

# Notice of Meeting and Agenda



## Local Review Body

**Venue:** Virtual Meeting,  
[Venue Address]

**Date:** Tuesday, 13 September 2022

**Time:** 13:00

### Executive Director : Place

**Contact:**

Clerk Name: Democratic Services

Clerk Telephone:

Clerk Email: [democratic.services@midlothian.gov.uk](mailto:democratic.services@midlothian.gov.uk)

### Further Information:

This is a meeting which is open to members of the public.

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## **1 Welcome, Introductions and Apologies**

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## **2 Order of Business**

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Including notice of new business submitted as urgent for consideration at the end of the meeting.

## **3 Declaration of Interest**

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Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **4 Minute of Previous Meeting**

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4.1 Minutes 20 June 2022 submitted for approval 3 - 10

4.2 Minutes 27 June 2022 submitted for approval 11 - 16

## **5 Public Reports**

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### **Determination Reports by Chief Officer Place**

5.1 Notice of Review 144 Main Street, Pathhead 17 - 34

5.2 Notice of Review 2 Louis Braille Way, Gorebridge 35 - 52

5.3 Notice of Review 22 John Street, Penicuik 53 - 80

## **6 Private Reports**

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No items for discussion

## **7 Date of Next Meeting**

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The next meeting will be held on 26 September 2022 at 1 pm

Plans and papers relating to the applications on this agenda can also be viewed at <https://planning-applications.midlothian.gov.uk/OnlinePlanning>

# Minute of Meeting

Local Review Body  
Tuesday 13 September 2022  
Item No: 4.1



## Local Review Body

Date	Time	Venue
Monday 20 June 2022	2.00pm	Virtual Meeting using MS Teams

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor Drummond	Councillor McEwan
Councillor McManus	Councillor Milligan
Councillor Smail	Councillor Virgo

### Also Present:

Councillor Pottinger	
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### In Attendance:

Peter Arnsdorf, Planning, Sustainable Growth and Investment Manager	Matthew Atkins, Lead Officer Planning Obligations
Mike Broadway, Democratic Services Officer	

## 1 Welcome, Introductions and Apologies

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In terms of Standing Order 7, the Local Review Body (LRB) were invited to elect a Chair.

Councillor Imrie, having been proposed, and there being no other nomination, was duly elected as Chair of the LRB.

No apologies for absence had been received.

## 2 Order of Business

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The order of business was confirmed as outlined in the agenda that had been previously circulated.

## 3 Declarations of interest

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No declarations of interest were intimated at this stage of the proceedings.

## 4 Minute of Previous Meeting

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There were no Minutes submitted for approved at this meeting.

## 5 Reports

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Item No	Item Title	Presented by:
<b>5.1</b>	<b>Membership and Terms of Reference.</b>	<b>Peter Arnsdorf</b>
Outline of report and decision		
There was submitted and noted report setting out the membership and terms of reference of the Local Review Body.		

Item No	Item Title	Presented by:
<b>5.2</b>	<b>Procedures for the Local Review Body.</b>	<b>Peter Arnsdorf</b>
Outline of report and decision		
There was submitted and noted report setting out the procedural arrangements for the determination of Local Reviews by the LRB.		
The Planning Advisor outlined the various stages that comprised the procedural process, in particular highlighting that:-		
<ul style="list-style-type: none"><li>• reviews would normally be considered by the LRB at the first available meeting;</li><li>• the LRB would determine Reviews by way of written submissions unless the applicant had specifically requested a Hearing in their Notice of Review Request;</li></ul>		

- site visits would normally be scheduled for the morning of the meeting of the LRB at which the Review was to be determined. Whilst Members were encouraged to attend the Site Visits visuals would continue to be provided to enable those not able to attend to continue to be able to participate in the determination of the Review. The site visit would be unaccompanied if the Review was to be determined by way of written submissions and accompanied if the Review was to be determined by way of a Hearing. The LRB would be notified in advance of any changes to this timetable; and
- the LRB could decide to defer the consideration of any Review if they felt they required further information.

The LRB, in welcoming the guidance offered on the procedural arrangements, acknowledged the Chair's remarks regarding his hopes for a return to face-to-face LRB meetings and to all Members attending Site Visits.

