

## **Notice of Review: 44 Crichton Avenue, Pathhead**

### **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 erection of a porch at 44 Crichton Avenue, Pathhead.

#### **2 Background**

- 2.1 Planning application 22/00895/DPP for the erection of a porch at 44 Crichton Avenue, Pathhead was refused planning permission on 18 January 2023; 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 January 2023 (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 agreed procedures, the LRB:

- Have determined to undertake a site visit (only elected members attending the site visit can participate in the determination of the review); and
- Have determined to progress the review by 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 back to the 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 20 June 2022, and without prejudice to the determination of the review, the following condition has been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.
1. The development to which this permission relates shall commence no later than the expiration of three years beginning with the date of this permission.

***Reason:*** To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning (Scotland) Act 2019).

## **6 Recommendations**

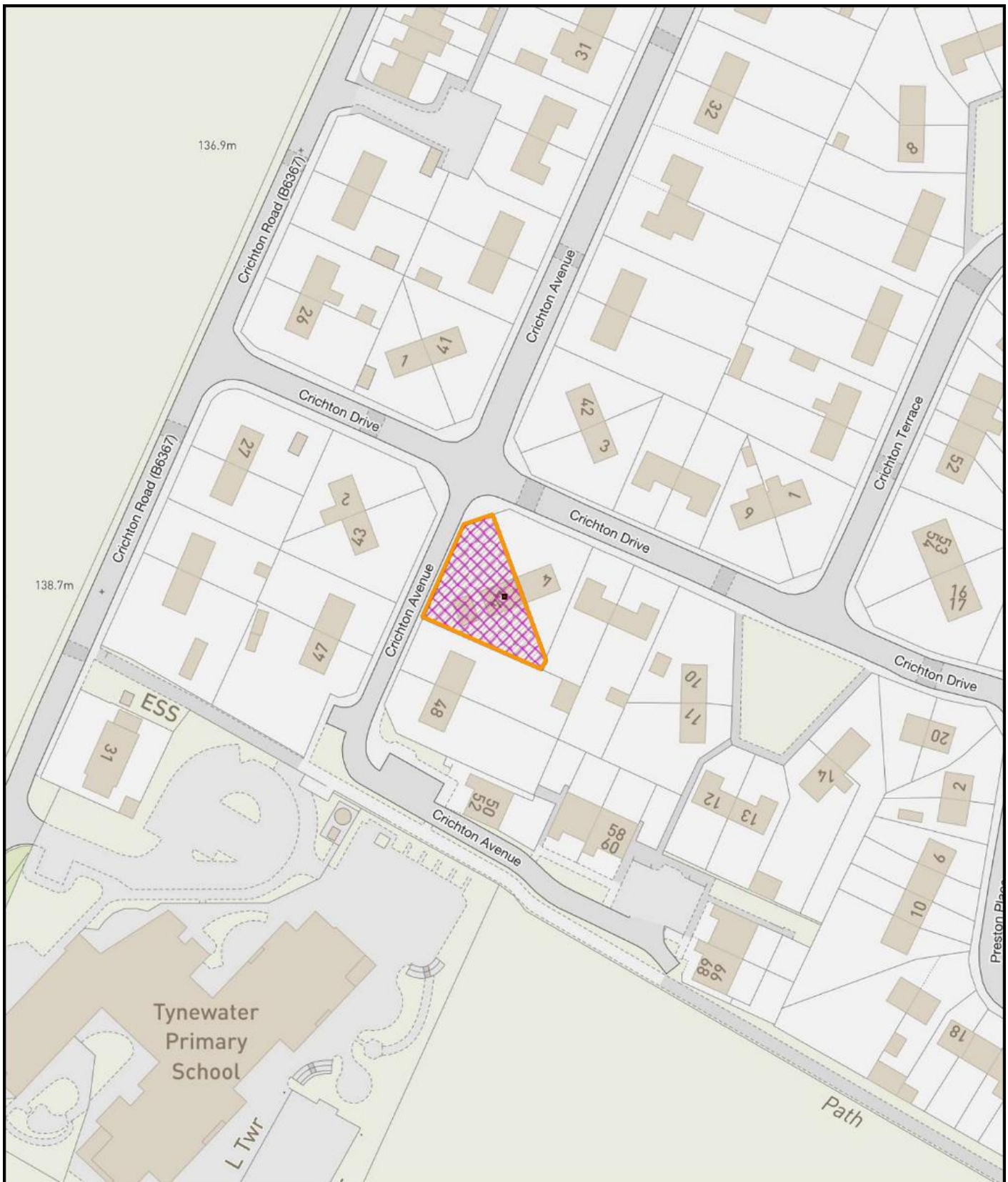
- 6.1 It is recommended that the LRB:
- a) determine the review; and
  - b) the planning advisor draft and issue the decision of the LRB through the Chair

