

Notice of Review: 15 Pendreich Terrace, Bonnyrigg

Determination Report

Report by Ian Johnson, Head of Communities and Economy

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 erection of a two storey extension at 15 Pendreich Terrace, Bonnyrigg.

2 Background

- 2.1 Planning application 18/00312/DPP for the erection of a two storey extension at 15 Pendreich Terrace, Bonnyrigg, was refused planning permission on 26 June 2018; 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, issued on 26 June 2018 (Appendix D); and
 - A copy of the relevant drawings/plans (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.

4 Procedures

- 4.1 In accordance with procedures agreed by the LRB, the LRB by agreement of the Chair:
- Have scheduled an unaccompanied site visit for Monday 3 September 2018; and
 - Have determined to progress the review by way of written submissions.

- 4.2 The case officer's report identified that there were no consultations required and no representations received.
- 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 The nature of the proposal is such that It is considered that no conditions would be required if the LRB is minded to grant planning permission.

6 Recommendations

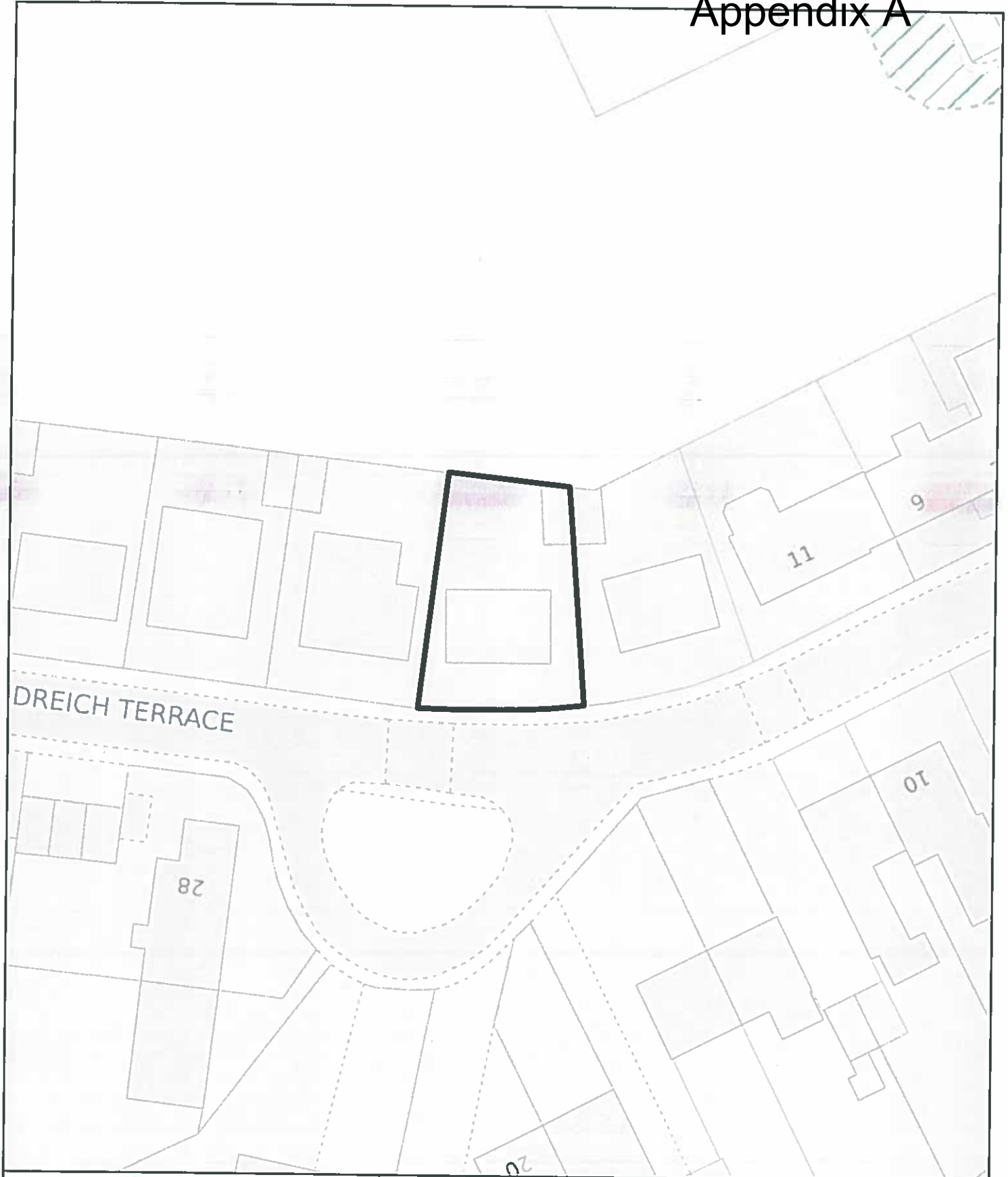
- 6.1 It is recommended that the LRB:
- a) determine the review; and
 - b) the planning advisor draft and issue the decision of the LRB through the Chair

Date: 28 August 2018

Report Contact: Peter Arnsdorf, Planning Manager (LRB Advisor)
peter.arnsdorf@midlothian.gov.uk

Tel No: 0131 271 3310

Background Papers: Planning application 18/00312/DPP available for inspection online.