#### Declaration of Interest/Sederunt

Prior to the commencement of the following item of business, Councillor Cassidy and Councillor Bowen both declared non-pecuniary interests and took no part in consideration of this particular review request.

Agenda No	Report Title	Presented by:
5.3	Notice of Review – Glencairn, 13 Waverley Road, Dalkeith (21/00933/DPP) – Determination Report.	Peter Arnsdorf

#### Executive Summary of Report

There was submitted a report, dated 10 June 2021 by the Chief Officer Place, regarding an application from Mr C Shaw, Glencairn, 13 Waverley Road, Dalkeith seeking a review of the decision of the Planning Authority to refuse planning permission (21/00933/DPP, refused on 8 February 2022) for the erection of a treehouse (retrospective) at that address.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

#### Summary of Discussion

The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed treehouse and the reasons for its refusal, the LRB considered the potential impact that it would have on the character and appearance of the conservation area and the listed building in whose grounds the treehouse was sited. The LRB welcomed the steps taken by the applicant to lessen the visual impact through staining the treehouse and felt on balance that the fact that the siting and design was such that as it did not appear to adversely impact on neighbouring properties, nor the conservation area that it could be supported.

## Decision

After further discussion, the LRB agreed to uphold the review request, and grant planning permission for the following reason:

*The treehouse as erected, by means of its siting, size and design, is not detrimental to the Eskbank and Ironmills Conservation Area and does not detract from the listed building in whose grounds the treehouse is sited and as such accords with the presumption in favour of supporting sustainable development as set out in the Midlothian Local Development Plan 2017.*

subject to the following condition:

A tree inspection shall be carried out by a suitably qualified arboriculturalist within three months of the date of decision to assess the condition of the two sycamore trees within which the treehouse is constructed. A report shall be submitted to the planning authority for review within six months of the date of decision, including details of any damage to the trees and their roots; likely effects on tree health as a result of construction (e.g. coach screws in trees, concrete foundations in Root Protection Area (RPA)); recommendations and timetable for re-inspection. The planning authority shall then confirm if the treehouse is required to be removed (because it is causing damage to the stated trees) and the time period in which it shall be removed.

**Reason:** *To protect trees at the site which contribute to the character and visual amenity of the surrounding area.*

## Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.4	Notice of Review – 38 Lawrie Terrace, Loanhead (21/00727/DPP) – Determination Report.	Matthew Atkins

## Executive Summary of Report

There was submitted a report, dated 10 June 2022 by the Chief Officer Place, regarding an application from Mr S Howgate, 12 Broughton Place Lane, Edinburgh seeking a review of the decision of the Planning Authority to refuse planning permission (21/00727/DPP, refused 1 December 2021) for the change of use of former storage building to church/place or worship (retrospective) at 38 Lawrie Terrace, Loanhead.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

## Summary of Discussion

The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for the refusal of planning permission, the LRB considered the potential impact that the proposed change of use would likely have on the privacy and amenity of the neighbouring residential properties. Concerns were also expressed about the potential increase in traffic movements, and pressure on car parking, associated with the proposed use and the impact that this might have on the surrounding area, particularly from a road safety point of view.

## Decision

After further discussion, the LRB agreed to dismiss the review request, and uphold the decision to refuse planning permission for the following reasons:-

1. The use of the site as a church/place of worship would result in a significant adverse impact on the privacy and amenity of the occupants of the residential properties to the north.
2. The use of the site as a church/place of worship would result in a risk to road safety with regards to the intensification in the number of vehicles accessing the site through a small and constrained car park.
3. For the above reasons, the proposal does not comply with policy DEV2 of the adopted Midlothian Local Development Plan 2017
4. The use of the site as a church/place of worship would have a significant detrimental impact on the amenity of nearby residents as a result of noise and disturbance and so does not comply with policies DEV2 and ENV18 of the adopted Midlothian Local Development Plan 2017.

## Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.5	Notice of Review – 12 Dryden Terrace, Loanhead (21/01024/DPP) – Determination Report.	Peter Arnsdorf

## Executive Summary of Report

There was submitted report dated 10 June 2022 by the Chief Officer Place, regarding an application from Suzanne McIntosh Planning Limited, 45C Bath Street, Edinburgh seeking, on behalf of their client Mr S Quinn, a review of the decision of the Planning Authority to refuse planning permission (21/01024/DPP, refused on 8 February 2022) for the extension of roof at 12 Dryden Terrace, Loanhead.