**Peter Arnsdorf**  
**Planning, Sustainable Growth and Investment Manager**

**Date:** 12 May 2023  
**Report Contact:** Peter Arnsdorf - Planning, Sustainable Growth and Investment Manager  
[peter.arnsdorf@midlothian.gov.uk](mailto:peter.arnsdorf@midlothian.gov.uk)

**Background Papers:** Planning application 22/00895/DPP available for inspection online.

# Appendix A



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

**erection of porch  
44 Crichton Avenue, Pathhead**

Reproduced from the Ordnance Survey map with the permission of the controller of Her Majesty's Stationary Office. Crown copyright reserved. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings

Midlothian Council Licence No. 100023416 (2018)

File No.22/00895/DPP

Scale: 1:1,250





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 100610669-002

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="Niall Young Architecture"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Rebecca"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Laing"/>	Building Number:	<input type="text" value="1"/>
Telephone Number: *	<input type="text" value="01316606599"/>	Address 1 (Street): *	<input type="text" value="Duke Street"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Dalkeith"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="EH22 1BG"/>
Email Address: *	<input type="text" value="rebecca@nyarchitecture.co.uk"/>		

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 &amp; Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="D"/>	Building Number:	<input type="text" value="44"/>
Last Name: *	<input type="text" value="Walkingshaw"/>	Address 1 (Street): *	<input type="text" value="Crichton Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Pathhead"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text" value="REDACTED"/>	Postcode: *	<input type="text" value="EH37 5QJ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## 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="44 CRICHTON AVENUE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="PATHHEAD"/>
Post Code:	<input type="text" value="EH37 5QJ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="664068"/>	Easting	<input type="text" value="339262"/>
----------	-------------------------------------	---------	-------------------------------------

## 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)

Form new porch extension.

## 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.

Please see additional document

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 appeal letter. Site, Location and floor plans as proposed and as existing. Elevations as proposed and as existing.

## Application Details

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

22/00895/DPP

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

15/12/2022

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

18/01/2023

## 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: Miss Rebecca Laing

Declaration Date: 24/02/2023

17 Feb 2023

The Planning, Sustainable Growth and Investment Manager  
Planning  
Sustainable Growth and Investment Service  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith EH22 3ZN

1 Duke Street  
Dalkeith  
EH22 1BG

T 0131 660 6599  
E [info@nyarchitecture.co.uk](mailto:info@nyarchitecture.co.uk)  
W [www.nyarchitecture.co.uk](http://www.nyarchitecture.co.uk)

Dear Sir/ Madam,

**44 CRICHTON AVENUE. PATHHEAD.  
APPEAL AGAINST DECISION TO REFUSE PLANNING PERMISSION  
APPLICATION REG. NO. 22/00895/DPP**

---

The local authority refused our application for a single storey extension to the front of the dwelling at 44 Crichton Avenue Pathhead, dated 18 January 2023.

We wish to make an application against the planning authority's refusal and would be grateful if our application can be reviewed under section 43A of the Town and Country Planning act.

Refusal was issued as the proposals were deemed to be unsuitable for the following reasons:-

- It would appear over dominant on the public front elevation.
- The design would be uncharacteristic of the existing building.
- The design would be prominent in the streetscene

It has been indicated that as a result of what is considered to be an unsatisfactory relationship to the existing dwelling, the porch will appear as an incongruous feature and that it would detract from the appearance of the principal elevation of the property and the semi-detached pairing of the houses, within the streetscene.

We would make representation against these points with the following comment:-

The porch extension would not be a dominant feature nor would it detract from the form of the house. The materials chosen would match the original dwelling and the pitch of the roof of the porch would match that of the existing dwelling. This proposal would not be an incongruous addition to the house. Interestingly there are many forms of these type of dwellings within Midlothian which were built around this time which have outshoots and extensions, either from the main building form, or from a recess or a smaller side section of the dwellings, or even an elongated partial extension from the main roof. An example of this can be seen below in Woodburn, Dalkeith. It is therefore not unusual or out of character to have an extension to the dwelling such as the one we are proposing at 44 Crichton Avenue. We also don't think, as it is designed to have similar materials and finishes, that it would be over dominant on the public front elevation.



Woodburn street scene, Dalkeith

As an example of this there is a porch extension to a similar pairing of dwellings at Hunterfield Road in Gorebridge, the conservatory style roof in this instance does not match the house and the choice of materials differs. Another example of a front extension can be seen at Cuiken Avenue Penicuik. The extension in this case is quite large and it extends outwards beyond the line of the building.



Hunterfield, Gorebridge



Cuiken Avenue, Penicuik.

Another example of a front extension is to a semi detached dwelling, nearby in Crichton Terrace, Pathhead. In this situation the porch extension/ conservatory is built to the side and



front of a pair of dwellings. The style of house is different from those in Crichton Avenue however the houses are arranged up the hillside in similar groupings and orientation to one another. The extension materials and the form of the extension differ from those of the original dwelling. The roof finish is different from the roof finish of the main dwelling and the style of fenestration is again different.

It would seem therefore that there exists a precedent for many examples of alterations and extension within Midlothian Council to the front and side of similar types of houses, within groupings and within streetscenes.



