## Description of Proposal

Please provide a description of your 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)

Refusal of Planning Permission for the formation of a driveway and access

## 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 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.

A statement is provided with the Grounds of Review

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

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

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 set of drawings lodged with the application

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00541/DPP

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

31/08/2020

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

18/11/2020

## 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

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: Mrs Suzanne McIntosh

Declaration Date: 16/12/2020

# GROUNDS OF APPEAL

Refusal of Planning Permission for a Driveway  
20/00541/DPP

Applicants: Mr and Mrs Ramsay  
24 Newton Church Road  
Danderhall  
Midlothian  
EH22 1LU

16<sup>th</sup> December 2020

**Suzanne McIntosh Planning Limited**

## Introduction

A planning application reference 20/00541/DPP was registered on 31.8.20 for the creation of an access and driveway to allow part of the front garden to be used to charge an electric vehicle at a charge point to be installed on the front elevation of the house at 24 Newton Church Road, Danderhall. The application was Refused by the Planning Officer on 18<sup>th</sup> November 2020 for the following reasons:

1. *'The lay-by is a well used safe public parking resource on a busy thoroughfare. The construction of a private driveway at this location would remove a section of lay-by and reduce the area available for general parking. This would place additional pressure on the limited number of public parking spaces presently available and would result in the vehicles currently using it having to park on-road. Also it may also lead to an increase in inconsiderate or illegal parking in the local area to the detriment of road safety'*
2. *The proposal would reduce the amenity space presently provided by the verge to the front of the terrace, to the detriment of the appearance of this area.*
3. *For the above reasons, the proposal is contrary to policy DEV2 of the adopted Midlothian Local Development Plan 2017.'*

## The Appeal

The appeal site forms the front garden and verge of a terraced house, situated within a terrace of 8 houses in Newton Church Road, Danderhall. Newton Church Road runs through a residential area that connects the A7 to the A6106. The busiest sections of Newton Church Road tend to be around the shops at either end in the village of Danderhall.



Newton Church Road is one of 4 different roads linking the A7 and A6106 through the village of Danderhall. Traffic is dispersed east/ west and vice versa, at different speeds, along each of these routes.

The section that the application site is situated on is the quietest section of these four options. It is the quietest because it is narrower than the other options, traffic calmed and much more residential in nature with a lower average speed of vehicle than each of the other routes. Given the large number of driveways along this route drivers tend to be driving at lower speeds and with caution in anticipation of someone reversing out of a driveway, as many do. Drivers also tend to be local, given there are better

routes that vehicles visiting the area for the first time will be directed to. This street isn't the busy street it was in the past when the alternative routes to the south didn't exist. The cars parked along the verge frontage are the occupiers of 24 and their neighbours. Everyone who has a driveway uses it. The car parked directly in front of 24 is the appellants car. Everyone along this section tends to park in front of their own house, if they don't have a driveway.

The houses along this road are all two storeys in height with pitched roofs. Number 24 is typical of this and has elevations that are a mixture of rendered sections and stone sections and the plain red tiles on the roof. The houses have front and rear gardens. A path runs along the front gardens then a hedge and grass verge to the road. At present most of the houses have a driveway along this section of Newton Church Road. The exception is part of the section number 24 is situated within. The front gardens are of sufficient length to physically accommodate a driveway. A layby parking arrangement is therefore used by the occupiers of these houses along the verge because they don't have driveways. The verge itself isn't pretty. It's a strip of grass and a patchy hedge.



The grass verge in front of number 24 has no hedge at this section; grass and weeds are the ground cover in this area. It is poorly maintained by the council.

Pedestrians tend not to use the footpath on the left side of the photo – they walk up the edge of the verge on the right – you can see the patchy area in the photograph close to the cars where they walk. What this means is that there is continual vandalism to the cars in the evenings at weekends. The most recent case to the appellants car was in November 2020. The police have visited and been informed each time it happens and incident numbers are available.

The residents here are penalised in terms of the heavy costs of their car insurance due to the volume of claims submitted for vandalism damage to vehicles. Hence why the appellant wants to keep their cars within easy sight of the house, within the garden area. The Planners have not considered these important issues. They have also not considered that if the appellants car is in the garden then it won't be parked in the space out front on the road. No-one else is likely to park there because they park in their drives or outside their own houses. This isn't a location where people come, park then go somewhere.