**Education, Economy
& Communities**
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3AA

Two storey extension to dwellinghouse at 15 Pendreich
Terrace, Bonnyrigg, EH19 2DT

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File No. 18/00312/DPP

Scale: 1:500



NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	<u>Mr & Mrs</u>	Ref No.	
Forename	<u>SAMUEL</u>	Forename	
Surname	<u>MILLAR</u>	Surname	
Company Name		Company Name	
Building No./Name	<u>BOWLING GREEN COTTAGE</u>	Building No./Name	
Address Line 1	<u>MURDERDIAN ROAD</u>	Address Line 1	
Address Line 2	<u>NEWTONGRANGE</u>	Address Line 2	
Town/City	<u>MIDLOTHIAN</u>	Town/City	
Postcode	<u>EH22 4PD</u>	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	

3. Application Details	
Planning authority	<u>MIDLOTHIAN</u>
Planning authority's application reference number	<u>18/00312/DPP</u>
Site address	
<u>15, PENDREICH TERRACE, BONNYRIGGS, MIDLOTHIAN EH19 2DT</u>	
Description of proposed development	
<u>3 MTR EXTENSION TO REAR OF PROPERTY, KITCHEN / DINING AREA WITH SMALL BED ROOM ABOVE.</u>	

Date of application

11/05/2018

Date of decision (if any)

26/06/2018

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

☒

Application for planning permission in principle

☐

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

6. 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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

☐
☐
☒
☐

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?

Is it possible for the site to be accessed safely, and without barriers to entry?

☒
☒

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Statement - Planning Reference No: 18/00312/DPP

I feel that the extension I have requested planning permission to build would not be in view of any of our neighbours properties as you can see from the photos provided. The extension is approximately 3 meters out from the existing building with the roof not extending higher than it currently does. The rear of the property looks on to grass playing fields, there are no other properties close enough for the building to be intrusive. The neighbours on either sides of the property are happy for the building to go ahead, they see no problem or invasion of privacy. There are other similar extensions in the street which I have enclosed photos of, these extension extend a much greater distance from there existing properties footprint and have a similar roof style to our plans. I hope the information I have provided the appeals board helps me in my effort to obtain planning permission.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

PLAN x 3 PAGES
PHOTOS x 8

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form



Statement of your reasons for requesting a review



All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.



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 from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:

[Redacted Signature]

Name:

SAMES MILLAR

Date:

12/07/2018

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.



N° 10 EXT



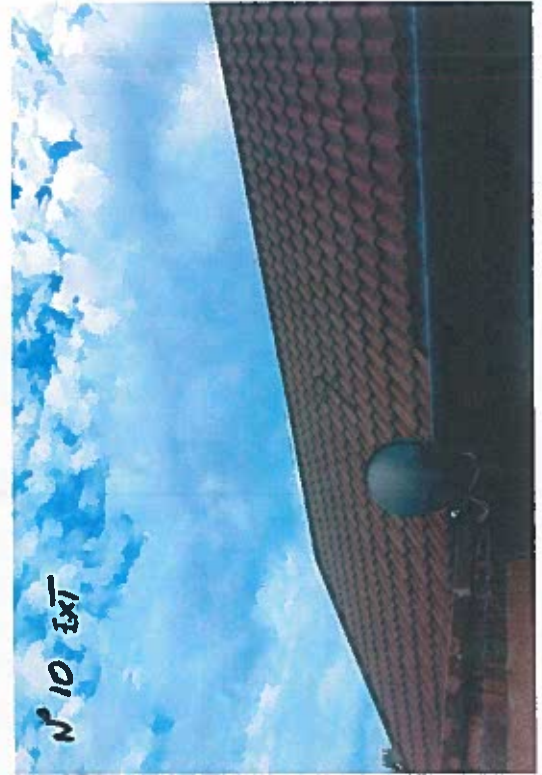
N° 10 EXT

APPROX 6 MTR
EXT



N° 12 EXT

APPROX 6 MTR
EXT



N° 10 EXT

VIEW - RIGHT OF ROISED
EXTENSION



N° 12 FROM GARDEN OF N° 10
EXT





MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Planning Application Reference: 18/00312/dpp

Site Address: 15 Pendreich Terrace, Bonnyrigg

Site Description:

The application property comprises a detached dwellinghouse with accommodation at first floor level within the roof space with a dormer at the front and rear of the property. It is finished externally in drydash render with a brick basecourse and feature panel on the front bay window with white plastic framed windows and rosemary roof tiles. There is an existing garage in the rear garden.