Crichton Terrace, Pathhead

The design at 44 Crichton Avenue would be complimentary to the existing dwelling and would not detract from the pleasant streetscene and the corner arrangements of the 4 sets of dwellings at these two road junctions between Crichton Avenue and Crichton Drive. Due to the 45 degree angle location of the corner dwellings the houses sit well back from the streetscene and the effect of the proposed extension would not therefore be prominent.

The front facing roof of the proposed extension at our application at 44 Crichton Avenue is symmetrical, of the same material finish and pitched at the same degree as the original dwelling. Also, by use of matching finishing materials the extension will appear sympathetic and complimentary, whilst subservient to the original dwelling. The porch extension is located to the front of the existing accommodation as it lends itself better to the layout of the ground floor and gives accommodation to the hall.

With regard to the streetscene, It does seem unusual that this small extension to the front a dwelling in a style that relates to the existing house is considered to be detrimental, when a number of new dwellings have recently been built to the end of the street in a different style and character to those of the streetscene. This development of dwellings seems to be shoehorned in to an end section of ground adjacent to these dwellings. Neither the layout of the dwellings, the design of the dwellings or the choice of materials, relate in any way the existing streetscene of dwellings.



Crichton Avenue. New recent development



Crichton Avenue. Rear development of differing character

In view of the above points, we would be very grateful if the ground floor extension as proposed within our application for planning, could be found to be acceptable.

We look forward to hearing from you.



## MIDLOTHIAN COUNCIL

### DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

**Planning Application Reference:**22/00895/dpp

**Site Address:** 44 Crichton Avenue, Pathhead

**Site Description:**

The application property comprises a semi-detached two storey dwellinghouse, and its associated garden, located within a residential area. The house is finished externally in drydash render with white plastic window frames and rosemary roof tiles.

**Proposed Development:**

Erection of porch

**Proposed Development Details:**

It is proposed to erect an extension at the front of the house measuring 3.5m deep and 4.1m wide (external footprint 14m<sup>2</sup>). It has a hipped roof with a flat section at ridge level and is to be finished externally in matching materials to the existing building.

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

The agent has submitted a design statement in support of the application stating that: the porch is required for storage and to accommodate a wc; there is limited space at the rear of the property to extend; the proposal does not impact on privacy or light to neighbouring properties; the roof is pitched at the same angle as the original house; the design is sympathetic to and clearly subservient to the original dwelling; and the extension would not have a significant impact on the character of the original building, the symmetry of the semi-detached pair or the visual amenity of the area.

History sheet checked.

22/00667/dpp- Erection of porch at 44 Crichton Avenue, Pathhead - It was proposed to erect an extension at the front of the house measuring 3.5m deep and 4m wide. It had an asymmetric roof and was to be finished externally in matching materials to the existing building – application withdrawn.

04/00947/ful - Extension to dwelling at 19 Crichton Terrace, Pathhead hipped roof extension at front of house measuring 1.6m deep from front elevation and 4.2m wide overall and wrapping around the side of the house by 2.3m along the side elevation – external footprint of 9.21m<sup>2</sup> - pp 07.03.2005

**Consultations:**

None required.

**Representations:**

None received.

**Relevant Planning Policies:**

Planning policy currently comprises National Planning Framework 3 and Scottish Planning Policy, SESPlan and the adopted Midlothian Local Development Plan 2017. On 8 November the Revised Draft National Planning Framework 4 was submitted to the Scottish Parliament for approval along with an Explanatory Report that outlines the changes from Draft NPF4 to the Revised Draft. The Planning Act requires that NPF4 must be approved by the Scottish Parliament before it can be adopted by Scottish Ministers. On adoption the provisions in the Planning Act will commence to make NPF4 part of the statutory development plan. The existing National Planning Framework 3 and Scottish Planning Policy remain in place until NPF4 has been adopted by Scottish Ministers. As the Revised Draft NPF4 is at an advanced stage and represents the settled view of the Scottish Government in terms of its planning policy it is a material consideration of significant weight in the assessment of the application. The following policies are relevant to the proposal:

**NPF4 REVISED DRAFT (08.11.22)****Policy 14 Design, quality and place**

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

**Policy 16 Quality homes**

- g) Householder development proposals will be supported where they:
  - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
  - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

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.

The houses at Crichton Avenue and at the corner of Crichton Drive are distinct in character comprising symmetrical pairs of semi-detached houses characterised by relatively steeply pitched roofs and gable features at the front. There are no other porches on similar properties in this part of Crichton Avenue.

Extensions to the fronts of houses are generally approved if they are small and sympathetically designed; in these cases the existing character of the individual house and of the street scene is retained. The majority of such extensions are front porches, a main purpose of which is to give added protection to the entrance door to the house, and usually these do not project more than 2 metres from the front wall of the original house.