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

### Summary of Discussion

The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for its refusal, the LRB considered the potential impact that permitting the proposed development would likely have on the character and appearance of the area. On balance, Members' concluded that the proposed development would not adversely impact the streetscape and could therefore be supported.

### Decision

After further discussion, the LRB agreed to uphold the review request, and grant planning permission for the following reason:

*The proposed roof extension by means of its form, design and materials complements the host dwellinghouse and will not be detrimental to the streetscape or the character of the area and as such accords with the presumption in favour of supporting sustainable development as set out in the Midlothian Local Development Plan 2017. Furthermore the symmetrical form of the host building and those in the immediate locality is not such a strong architectural feature that justifies resisting the evolution of the built form.*

### Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.6	Notice of Review – 1 Tipperwell Way, Howgate, Penicuik (22/00056/DPP) – Determination Report.	Peter Arnsdorf
Executive Summary of Report		
<p>There was submitted report dated 10 June 2022 by the Chief Officer Place, regarding an application from Dr A Fraser, 1 Tipperwell Way, Howgate, Penicuik seeking a review of the decision of the Planning Authority to refuse planning permission (21/00056/DPP, refused on 29 March 2022) for the installation of replacement windows at that address.</p> <p>Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.</p>		
Summary of Discussion		
<p>The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for the refusal of planning permission, the LRB considered the potential impact that permitting the proposed development would likely have on the character and appearance of the dwellinghouse and the conservation area. The LRB recalled that sympathetic consideration had previously</p>		



been given to the use of modern materials where they were of a matching design to that which was already installed and of such a high standard so as to make it difficult to differentiate from the original timber framed fittings.

### Decision

After further discussion, the LRB agreed to uphold the review request, and grant planning permission for the following reason:

*The proposed replacement windows will not have a detrimental impact on the host building or the Howgate Conservation Area and as such accords with the presumption in favour of supporting sustainable development as set out in the Midlothian Local Development Plan 2017.*

subject to the following conditions:

1. The profile of the window frames on the replacement windows shall match the square profile of the frames of the windows which are to be replaced.
2. The design of the bedroom window at the rear and the bedroom window at the side of the house shall incorporate a mullion.
3. The window frames shall not protrude beyond the outer face of the mullions where present or the case frames.

**Reason for conditions 1-3:** In order to reduce the visual impact of the replacement windows on the character and appearance of this part of the Howgate Conservation Area.

In reaching this decision the LRB noted that Supplementary Guidance on the use of modern materials of the same design and style as those they were replacing and of a standard which could not be differentiated from timber frames when viewed from a public vantage point was being prepared for consideration by the Planning Committee.

## 6. Private Reports

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No private business was discussed.

## 7. Date of Next Meeting

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The next scheduled meeting will be held on Monday 27 June 2022 at 2.00pm.

The meeting terminated at 2.48 pm.



# Minute of Meeting

Local Review Body  
Tuesday 13 September 2022  
Item No: 4.2



## Local Review Body

Date	Time	Venue
Monday 27 June 2022	2.00pm	Virtual Meeting using MS Teams

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor Drummond	Councillor McManus
Councillor Milligan	Councillor Smail

### Also Present:

Councillor Pottinger	
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### In Attendance:

Peter Arnsdorf, Planning, Sustainable Growth and Investment Manager	Mike Broadway, Democratic Services Officer
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## 1 Apologies

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Apologies for absence had been received from Councillors McEwan and Virgo.

## 2 Order of Business

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The Clerk advised that with regards Item 5.1 - Land at Whitehill Farm, Whitehill Village, Dalkeith (21/00239/PPP) on today's Agenda, following the receipt of a request from the Applicant's Agent seeking to continue this item, it had been agreed following consultation with the Chair, Councillor Imrie, and Planning Advisor, Peter Arnsdorf to accede to the request and defer consideration to a future meeting of the LRB.

Otherwise the order of business was as outlined in the agenda that had been previously circulated.