## **Background**

In 2007 a Reporter from the DPEA dismissed a planning appeal reference P/PPA/290/149 against the refusal of an application for a driveway by Midlothian Council that had been lodged in 2006.

The main issues of concern for the Reporter at that time were precedent if he were to allow the driveway, the gap that was to be created in the hedge at that time was a concern. He

acknowledged that it seemed unfair to the applicants that so many other driveways existed in the street, he was aware of the problems of anti-social behaviour in the area but he concluded at that time, 13 years ago that the proposal would create additional issues of traffic safety.

## **The Application**

13 years on from the point of the last application being refused and going to appeal we have a very different scenario hence the application being lodged at this time. The following provided the reasons why the resubmission was made but the Planning Officer appears not to have considered these issues. These are provided to assist the LRB.

- There is a large gap in the hedge and has been for many years; the verge adds little to the amenity of the area and is used as a pedestrian path.
- The speed and volume of traffic on the road has reduced significantly with new speed and calming measures undertaken by the council and journeys all tend to be local traffic.
- The volume of traffic on the road is significantly reduced with there being so many routes from A7 through Danderhall to Millerhill/ Fort Kinnaird now. Newton Church Road is the most circuitous of the four routes available and therefore the least likely to be used by drivers not going from and to the village itself. It is not a busy cut through as it once was.
- Weekend antisocial behaviour has become worse in the area with regular weekend damage to vehicles parked on the road. Mrs Ramsay is a key worker/carer and works shifts so needs to know her car is safe so she can use it to get to her clients at any hour of the day or night.
- There is no safe, convenient EV charge point available to these houses. The applicants are conscious about sustainability would like to change their vehicle for an electric vehicle and be able to charge it in a convenient, safe, supervised location.

The proposal illustrated on the drawings would be to create a driveway within the front garden to park the applicants' car and charge it from an EV charging point to be installed on the front wall of the house. Access to the driveway would be necessary over the grass verge and through the existing gap in the hedge. To necessitate this a dropped kerb will be required and white line on the access width of the road.

## **Planning Policy**

The current Midlothian Local Development Plan 2017 in particular Policy Dev2 Protecting Amenity within the Built Up Area states that Development will be permitted within existing built up areas.... unless it is likely to detract materially from the existing character and amenity of the area. The proposal will not adversely impact upon the character and amenity of the area. There are many driveways in this locality; the crossing of the verge will not necessitate the removal of planting and the overall benefit of being able to use a small electric vehicle outweighs any issues that were of concern.

This is the only planning policy mentioned in the reasons for refusal – in reason 3. The Planner in that reason gives a generic, unspecific reason. Reasons for refusal should never be generic or non-specific.

Policy Dev 5 Sustainability in New Development expects development proposals to have regard to the principles of sustainability. The proposal meets those in terms of its overall environmental objectives.

The Planner doesn't mention this policy – ignores it.

Policy Tran 5 Electric Vehicle Charging states that the council will support and promote the development of a network of electric vehicle charging stations....this proposal assists the implementation of this policy through providing a private charging point in the garden area where no other possibilities exist nearby.

Again the Planner doesn't mention this policy – ignores it.

## **Conclusions**

The proposals do not conflict with the policies of the Midlothian Local Development Plan, are needed to enable the applicants to purchase an electric vehicle and will address the issue of safety and security of their vehicle.

Planning is about a balance. In this case the sustainability benefits and safety/ security benefits far outweigh the loss of a weed covered verge that people cant see as part of the street scene for parked cars, isn't planted up and is used as a makeshift pedestrian cut through.

The reasons given by the Planner in the decision notice have been addressed above. Reason 1 doesn't acknowledge that the parking space that would be lost would be the one that the appellant uses at present. The car will move from there to the driveway – so there is not loss as suggested. It will not lead to inconsiderate parking – these spaces are used by the residents of these houses. There is no loss of amenity space – the space has little or no amenity value and is blocked from view by parked cars in a layby.

The LRB of Midlothian Council are asked to consider the information lodged and support the application. We are happy to answer any further questions in this regard.