Albeit the house is set back from the road at 3.5m deep and 4.1m wide the proposed extension will be a very prominent addition attached to the front of the house. The porch extension will appear over-dominant on the public front elevation and would be prominent in the streetscene. The form of the application property is symmetrical with that of no. 4 Crichton Drive which forms the other half of the semi-detached pair. The current design of the roof of the porch was put forward by the agent as an option during the processing of the previous application. The case officer advised the agent that it is the size of the proposed porch which is an issue rather than its form and that the revised design does not overcome this and was not considered an improvement on that of the previous proposal. It was suggested that a porch measuring a maximum 3m wide and 2.3m deep as measured externally may be acceptable which would lend itself to a conventional pitched roof form rather than a hipped roof which is not characteristic of the building. However the applicant/agent has decided to pursue the hipped roof option and has not reduced the size of the footprint of the extension. As a result of its size the porch will be a very prominent feature the design of which is uncharacteristic of the existing building and will detract from the symmetrical form and character of the pair of buildings. As a result of the unsatisfactory relationship with the existing house the porch will appear as an incongruous feature detracting from the appearance of the principal elevation of the application property, the semi-detached pair and the street scene.

During the processing of the previous application the agent mentioned an extension at 19 Crichton Terrace which has a hipped roof. It appears from notes on the file that the reason behind the hipped roof design of the extension at the front of the house was due in part to the position of the boundary of the front garden of no 19 with the front garden of no. 18. Whilst not characteristic of the existing building from the submitted plans at single storey and only projecting 1.6m from the front building line of the house as compared to 3.5m as per the application at no. 44 Crichton Avenue, the extension did not appear to be an overly prominent feature. Also the design of the house at no. 19 Crichton Terrace is not the same as and not as distinct



as that at 44 Crichton Avenue. On viewing the front extension at no. 19 in situ it does appear as quite a prominent feature, exacerbated by the different colour roof tiles. At 3.5m deep the proposed porch at no. 44 Crichton Avenue would appear even more prominent.

Also the applicant/agent has not at any stage sought the view of the Planning Authority as to whether a rear extension would be acceptable.

The proposal will not have a significant impact on the amenity of neighbouring properties.

**Recommendation:**

Refuse planning permission

# Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

**Reg. No. 22/00895/DPP**

Niall Young Architecture  
1 Duke Street  
Dalkeith  
EH22 1BG

Midlothian Council, as Planning Authority, having considered the application by Mr and Mrs D Walkingshaw, 44 Crichton Avenue, Pathhead, EH37 5QJ, which was registered on 16 December 2022 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

## **Erection of porch at 44 Crichton Avenue, Pathhead, EH37 5QJ**

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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	2264(00)01 1:1250	16.12.2022
Existing floor plan	2264(PA)01 1:50	16.12.2022
Existing elevations	2264(PA)02 1:50	16.12.2022
Proposed floor plan	2264(PA)07 1:50	16.12.2022
Proposed elevations	2264(PA)08 1:50	16.12.2022
Proposed elevations	2264(PA)09 1:50	16.12.2022
Site Plan	2264(PA)10 1:200	16.12.2022

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

1. The porch extension will appear over-dominant on the public front elevation, the design of which is uncharacteristic of the existing building, and would be prominent in the streetscene. As a result of the unsatisfactory relationship with the existing house, the porch will appear as an incongruous feature detracting from the appearance of the principal elevation of the application property, the semi-detached pair of houses of which it forms one half and the street scene.
2. For the above reason the proposal is contrary to policy DEV 2 of the adopted Midlothian Local Development Plan 2017 which seeks to protect the character and amenity of the built-up area.

Dated 18 / 1 / 2023



.....

Duncan Robertson

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



The Coal  
Authority

**Any Planning Enquiries should be directed to:**

Planning and Local Authority Liaison

Direct Telephone: 01623 637 119

Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)