## 3 Declarations of interest

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Councillor Bowen declared a non-pecuniary interest in Agenda Item 5.3 - Land West of 6 Ramsay Cottages, Bonnyrigg (21/00806/DPP) advising that he lived nearby and prior to being elected as a Councillor he had discussed the application with a number of residents, including his daughter, who lived on the street leading to the proposed site and he would therefore not take part in consideration of this particular review request.

Councillor Cassidy declared a non-pecuniary interest in Agenda Item 5.2 - Land 25m South West Deaflawhill Cottage, Carrington Road, Dalkeith (21/00352/DPP) on the grounds that he believed that the applicant was a customer of his own business, and although he did not know the applicant personally he would not take part in consideration of this particular review request.

Councillor Drummond advised that with regards to the same Agenda Item 5.2, she was aware that a party colleague was a notifiable neighbour, however as they were not well-known to her, she did not believe that this in itself would interfere in her being able to come to an objective decision on this Review Request, therefore she would still take part in the decision making process.

## 4 Minute of Previous Meeting

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There were no Minutes submitted for approved at this meeting.

## 5 Reports

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Agenda No	Report Title	Presented by:
5.2	Notice of Review – Land 25m South West Deaflawhill Cottage, Carrington Road, Dalkeith (21/00352/DPP) – Determination Report.	Peter Arnsdorf

## Executive Summary of Report

There was submitted a report, dated 17 June 2022 by the Chief Officer Place, regarding an application from Rick Finc Associates Ltd, Melford House, 3 Walker Street, Edinburgh seeking, on behalf of their client Mr I Dickson, a review of the decision of the Planning Authority to refuse planning permission (21/00422/DPP, refused on 12 October 2021) for the erection of two dwellinghouses; formation of access, car parking and areas of hard standing and associated works at land 25m south west of Deaflawhill Cottage, Carrington Road, Dalkeith (between Bonnyrigg and Newtongrange).

Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.

## Summary of Discussion

The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for the refusal of planning permission, the LRB considered the potential impact that the proposed development would have on the character and appearance of the conservation area and on the site itself which was the subject of a Tree Preservation Order. Concerns regarding the proposed access arrangements were also considered.

## Decision

After further discussion, the LRB agreed to dismiss the review request, and to refuse planning permission for the following reasons:

1. The proposal does not satisfy any of the criteria in relation to acceptable rural development set out in the Midlothian Local Development Plan 2017. As such, the principle of the development cannot be supported as development is contrary to policies RD1, ENV3, ENV4 and ENV8 of the Midlothian Local Development Plan 2017.
2. The development is unable to demonstrate safe access into the site by virtue of insufficient distance for suitable visibility splays.
3. The proposed development, by virtue of its proposed scale and massing, is unsympathetic to the character of the conservation area, the existing built and the natural landscaped character of the area and so conflicts with policies DEV 6, ENV7 and ENV 19 of the Midlothian Local Development Plan 2017.
4. The proposed removal of vegetation from the site would harm the Tree Preservation Order and so conflict with policy ENV11 of the Midlothian Local Development Plan 2017.

## Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Presented by:
5.3	Notice of Review – Land West of 6 Ramsay Cottages, Bonnyrigg (also known as land at Cockpen Farm, Newtongrange) (21/00806/DPP) – Determination Report.	Peter Arnsdorf
<b>Executive Summary of Report</b>		
<p>There was submitted a report, dated 17 June 2022 by the Chief Officer Place, regarding an application from Geddes Consulting, Quadrant, 17 Bernard Street, Edinburgh seeking, on behalf of their clients Miller Homes Limited, the LRB to determine the application for planning permission (21/00806/DPP) for the erection of 10 dwellinghouses and associated works at land west of 6 Ramsay Cottages, Bonnyrigg (also known as land at Cockpen Farm, Newtongrange) the Planning Authority having not determined the application within the statutory time period (2 months as extended by agreement).</p> <p>Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the refusal decision notice which had been prepared by Officers but not issued.</p>		
<b>Summary of Discussion</b>		
<p>The LRB, having heard from the Planning Advisor, gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for the proposed refusal of planning permission, the LRB considered the potential impact that the loss of an important area of open space would have on the amenity and biodiversity of the area. The LRB also considered the importance of the site in providing a natural boundary between the existing settlement and the proposed development at Redheugh.</p>		
<b>Decision</b>		
<p>After further discussion, the LRB agreed to dismiss the review request, and to refuse planning permission for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The development will result in the loss of open space without an overriding justification contrary to Midlothian Local Development Plan policies STRAT2 and DEV8.</li> <li>2. The proposed removal of vegetation from the site would conflict with Midlothian Local Development Plan policy ENV11 to the detriment of public amenity, biodiversity and in conflict to the objectives of the Council's Climate Strategy.</li> <li>3. The development would result in the overdevelopment of a greenfield site that connects two areas of woodland and habitat that support biodiversity and as such the development would conflict with Midlothian Local Development Plan policies DEV6, ENV14 and ENV15.</li> </ol>		
<b>Action</b>		
Planning, Sustainable Growth and Investment Manager		