***Suzanne C McIntosh MRTPI Hon FRIAS***

## MIDLOTHIAN COUNCIL

### DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

**Planning Application Reference:** 20/00541/DPP

**Site Address:** 24 Newton Church Road, Danderhall.

**Site Description:** The application site comprises a mid-terraced two storey dwellinghouse, associated garden ground and part of a pavement and grass verge. The land slopes slightly from Newton Church Road down to the house. There is a parking layby to the north, separating the site and Newton Church Road. The site is in a predominantly residential area with largely two storey dwellinghouses and four in a block flatted dwellings. The grass verge runs alongside the whole layby and is owned by the Council.

**Proposed Development:** Formation of access and driveway.

**Proposed Development Details:** The driveway will cross the grass verge, with what appears to be paving/slabs, the existing pavement, and into the existing garden ground, again by using paving/slabs. The applicant's agent has submitted a supporting statement which seeks to address concerns raised by the planning authority regarding a previous similar proposal.

The plans state that gates will be erected but no details of the height or design of these gates have been submitted.

An electric charging point is shown on the plans which appears to be permitted development under Class 2B of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992 (as amended 2011).

#### **Background (Previous Applications, Supporting Documents, Development Briefs):** Application site

06/00294/FUL Construction of driveway. Refused – the proposal would remove a section of lay-by and reduce the area available for general parking, placing additional pressure on the limited number of public parking spaces available and would result in the vehicles currently using it having to park on-road, adding to the current traffic congestion of the area. Also, it may also may lead to an increase in inconsiderate or illegal parking in the local area to the detriment of road safety. Also loss of hedge and reduction in amenity space presently provided by the verge to the front of the terrace, to the detriment of the appearance of this area. Contrary to policy RP19 of the then adopted Shawfair Local Plan. Appealed – refused at appeal.

10/00562/DPP 37 Newton Church Road Formation of driveway (retrospective).  
Consent with conditions.

## **Consultations:**

The **Policy and Road Safety Manager** recommends refusal of the planning application. The application property is one of a number along Newton Church Road which front onto the public parking lay-by. This is well used and provides safe, off-road parking for local residents and visitors. The proposal would remove a section of lay-by and reduce the area available for general parking. The layby also incorporates a disabled parking space which would require to be relocated if this driveway were approved. While the proposal would still provide a parking space, this would be a private space and would not provide the general parking which the lay-by currently provides. The proposal would place additional pressure on the limited number of public parking spaces presently available and may lead to an increase in inconsiderate or illegal parking in the local area to the detriment of road safety.

**Representations:** Two representations were received: one advises that the proposal does not affect them; the other confirms that they have no objection.

**Relevant Planning Policies:** The relevant policies of the **2017 Midlothian Local Development Plan** are;

**DEV2 Protecting Amenity within the Built-Up Area** advises that development will not be permitted where it is likely to detract materially from the existing character or amenity of the area; and

**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.

**Planning Issues:** The main planning issue to be considered is whether or not the proposal complies with the development plan policies and, if not, whether there are any material planning considerations which would otherwise justify approval.

The proposal is to form a driveway to serve the application site, across part of a parking layby and a grass verge. The layby and grass verge extends along the front of the 8 properties that create this terrace, approximately 45 metres long. The application site is relatively central in the terrace and the interruption of the verge and layby would leave an area approximately 8 metres long to the east.

The applicant's agent has referred to the previous refusal for a similar proposal in 2006, stating the following changes in circumstances allow permission to now be granted; there is a large gap in the hedge at the site meaning the proposal would not result in the loss of this hedge; the speed and volume of traffic in the area has reduced due to changes to the road network in the wider area; there has been damage to cars parked on road and the applicant's circumstances means they are heavily reliant on their car and need to ensure it is safe; and there is currently no safe electric vehicle charging point at the house and the applicants want an electric car for sustainability reasons. They also highlight that there are other driveways in the area. They consider that these matters outweigh previous reasons for refusal.

There are two main considerations in this proposal – the impact on road safety and the impact on the appearance of the area.



With regards to road safety, it is clear that this remains a major concern. The proposal would result in the reduction of the well-used parking layby that provides safe, off-road parking for local residents and visitors and reduce the area available for general parking. Although the proposal would still provide a parking space, this would be a private space and would not provide the general parking which the lay-by currently provides. The proposal would place additional pressure on the limited number of public parking spaces presently available and may lead to an increase in inconsiderate or illegal parking in the local area to the detriment of road safety.