Proposed Development:

Two storey extension to dwellinghouse

Proposed Development Details:

It is proposed to erect a 3.3m deep and 9.9m wide extension with accommodation at both ground floor and first floor level (within the roofspace) with a 2.6m wide section of flat roof at ridge height. The walls of the extension are to be rendered with a brick basecourse, with concrete roof tiles and white upvc framed windows.

Background (Previous Applications, Supporting Documents, Development Briefs):

History sheet checked.

Consultations:

None required.

Representations:

None received.

Relevant Planning Policies:

The relevant policy of the **Midlothian Local Development Plan 2017** is;

DEV2 – Protecting amenity within the built-up area - seeks to protect the character and amenity of the built-up area.

It is noted that policy DP6 House Extensions, from the now superseded 2008 Midlothian Local Plan, set out design guidance for new extensions requiring that they are well designed in order to maintain or enhance the appearance of the house and the locality. The policy guidelines contained in DP6 also relate to size of extensions, materials, impact on neighbours and remaining garden area. It also states that front porches to detached or semi-detached houses are usually acceptable provided they project less than two metres out from the front of the house. It also allowed for novel architectural solutions. The guidance set out within this policy has been successfully

applied to development proposals throughout Midlothian and will be reflected within the Council's Supplementary Guidance on Quality of Place which is currently being drafted.

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.

One of the main issues in the consideration of this application is the design of the proposed extension, in particular its massing and its effect on the character and appearance of the original house.

The original house has a traditional hipped roof and is relatively modest in scale.

The proposed extension would dominate the rear elevation of the house and its massing, in particular the flat roof section at ridge level resulting in a very bulky gable end at the rear, does not respect the traditional hipped form of the roof or the character of the original house. As a result of its overall size and design the extension will appear as a very bulky addition at the rear of the existing building the design of which is unsympathetic to and would detract from the host building. There does not appear to be anything similar nearby.

The plans are annotated that the roof of the extension is to be covered in concrete tiles whereas the roof of the existing building appears to be covered in clay rosemary tiles. Matching tiles could be conditioned should planning permission be forthcoming.

Sufficient garden area would remain after the erection of the extension.

No 13 next door has been extended to the side and rear. The extension will not be overbearing to the outlook from the house or garden of this property. The rooflights on the east side of the extension may give rise to overlooking of the rear garden of this property. This could be minimised with the installation of obscure glazing should planning permission be forthcoming.

The extension will be very prominent to the outlook from the rear garden of no. 17 on the other side however it will not be overbearing to the garden as a whole or the house. The rear window proposed at first floor level on the extension would overlook the garden of no 17. This is already overlooked by a dormer window, albeit serving a stairway, at the rear of the application property. The rooflights on the west side of the extension may give rise to overlooking of the rear garden of this property. This could be minimised with the installation of obscure glazing should planning permission be forthcoming.

The extension will not have a significant impact on sunlight to neighbouring properties.

Recommendation:

Refuse planning permission

Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997



Reg. No. 18/00312/DPP

CLWG Architects
38 Dean Park Mews
Edinburgh
EH4 1ED

Midlothian Council, as Planning Authority, having considered the application by Mr And Mrs James Millar, 15 Pendreich Terrace, Bonnyrigg, EH19 2DT which was registered on 11 May 2018 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Two storey extension to dwellinghouse at 15 Pendreich Terrace, Bonnyrigg, EH19 2DT

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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1:2500	11.05.2018
Site Plan	W1819/(S)01 1:200	11.05.2018
Existing elevations	W1819 (EX) 02A 1:100	11.05.2018
Existing elevations	W1819 (DTK) 02A 1:100	11.05.2018
Existing floor plan	W1819/(EX)01 1:100	11.05.2018
Existing floor plan	W1819/(DTK)01 1:100	11.05.2018
Proposed floor plan	W1819/(GA)01 1:50	11.05.2018
Proposed floor plan	W1819/(GA)02 1:50	11.05.2018
Proposed elevations	W1819 (GA) 03A 1:100	11.05.2018

The reasons for the Council's decision are set out below:

1. *The proposed extension is unsympathetic to the original building, in terms of its massing and design. It would appear as a very bulky addition, detracting from the character of the original building and the visual amenity of the surrounding residential area.*
2. *For the above reason the proposal is contrary to policy DEV2 of the adopted Midlothian Local Development Plan 2017 which seeks to protect the character and amenity of the built-up area.*

Dated 26 / 6 / 2018

.....
Duncan Robertson

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



1819 / (GA) 03A

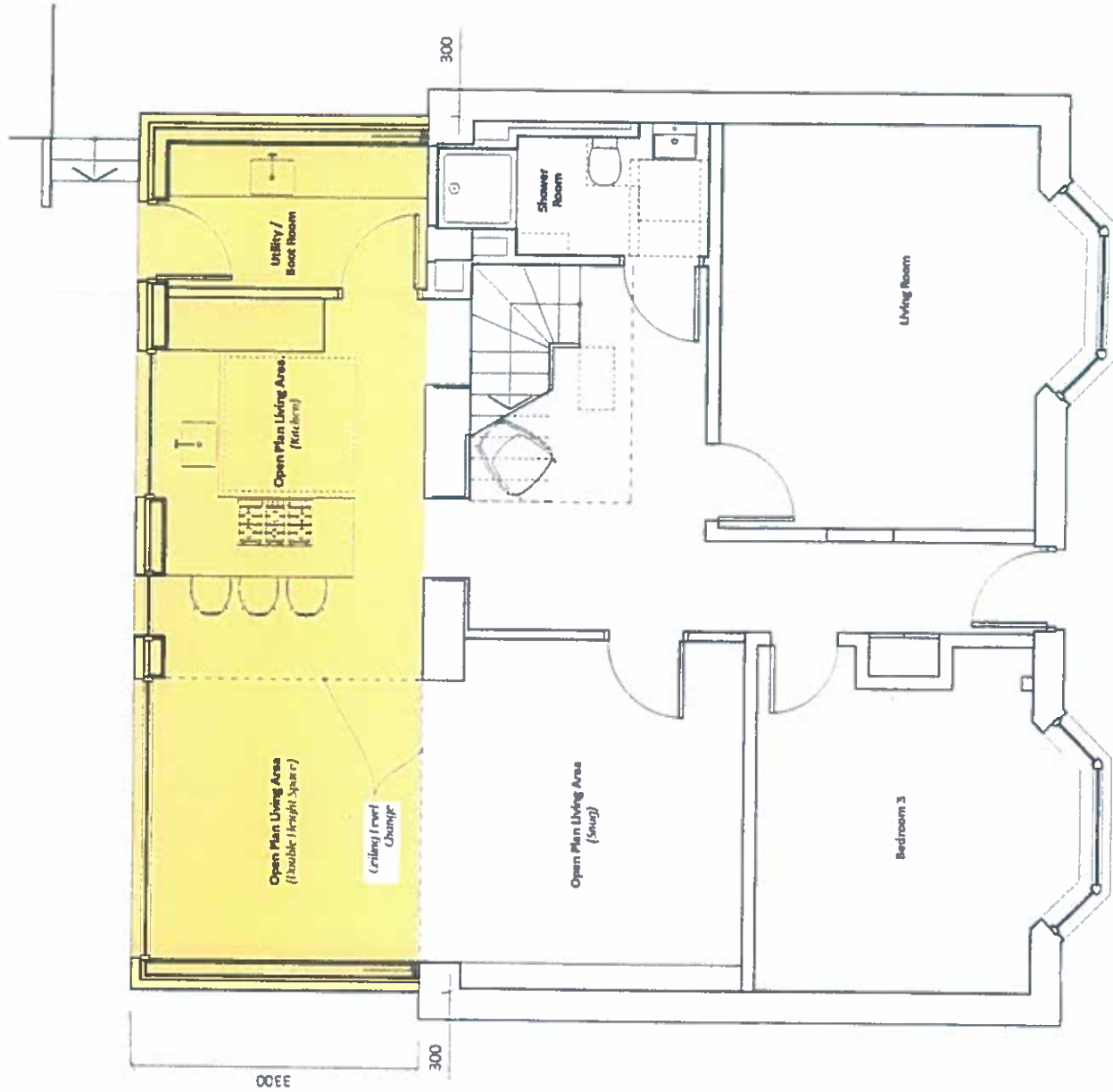
Materials/Finishes

- New external walls formed as insulated timber frame inner leaf with insulated plasterboard internal lining / 50mm cavity / 100mm dense concrete block outer leaf with roughcast finish and facing brick base course
- (to match existing)
- Insulated concrete floor slab
- Insulated timber rafters with concrete roof tile
- (to match existing)
- UPVC (white) external doors and windows