Website: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

**Development Low Risk Area- STANDING ADVICE**

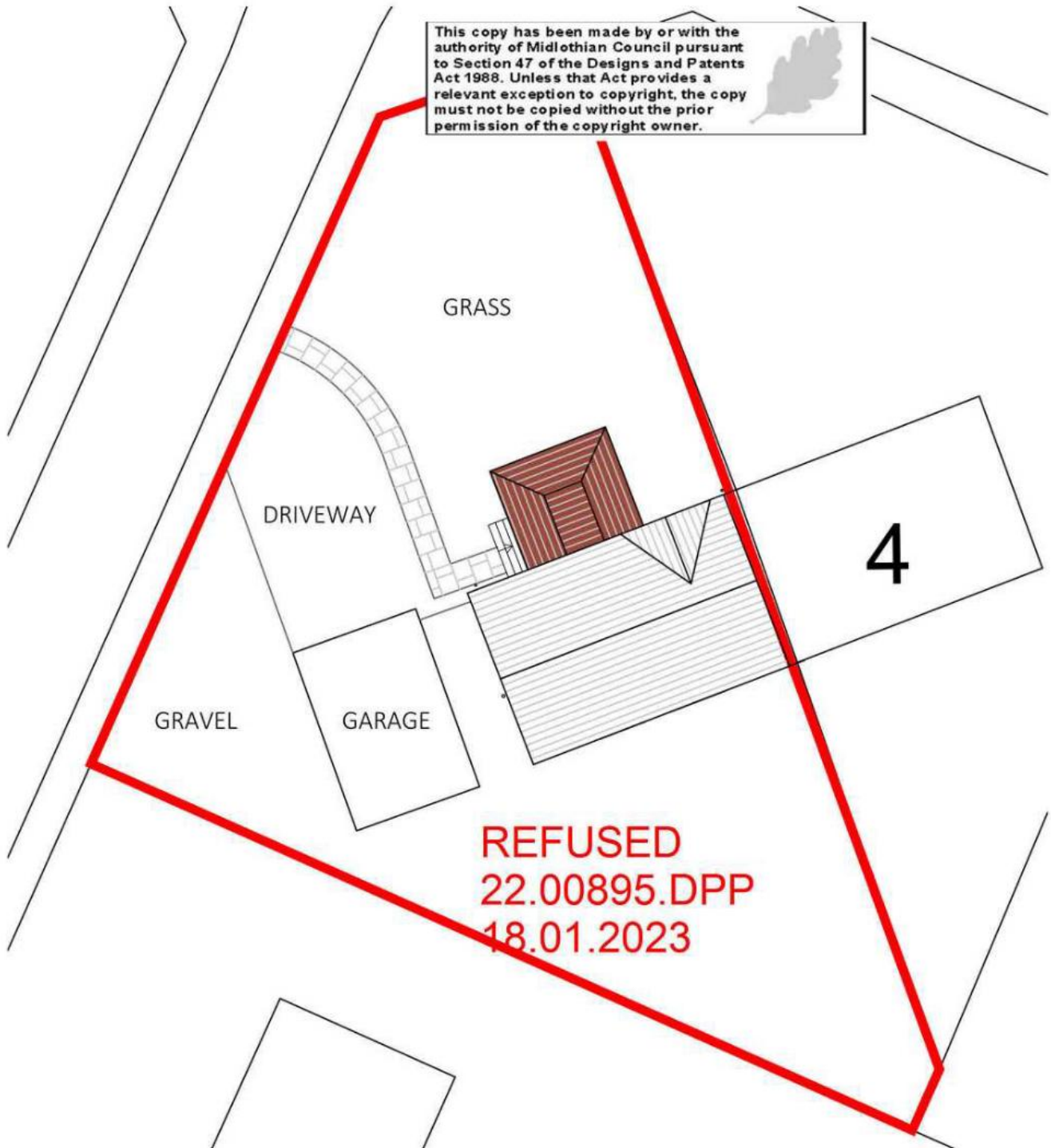
The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848.

Further information is also available on the Coal Authority website at:

[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

Standing Advice valid from 1st January 2023 until 31st December 2024

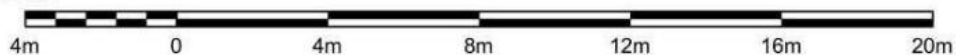
This copy has been made by or with the authority of Midlothian Council pursuant to Section 47 of the Designs and Patents Act 1988. Unless that Act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.