Although there is a gap in the hedge on the grass verge by the application site, meaning no hedge would need to be removed to accommodate the driveway, the proposal would still have an adverse visual impact on the appearance of the area. This would reduce the amount of amenity space currently provided and leave a relatively small amount of amenity space to the east, which would be to the detriment of the appearance of the area.

Although other driveways have been granted planning permission along Newton Church Road, these are quite different in their circumstances and have not given rise to the same concerns and road safety issues that are raised by current application. Each planning proposal must be assessed on its own merits.

The provision of a parking space for the house would facilitate an electric vehicle charging point here which would comply with policy TRAN5 and the Council's climate change objectives. However there remains strong road safety and amenity concerns. On balance the Planning Authority considers that in this case the suggested environmental benefits do not outweigh the concerns regarding road safety and the impact on the visual amenity of the area.

**Recommendation:** Refuse planning permission.

**Reg. No. 20/00541/DPP**

Suzanne McIntosh Planning Limited  
45C Bath Street  
Portobello  
Edinburgh  
EH15 1HB

Midlothian Council, as Planning Authority, having considered the application by Mr and Mrs Bryan Ramsay, 24 Newton Church Road, Danderhall, EH22 1LU, which was registered on 31 August 2020 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

**Formation of access and driveway at 24 Newton Church Road, Danderhall, EH22 1LU**

in accordance with the application and the following documents/drawings:

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	UD20/012/2001A 1:1250 1:500 1:100	31.08.2020
Elevations	UD20/012/002 1:50	31.08.2020
Planning Statement		31.08.2020

The reasons for Decision;

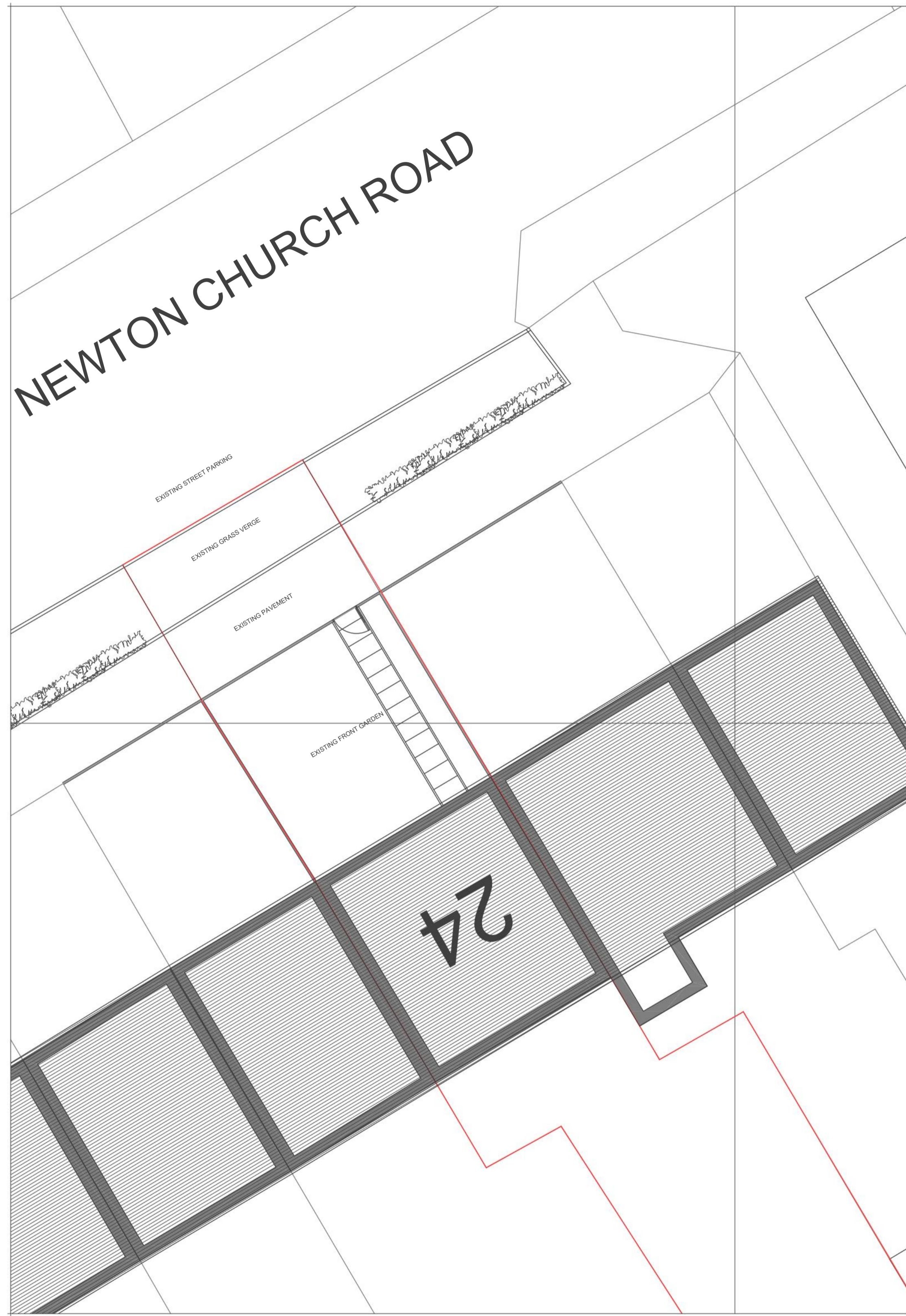
- 1. The lay-by is a well used safe public parking resource on a busy thoroughfare. The construction of a private driveway at this location would remove a section of lay-by and reduce the area available for general parking. This would place additional pressure on the limited number of public parking spaces presently available and would result in the vehicles currently using it having to park on-road. Also it may also lead to an increase in inconsiderate or illegal parking in the local area to the detriment of road safety.*
- 2. The proposal would reduce the amenity space presently provided by the verge to the front of the terrace, to the detriment of the appearance of this area.*
- 3. For the above reasons, the proposal is contrary to policy DEV2 of the adopted Midlothian Local Development Plan 2017.*