Ground Floor (General Arrangement)



Scale (for Reference Only)



NOTES

1. All dimensions are given in millimetres unless otherwise stated.
2. All dimensions are given in millimetres unless otherwise stated.
3. All dimensions are given in millimetres unless otherwise stated.
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Author: [Name]

Project: [Name]

Client: [Name]

1. Feedback Terrace

Ground Floor
General Arrangement
Proposed

Scale: 1/50

Date: 10/10/18

Project: [Name]

Client: [Name]

Author: [Name]

Project: [Name]

Client: [Name]

Author: [Name]

Project: [Name]

Client: [Name]

Author: [Name]

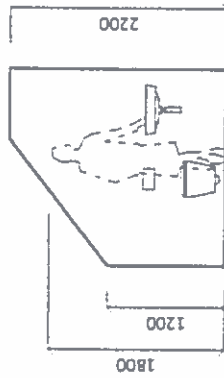
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Client: [Name]

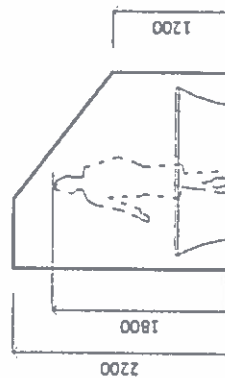
Author: [Name]

Materials/Finishes

- New external walls formed as insulated timber frame inner leaf with insulated plasterboard internal lining / 50mm cavity / 100mm dense concrete block outer leaf with roughcast finish and facing brick base course
- (to match existing)
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- Insulated timber rafters with concrete roof tile (to match existing)
- uPVC (white) external doors and windows