Agenda No	Report Title	Presented by:
5.4	Notice of Review – Land at North Lodge (also known as Harvieston Lodge), Powdermill Brae, Gorebridge (21/01008/DPP) – Determination Report.	Peter Arnsdorf
<b>Executive Summary of Report</b>		
<p>There was submitted a report, dated 17 June 2022 by the Chief Officer Place, regarding an application from Gray Planning &amp; Development Ltd, AYE House, Admiralty Park, Rosyth seeking, on behalf of their client Mr K Craig, a review of the decision of the Planning Authority to refuse planning permission (21/01008/DPP, refused on 18 February 2022) for the erection of a dwellinghouse and associated works at land at North Lodge (also known as Harvieston Lodge), Powdermill Brae, Gorebridge.</p> <p>Accompanying the Notice of Review Form and supporting statement, which were appended to the report, was a copy of the report of handling thereon, together with a copy of the decision notice.</p>		
<b>Summary of Discussion</b>		
<p>The LRB, having heard from the Planning Advisor, then gave careful consideration to the merits of the case based on all the written information provided. In discussing the proposed development and the reasons for its refusal, the LRB considered the potential impact that permitting the proposed development would likely have on the character and appearance of the general area, and in particular on the setting of the historically listed North Lodge. Concern were also expressed regarding the adequacy of the level of amenity, and off street parking associated with the proposed development.</p>		
<b>Decision</b>		
<p>After further discussion, the LRB agreed to dismiss the review request, and to refuse planning permission for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The proposed dwellinghouse fails to connect visually to the character, appearance and layout of the area or relate to the historic character and appearance of the important listed building, North Lodge (also known as Harvieston Lodge). The proposed dwellinghouse will materially detract from the character of the area which is contrary to policy DEV2 of the adopted Midlothian Local Development Plan.</li> <li>2. The proposed dwellinghouse does not respect the localised setting of North Lodge (also known as Harvieston Lodge) and in turn fails to relate to its historic character and appearance. The proposed dwellinghouse will materially detract from the setting of the listed building which is contrary to policy ENV22 of the adopted Midlothian Local Development Plan.</li> </ol>		

3. The proposed dwellinghouse will not be afforded an adequate level of amenity and therefore does not comply with policy DEV6 and DEV2 of the adopted Midlothian Local Development Plan.
4. It has not been demonstrated to the satisfaction of the Planning Authority that the proposed dwellinghouse and North Lodge could be afforded an adequate level of off-street parking spaces. The proposed dwellinghouse may result in a pressure for parking spaces will have a significant detrimental impact on the character and amenity of the surrounding area and is therefore contrary to policy DEV2 of the adopted Midlothian Local Development Plan.

<b>Action</b>
Planning, Sustainable Growth and Investment Manager

## **6. Private Reports**

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No private business was discussed.

## **7. Date of Next Meeting**

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The next scheduled meeting will be held on Tuesday 13 September 2022 at 1.00pm.

The meeting terminated at 2.38 pm.



## **Notice of Review: 144 Main Street, 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 installation of replacement windows (retrospective) at 144 Main Street, Pathhead.