**REFUSED**  
**22.00895.DPP**  
**18.01.2023**

— RED OUTLINE INDICATED SITE BOUNDARY

1:200



DRAWING TITLE:  
SITE PLAN

PROJECT:  
MR & MRS WALKINGSHAW  
44 CRICHTON AVENUE  
PATHHEAD  
EH37 5QJ

**Niall Young ARCHITECTURE LTD.**

1 Duke Street, Dalkeith, EH22 1BG  
T. 0131 660 6599 E. info@nyarchitecture.co.uk

Scale  
**1:200@A4**

DO NOT SCALE

Drawn  
**RL**

Checked  
**NSY**

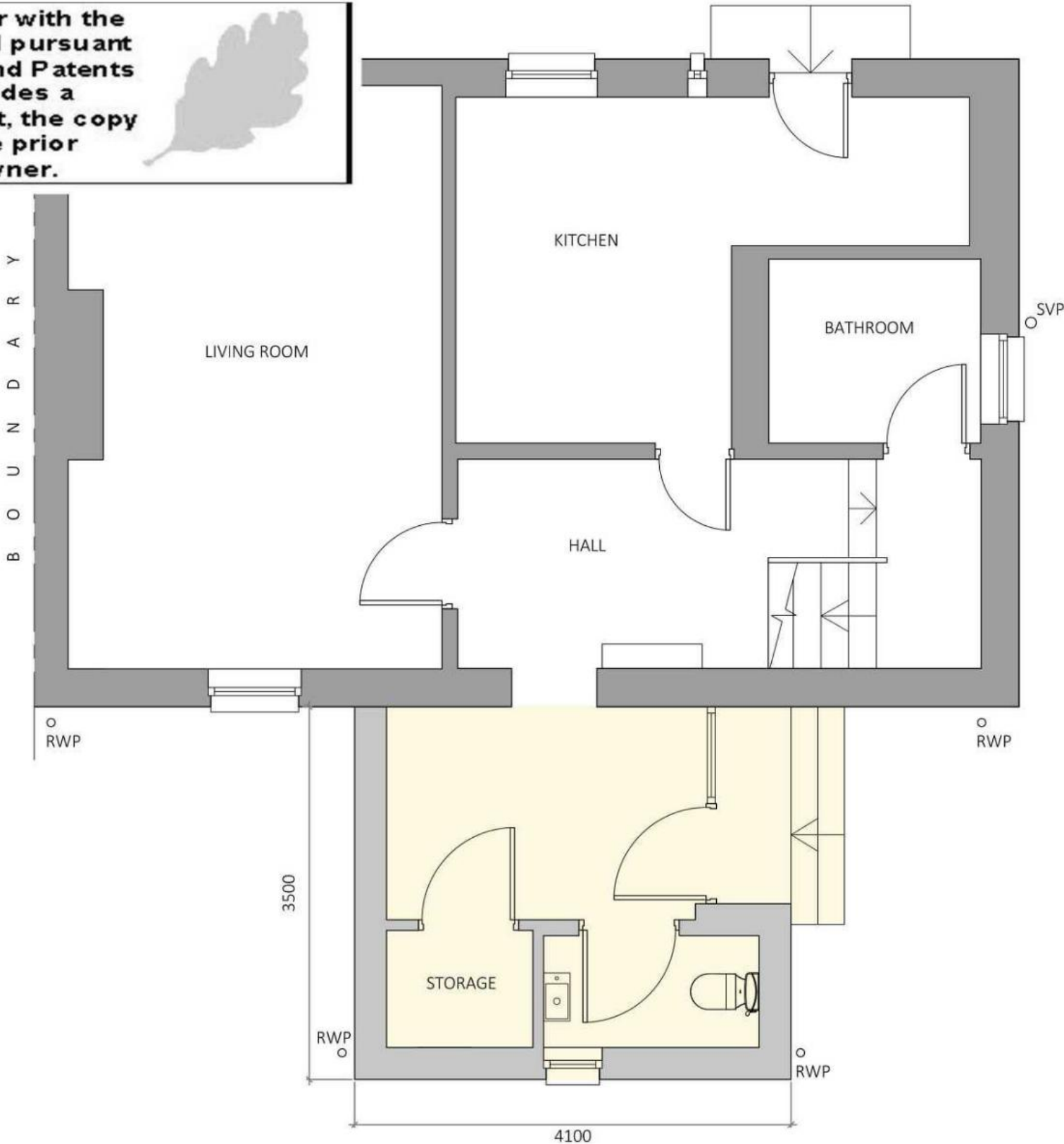
Date  
**06.12.22**

**2264(PA)10**

This copy has been made by or with the authority of Midlothian Council pursuant to Section 47 of the Designs and Patents Act 1988. Unless that Act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.

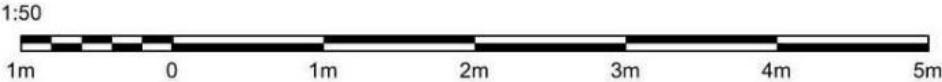


REFUSED  
22.00895.DPP  
18.01.2023



- PROPOSED MATERIALS:
- muPVC window, colour white
  - muPVC door & glass screen, colour sage green
  - dry dash render to match existing
  - rosemary tiled roof to match existing
  - muPVC rainwater goods

GROUND FLOOR PLAN AS PROPOSED 1:50



TO BE READ IN CONJUNCTION WITH ALL OTHER INFORMATION

REV	DETAILS	BY	DATE	PROJECT: MR & MRS WALKINGSHAW 44 CRICHTON AVENUE PATHHEAD EH37 5QJ	DRAWING TITLE: GROUND FLOOR PLAN AS PROPOSED	Niall Young ARCHITECTURE LTD. 1 Duke Street, Dalkeith, EH22 1BG T: 0131 660 6599 E: info@nyarchitecture.co.uk	Scale: 1:50@A3	Issue status: PA
							Drawn: RL	Checked: NSY Date: 06.12.22

2264(PA)07



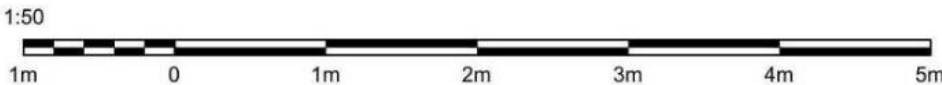
This copy has been made by or with the authority of Midlothian Council pursuant to Section 47 of the Designs and Patents Act 1988. Unless that Act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.