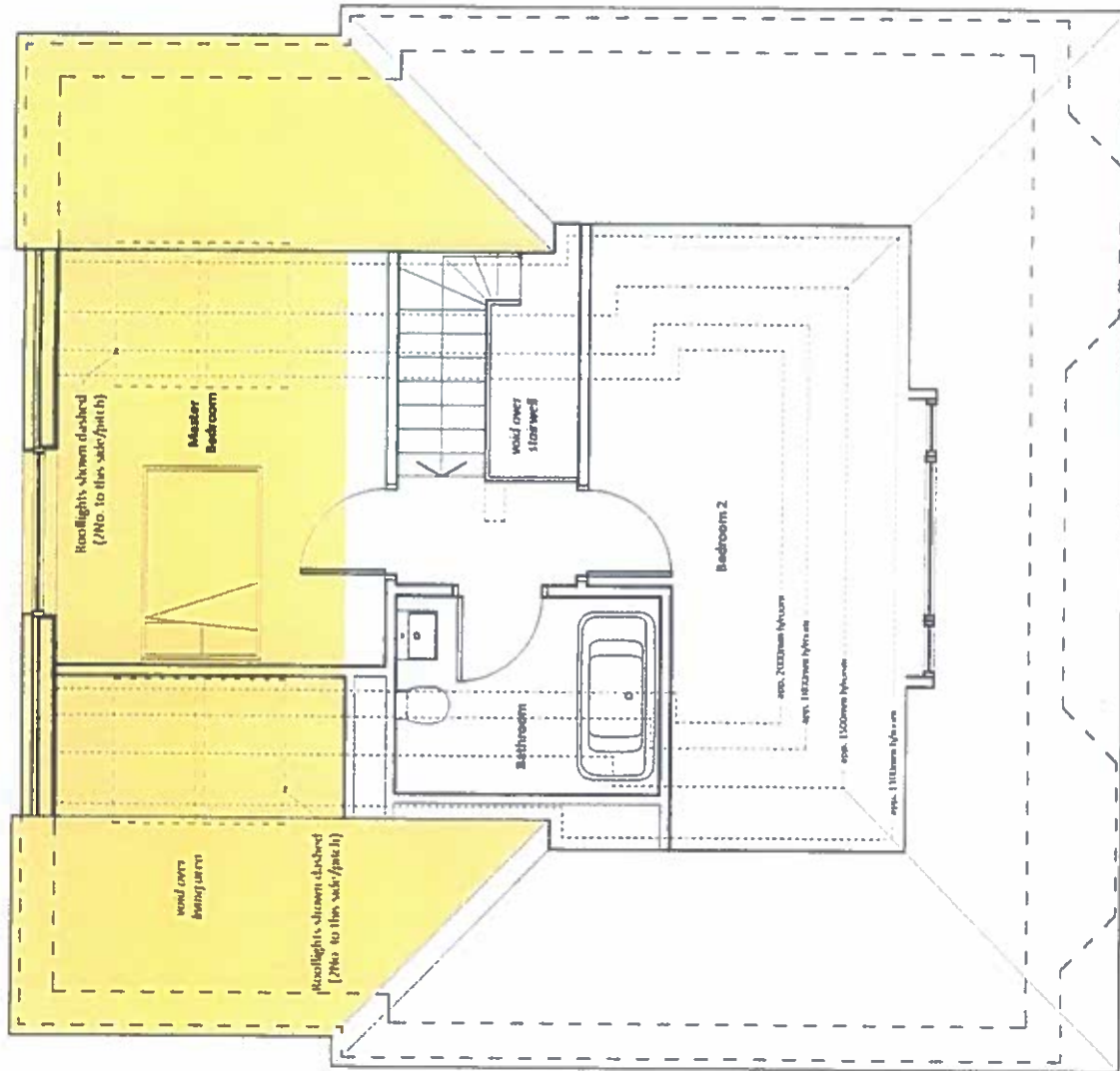


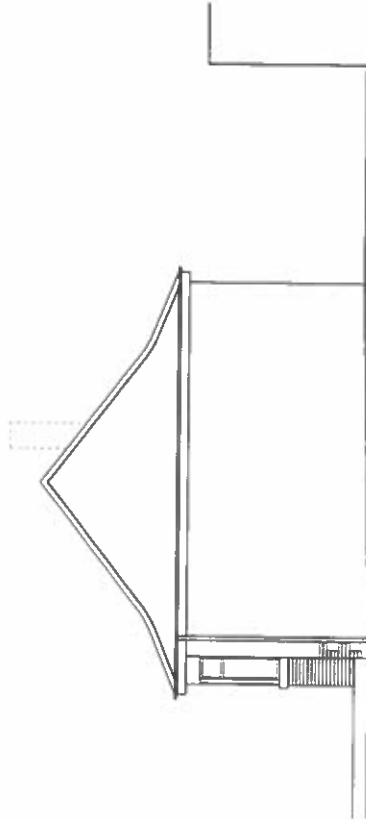
First Floor - Bathroom
(Indicative Internal Elevation on WC / WHB)



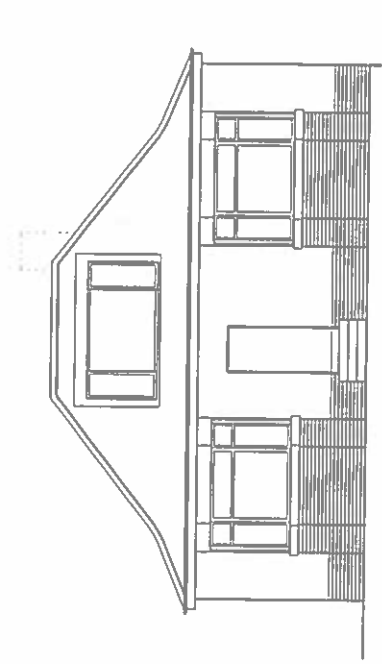
First Floor - Bathroom
(Indicative Internal Elevation on Bath)

First Floor
(General Arrangement)

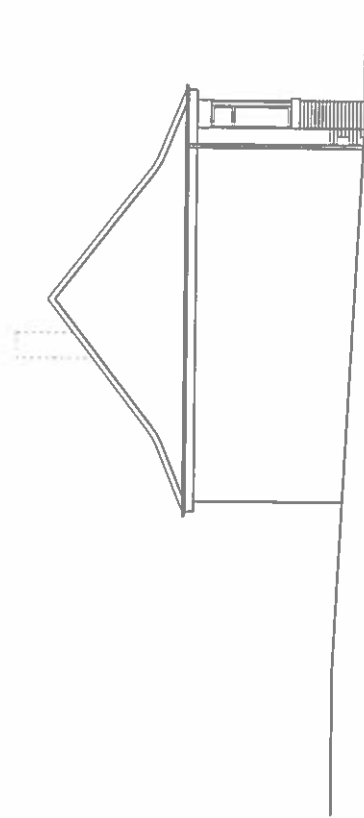




East Elevation
(General Arrangement)



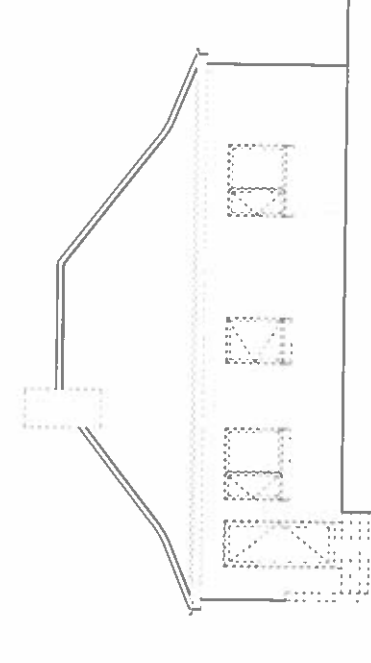
South Elevation
(General Arrangement)