Dated 18 / 11 / 2020

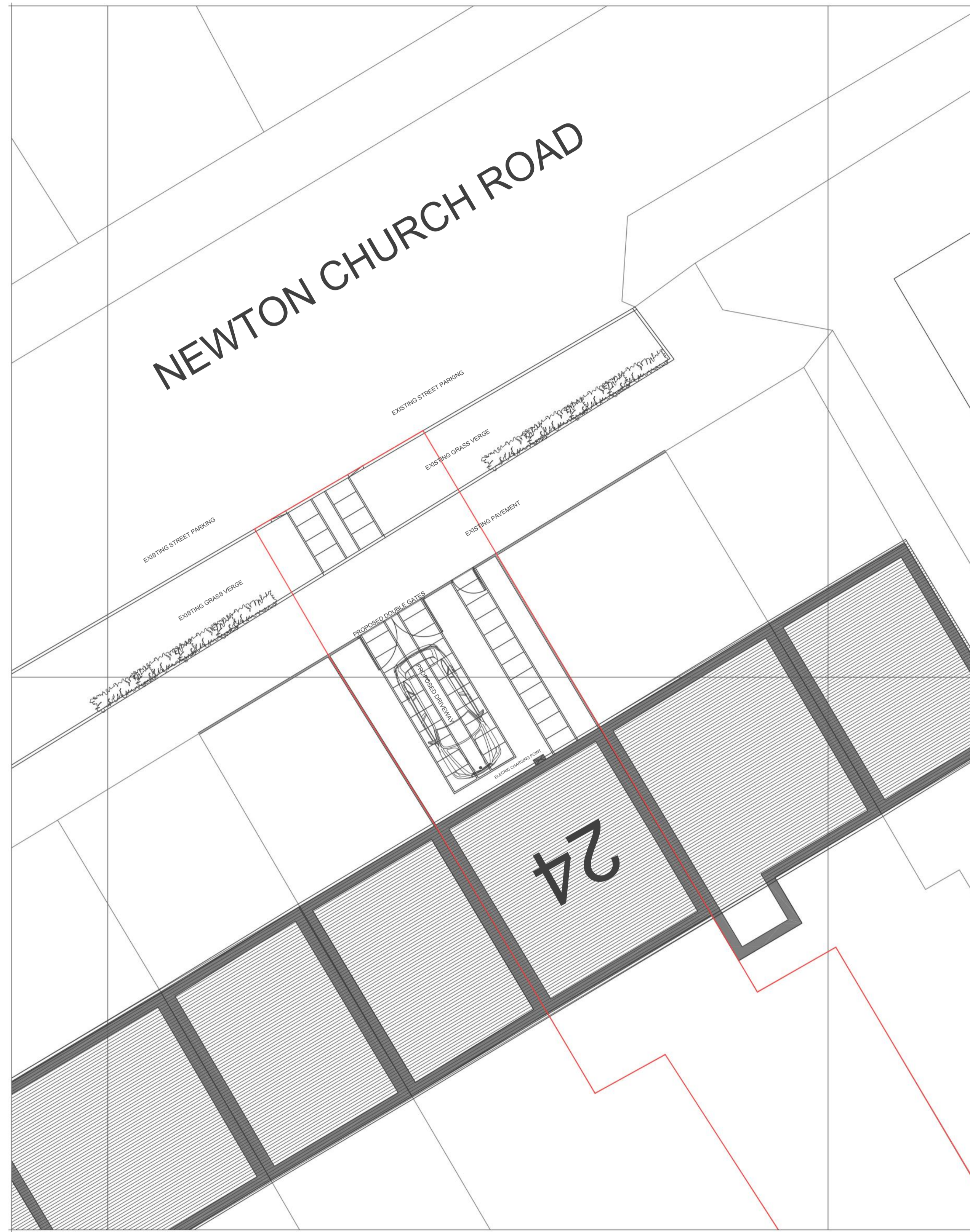


.....  
Duncan Robertson  
Lead Officer – Local Developments  
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN

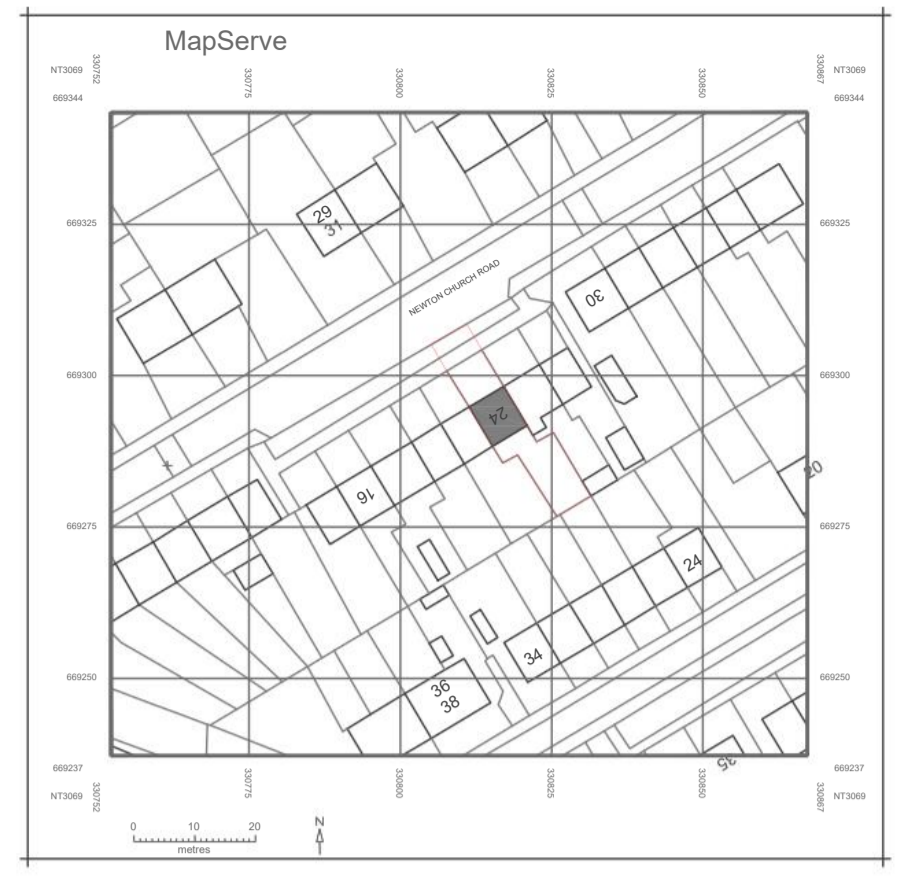




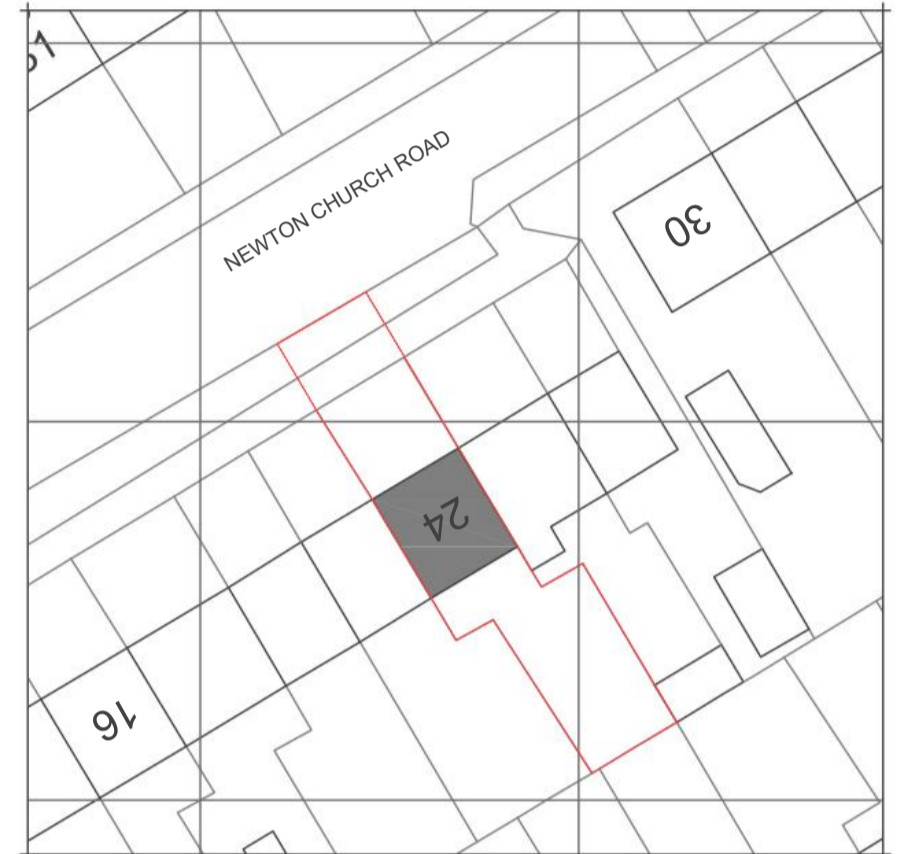
EXISTING SITE PLAN - 1:100



PROPOSED SITE PLAN - 1:100



LOCATION PLAN - 1:1250



LOCATION PLAN - 1:500

REV A - AUG20 - BOUNDARY LINE AMENDED.