REFUSED  
22.00895.DPP  
18.01.2023



- PROPOSED MATERIALS:
- muPVC window, colour white
  - muPVC door & glass screen, colour sage green
  - dry dash render to match existing
  - rosemary tiled roof to match existing
  - muPVC rainwater goods



TO BE READ IN CONJUNCTION WITH ALL OTHER INFORMATION

REV	DETAILS	BY	DATE

PROJECT:	MR & MRS WALKINGSHAW 44 CRICHTON AVENUE PATHHEAD EH37 5QQ
----------	--

DRAWING TITLE:	ELEVATION AS PROPOSED
----------------	-----------------------

Niall Young ARCHITECTURE LTD.	
1 Duke Street, Dalkeith, EH22 1BG T: 0131 660 6599 E: info@nyarchitecture.co.uk	

Scale:	1:50@A3	Issue status:	PA
Drawn:	RL	Checked:	NSY
Date:	06.12.22	2264(PA)08	

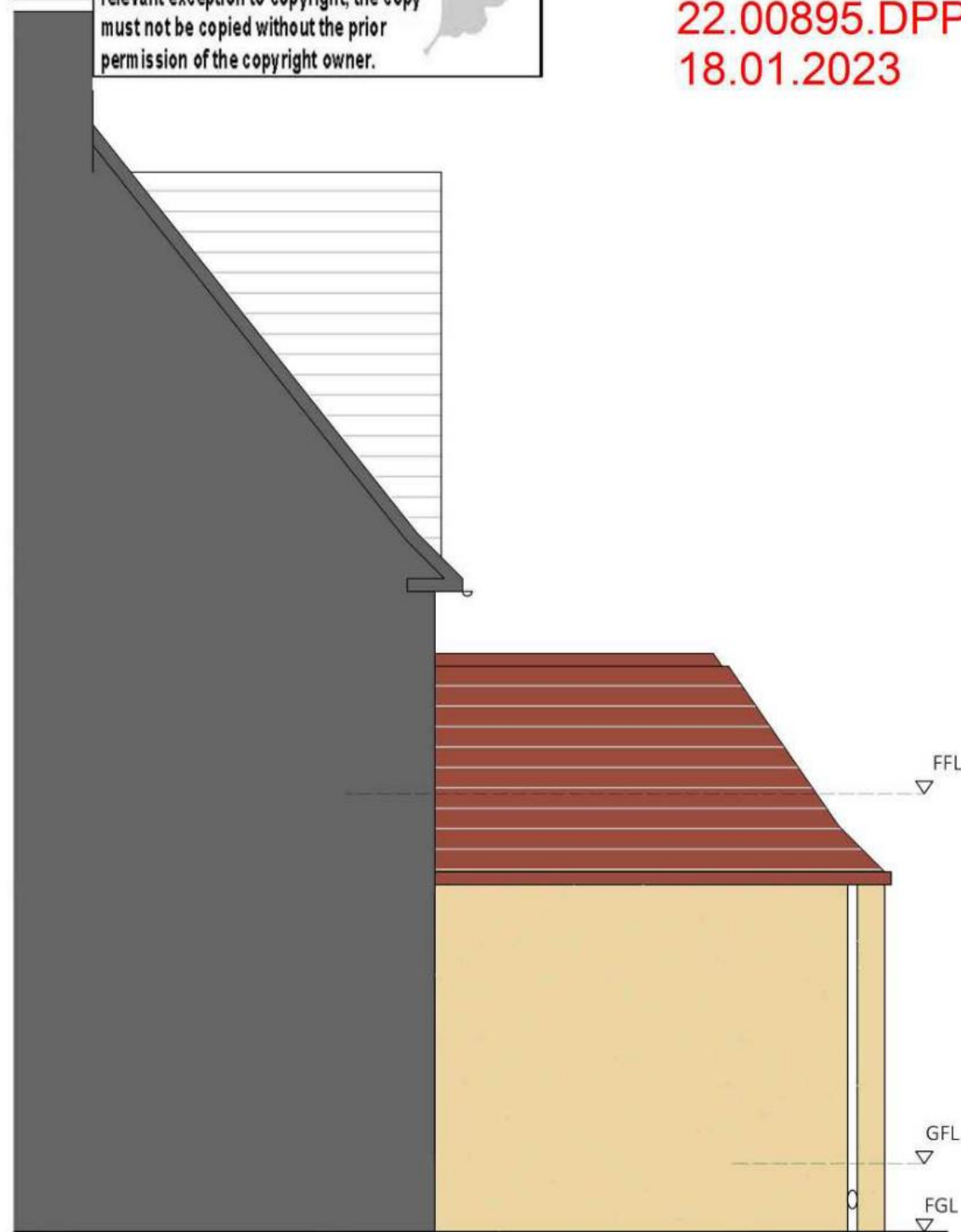
This copy has been made by or with the authority of Midlothian Council pursuant to Section 47 of the Designs and Patents Act 1988. Unless that Act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.