West Elevation
(General Arrangement)



Scale (For Reference Only)



North Elevation
(General Arrangement)

NOTES:

1. All elevations are shown in general arrangement only. For detailed elevations, refer to the architectural drawings. This drawing is not to be used for construction purposes. The drawings are the property of CLWG Architects and shall remain confidential without the consent of CLWG Architects. © 2018 CLWG

2. All elevations are shown in general arrangement only. For detailed elevations, refer to the architectural drawings. This drawing is not to be used for construction purposes. The drawings are the property of CLWG Architects and shall remain confidential without the consent of CLWG Architects. © 2018 CLWG

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letter revision by date

client

Mr. J. Miller

project
15 Piedmont Terrace

drawing

Elevations
General Arrangement
(as noted)
Detailings

scale

1/8" = 1'-0"

notes

PLANNING

date

04/18

by

R. Willis

CLWG

CLWG

CLWG

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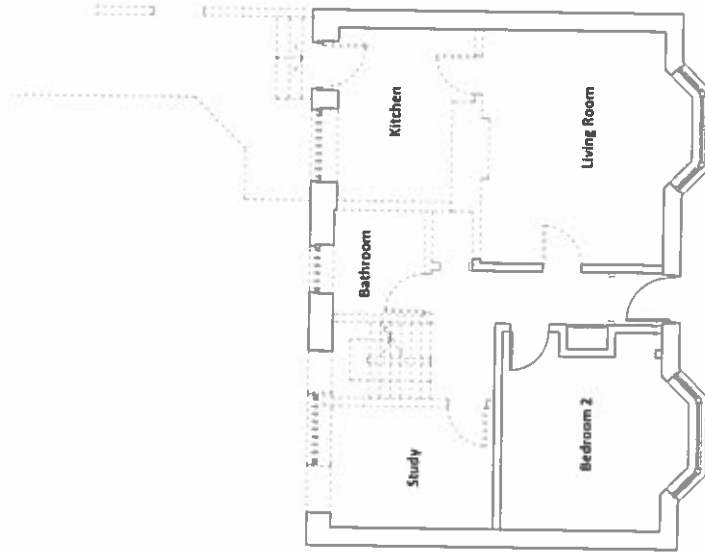
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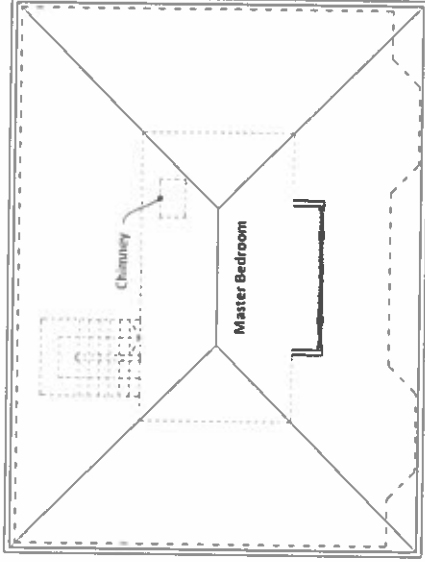
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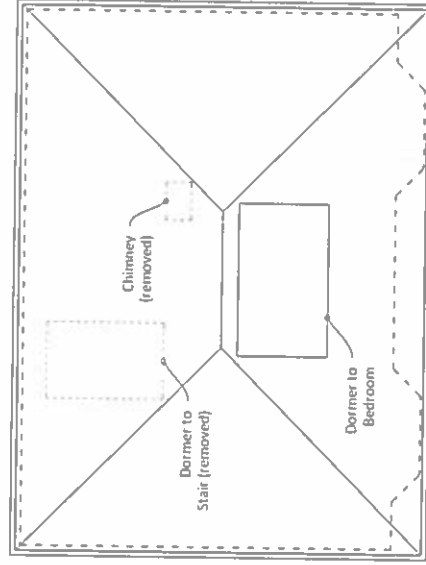
CLWG



Ground Floor
(General Arrangement)



First Floor
(General Arrangement)



Roof Layout
(General Arrangement)

NOTES

1. All dimensions are given in millimetres unless otherwise stated. Dimensions are given to the centre of lines unless otherwise stated.