#### **2 Background**

- 2.1 Planning application 22/00264/DPP for the installation of replacement windows (retrospective) at 144 Main Street, Pathhead was refused planning permission on 13 May 2022; 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 13 May 2022 (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 consider a visual presentation of the site and undertaking a site visit (elected members not attending the site visit can still participate in the determination of the review); and
  - Have determined to progress the review of written submissions.
- 4.2 The case officer's report identified that there were no consultations required and one representation received. As part of the review process the interested party was 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 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 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.
- 5.2 If the LRB dismisses the review, the unauthorised windows will need to be replaced with windows of a design and style to be approved by way of a planning application, to be submitted by the applicant. In this case the applicant will be asked to comply with this requirement within six months of the LRB decision. However, the failure to undertake the required works will result in the Council having to consider issuing an enforcement notice to resolve the breach of planning control.

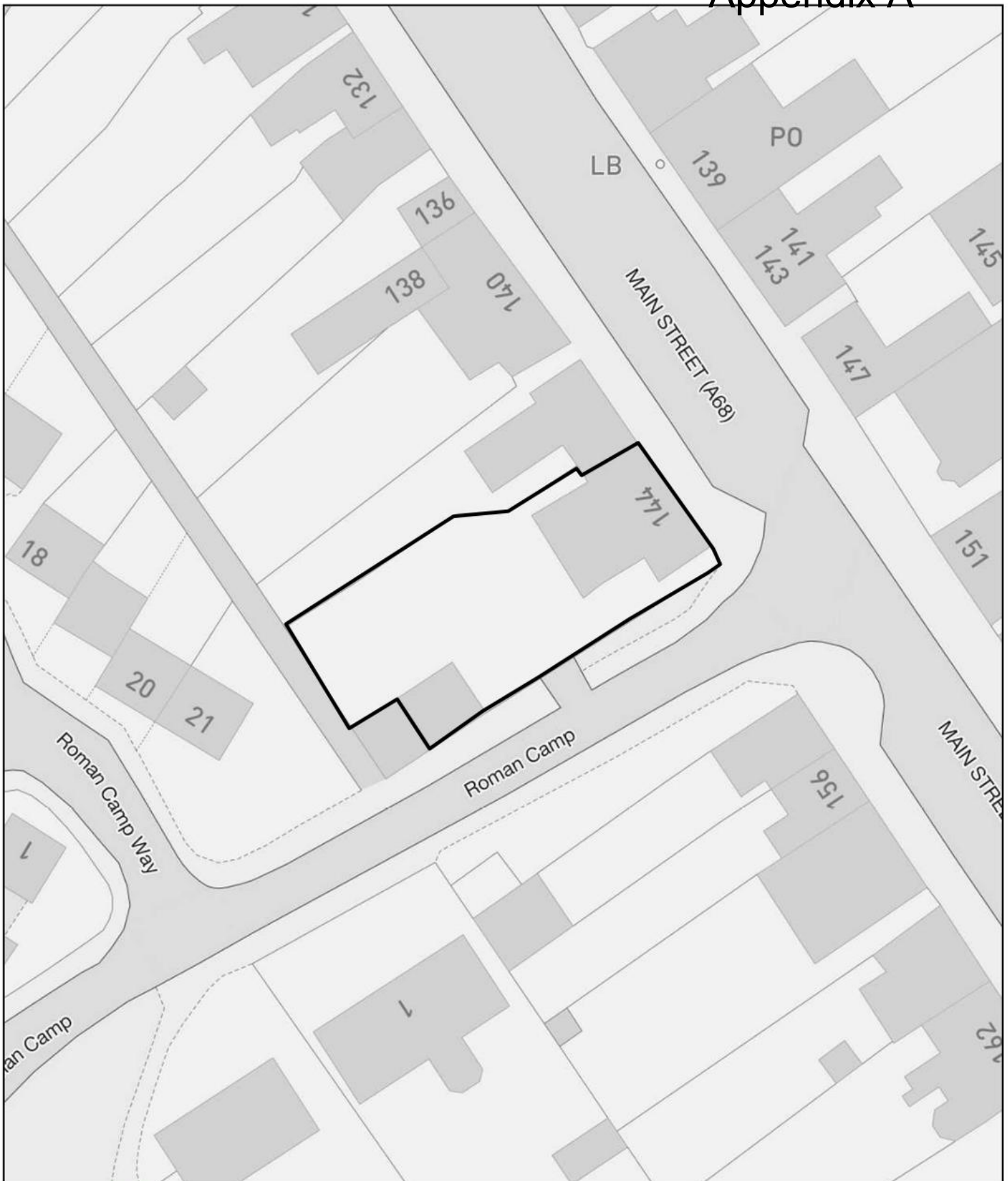
## **6 Recommendations**

- 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:** 26 August 2022  
**Report Contact:** Whitney Lindsay, Planning Officer  
[whitney.lindsay@midlothian.gov.uk](mailto:whitney.lindsay@midlothian.gov.uk)