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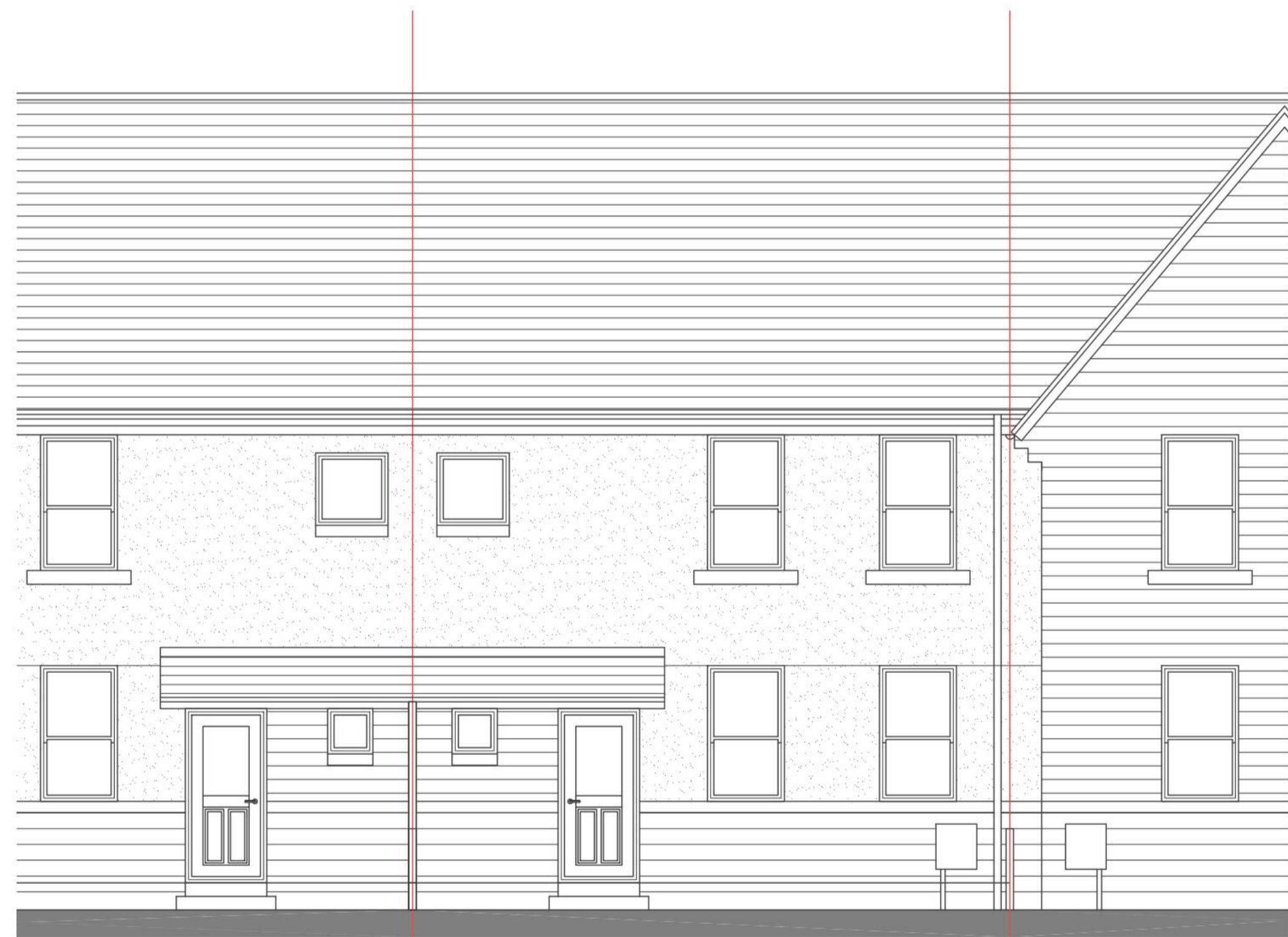
DRAWING STATUS -		
FEASIBILITY STUDY	<input type="checkbox"/>	TENDER ISSUE <input type="checkbox"/>
BUILDING WARRANT	<input type="checkbox"/>	CONSTRUCTION ISSUE <input type="checkbox"/>
PLANNING APPROVAL	<input checked="" type="checkbox"/>	AS BUILT <input type="checkbox"/>

CLIENT: MR & MRS RAMSAY		
PROJECT: PROPOSED FORMATION OF DRIVEWAY		
ADDRESS: 24 NEWTON CHURCH ROAD, DANDERHALL, EH22 1LU		
DRAWN BY: CSD	CHECKED BY: SM	DATE: MAY 2020
DRAWING SCALE (A1): 1:100, 1:500 & 1:1250		DRAWING NUMBER: UD20/012/001A





PROPOSED FRONT ELEVATION



EXISTING FRONT ELEVATION



PHOTO 1



PHOTO 2



PHOTO 3



PHOTO 4



PHOTO 5



PHOTO 6



PHOTO - CHARGING POINT



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DRAWING STATUS :-		
FEASIBILITY STUDY	<input type="checkbox"/> TENDER ISSUE	<input type="checkbox"/>
BUILDING WARRANT	<input type="checkbox"/> CONSTRUCTION ISSUE	<input type="checkbox"/>
PLANNING APPROVAL	<input checked="" type="checkbox"/> AS BUILT	<input type="checkbox"/>
CLIENT: TBC		
PROJECT: PROPOSED FORMATION OF DRIVEWAY		
ADDRESS: 24 NEWTON CHURCH ROAD, DANDERHALL, EH22 1LU		
DRAWN BY: CSD	CHECKED BY: SM	DATE: MAY 2020
DRAWING SCALE (A1): 1:50		DRAWING NUMBER: UD20/012/002