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10. All dimensions are given to the centre of lines unless otherwise stated.

This drawing is to be used in conjunction with the other drawings in this set. It is not to be used in isolation. It is the responsibility of the user to ensure that the drawing is used in conjunction with the other drawings in this set.

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Author: [Name]

Revision: [Number]

Date: [Date]

Client: [Name]

Project: [Name]

Drawn by: [Name]

15 Pedreack Terrace

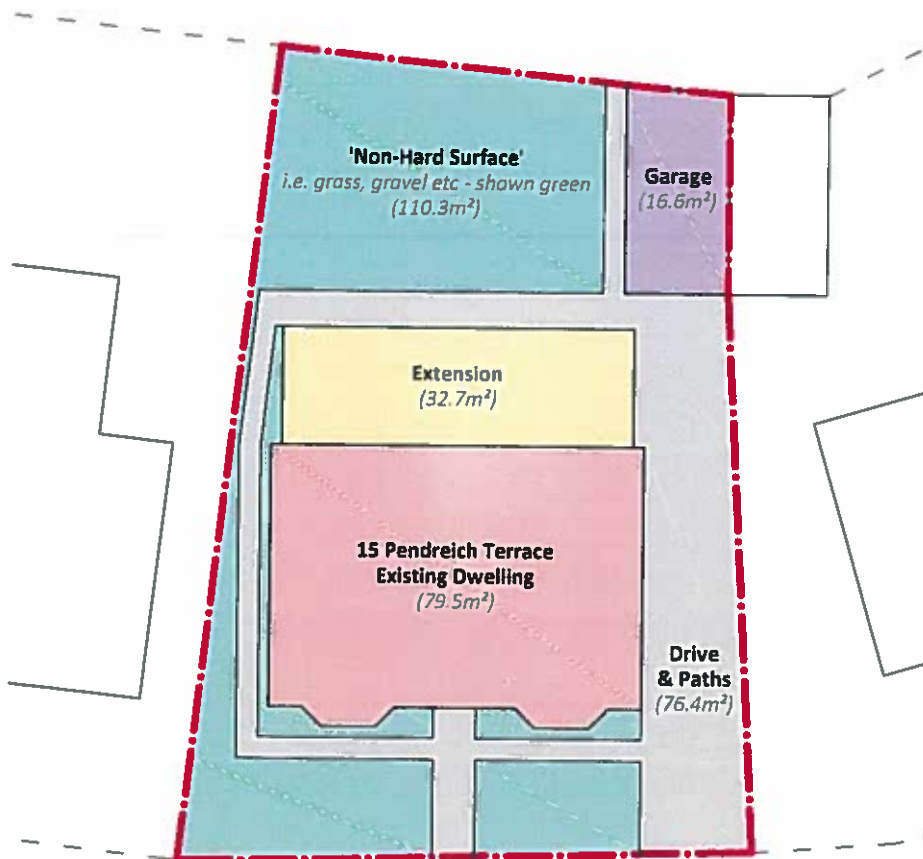
General Arrangements
(as noted)
Downstairing

Scale: 1/100
Project Size: [Size]
Date: 04/18
R. WILLIS
PLANING

CLWG
O'Brien Lang Willis & Galloway
Architects

15 Pedreack Terrace, Pedreack Hill, St. John's, NL A1B 1X1
Phone: (709) 463-1111
www.clwg.ca

Drawing number: **W 1819 / (DTK) 01**



Site Calculation

Total Area of Development (following completion of proposals)
128.8m²

Total Area of Non-Hard Surface (following completion of proposals)
110.3m²

0 2m 4m 10m

Scale (For Reference Only)

NOTES

Information on this drawing may only be used for the purpose for which it is supplied by the company. This drawing and all copies must be returned on demand.

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Do not scale

This drawing is to be read in conjunction with all relevant architectural, mechanical, electrical, structural engineer (SE) & specialist drawing, Specifications, Details and Schedules as necessary.

To be read with Preliminaries/ General Conditions.

Setting out dimensions for openings to accommodate proposed doors, windows to be sized in accordance with door/ window schedules.

Sizes to be confirmed on site prior to order / manufacturer

letter	revision	by	date

client

Mr J Millar

project

15 Pendreich Terrace

drawing

Site
General Arrangement
Proposed

scale	paper size	drawn	date
1/200	@A4	R WILLIS	04/18

status
PLANNING



CLWG

Crichton Lang Willis & Galloway

Architects

38 Dean Park Mews, Edinburgh EH4 1ED
T0131 315 2940 / Einfo@clwg-architects.com
www.clwg-architects.com

drawing number

W 1819 / (S) 01