**Background Papers:** Planning application 22/00264/DPP available for inspection online.



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

Installation of replacement windows (retrospective) at 144  
Main Street, Pathhead, EH37 5SG

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File No: 22/00264/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 100544096-006

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="designxyz"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Robert"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Jeffords"/>	Building Number:	<input type="text" value="3"/>
Telephone Number: *	<input type="text" value="07367182571"/>	Address 1 (Street): *	<input type="text" value="Cowdenfoot loan"/>
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="Midlothian"/>
		Postcode: *	<input type="text" value="EH222FT"/>
Email Address: *	<input type="text" value="robert@designxyz.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="Mrs"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Avril"/>	Building Number: <input type="text" value="144"/>
Last Name: *	<input type="text" value="Herron"/>	Address 1 (Street): * <input type="text" value="Main Street"/>
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="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH37 5SG"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="robert@designxyz.co.uk"/>	

## 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="144 MAIN STREET"/>
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 5SG"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="664007"/>	Easting	<input type="text" value="339691"/>
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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)

To install replacement Upvc double glazed windows to front elevation

## 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.

We are appealing this decision on the grounds that there are numerous other properties on Main Street Pathhead with Upvc windows installed on the front elevation. The majority of these windows are clearly not in a traditional 2 over 2 sash and case design. We believe that if the review body were to visit the site they would clearly see the vast array of window styles and materials used, very often in the same property.

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)

The only evidence that we could produce would be to take photographs of other properties on Main street to show various styles of Upvc windows in the area. The applicant is not comfortable with this as these are her neighbours properties.

## Application Details

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

22/00264/DPP

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

31/03/2022

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

13/05/2022

## 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

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

We believe that if the review body were to visit the site they would clearly see the vast array of window styles and materials used, very often in the same property.

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: Mr Robert Jeffords

Declaration Date: 11/06/2022

## MIDLOTHIAN COUNCIL

### DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

**Planning Application Reference:** 22/00264/DPP

**Site Address:** 144 Main Street, Pathhead

**Site Description:**

The application site is located within a primarily residential area that is situated within the conservation area. The application site relates to a single storey semi-detached dwellinghouse. The walls are finished in natural stone; the roof is finished in a clay pan tile. There is a single storey extension located to the rear of the property that is finished in a dry dash render with a clay pan tile pitched roof and contains white uPVC framed windows.

The windows within the front elevation were previously painted white, timber framed sash and case windows; these window have been replaced with white uPVC framed windows and are subject of the current planning application.

**Proposed Development:** Installation of replacement windows (retrospective)

**Proposed Development Details:**

Retrospective planning permission is sought for the installation of four replacement windows within the front, principal, elevation of the application dwelling.

The windows have been replaced with four, white uPVC, double glazed, non-traditional windows.it is noted that two of the windows include a mullion which has also been replaced with a white uPVC mullion.

**Background (Previous Applications, Supporting Documents, Development Briefs):** Planning history sheet checked.

No relevant planning history.

**Consultations:** No consultations required.

**Representations:**

One of the objection representations was submitted by The Architectural Heritage Society of Scotland, of which object to the above planning application. The representation that object raised concerns which can be summarised as follows:

- Noted that the proposal is contrary to HES Managing Change in the Historic Environment: Windows (Feb 2020);
- Noted that replacement windows should be of a traditional design, form, material finish and opening method;
- Concerned that uPVC is not an acceptable traditional material finish;

- Noted that uPVC requires ongoing complete replacement , typically every 20 years and that uPVC is not recyclable which increases the environmental footprint and conflicts with adopted policy DEV5; and
- Concerned that the windows do not preserve or enhance the present character of the Conservation Area, and are therefore contrary to adopted policy ENV19.

The above concerns will be taken into consideration in the assessment of the application.