**REFUSED**  
**22.00895.DPP**  
**18.01.2023**

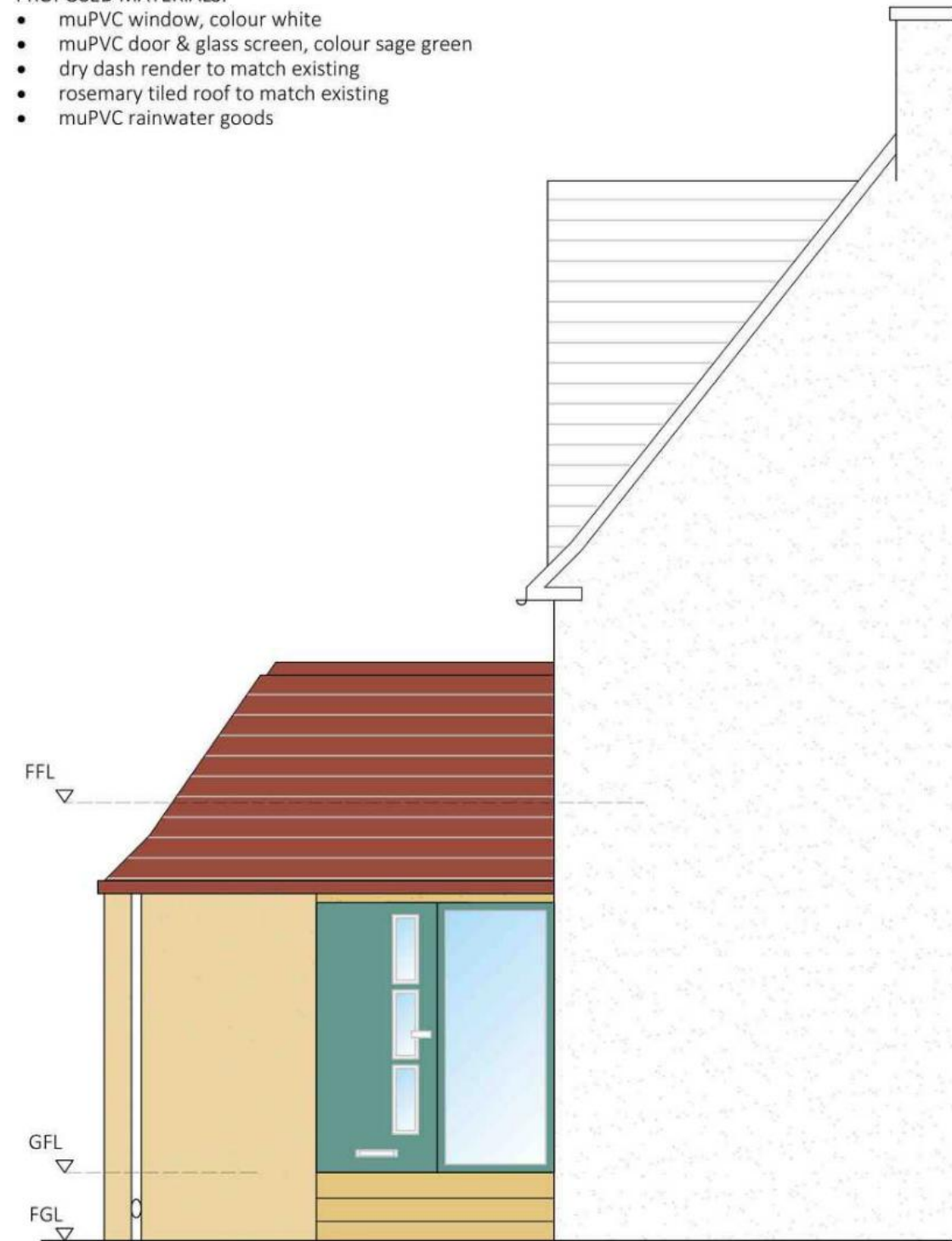
PROPOSED MATERIALS:

- muPVC window, colour white
- muPVC door & glass screen, colour sage green
- dry dash render to match existing
- rosemary tiled roof to match existing
- muPVC rainwater goods



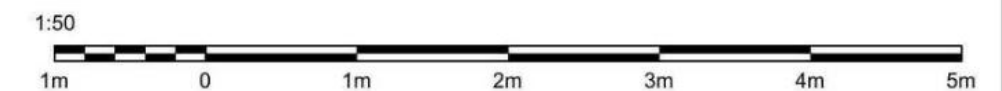
EAST ELEVATION  
AS PROPOSED

1:50



WEST ELEVATION  
AS PROPOSED

1:50



TO BE READ IN CONJUNCTION WITH ALL OTHER  
INFORMATION

REV	DETAILS	BY	DATE

PROJECT:  
MR & MRS WALKINGSHAW  
44 CRICHTON AVENUE  
PATHHEAD  
EH37 5QQ

DRAWING TITLE:  
ELEVATIONS AS  
PROPOSED

Niall Young **ARCHITECTURE LTD.**

1 Duke Street, Dalkeith, EH22 1BG  
T: 0131 660 6599 E: info@nyarchitecture.co.uk

Scale: **1:50@A3**  
Drawn: RL  
Checked: NSY  
Issue status: **PA**  
Date: **06.12.22**

**2264(PA)09**