### **Relevant Planning Policies:**

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 places a duty on planning authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Historic Environment Policy for Scotland (HEPS) 2019 and Scottish Planning Policy (SPP) offer guidance on the protection and management of the historic environment and Conservation Areas and areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. Their designation provides the basis for the positive management of an area. The Policy Statement and SPP also indicated that the planning authority should consider the design, materials, scale and sitting of any development, and its impact on the character of the historic environment.

Historic Environment Scotland's Managing Change in the Historic Environment document on Windows states that windows make a substantial contribution to the character, authenticity and physical integrity of most historic buildings and also to the character and interest of historic streets and places. They are an important element of a building's design. The size, shape and positioning of the openings are significant, as are the form and design of the framing, astragals and glazing. Their style, detailing and materials help us to understand the date when a building was constructed or altered, its function, and advances in related technology.

The relevant policies of the adopted **Midlothian Local Development Plan 2017** are;

Policy **DEV2** states that development will not be permitted where it would have an adverse impact on the character or amenity of a built-up area.

Policy **ENV19: Conservation Areas** seeks to prevent development which would have any adverse effect on the character and appearance of Conservation Areas.

### **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 Planning Authority does not encourage the use of uPVC framed windows or doors within conservation areas; uPVC is not a traditional material and it rarely defines the character of a conservation area.

The original windows on the application property would more than likely have been timber sash and case windows. Google Street View and the application submission indicate that the windows prior to the windows currently installed were painted white, timber framed, 2 over 2 pane sash and case windows.

As regards replacement windows on the front elevation, care is required in terms of materials used, design and method of opening. Taking in to account the location of the application property within a conservation area ideally the windows on the front of the property should be replaced with timber sash and case windows.

However, there are a large number of upvc sash and case windows on the fronts of properties in Pathhead. Upvc is not a traditional, vernacular material and does not make a positive contribution to the conservation area. However in 1996 in relation to a planning application for replacement windows at no 66 Main Street, Pathhead the Planning Committee took the view that white upvc sliding sash and case windows may be acceptable in the conservation area subject in particular to the method of opening, the profile of the windows and the dimensions of the frames matching as near as possible the original windows. (uPVC windows are not acceptable where they would detract from the distinct uniform character of the street scene or of a building containing flatted property.) Since then uPVC sash and case windows have been approved on the fronts of the houses within the Pathhead and Ford and Edgehead conservation areas.

Furthermore, whilst the Planning Authority does not look to encourage the use of uPVC, it is noted that planning permission was recently granted for the installation of uPVC windows within traditional buildings situated within the conservation area by the Local Review Body in March and November 2020 (planning ref's 19/00476/DPP and 20/00001/DPP). This was on the basis that the replacement uPVC windows were required to be of a high standard that would still visually read as traditional timber framed windows.

The uPVC framed windows are not of a high quality, traditional design or opening method. The windows within the front elevation of the attached neighbouring property are traditional, painted white, timber sash and case windows. Therefore, the uPVC windows fail to preserve or enhance the character or appearance of the conservation area or the application building, resulting in a significant adverse impact on the character and appearance of the application property and the conservation area, which is contrary to policies ENV19 and DEV2 of the adopted Midlothian Local Development Plan and Historic Environment Scotland policy and guidance.

There is no harmful loss of amenity as a consequence of the development proposal.

Overall, all relevant matters have been taken into consideration in determining this application. It is considered that the proposal does not accord with the principles and policies of the adopted Midlothian Local Development Plan 2017 and is not acceptable in terms of all other applicable material considerations. Therefore, it is recommended that the application is refused.

**Recommendation:** Refuse planning permission.

**Reg. No. 22/00264/DPP**

designxyz  
3 Cowdenfoot Loan  
Dalkeith  
EH22 2FT

Midlothian Council, as Planning Authority, having considered the application by Mrs Avril Herron, 144 Main Street, Pathhead, EH37 5SG, which was registered on 31 March 2022 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

**Installation of replacement windows (retrospective) at 144 Main Street, Pathhead, EH37 5SG**

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	31.03.2022
Illustration/Photograph	CAD/22/325/001 Front Elevation	31.03.2022
Proposed Elevations	CAD/22/325/002 1:10 W1 AND W2	31.03.2022
Proposed Elevations	CAD/23/325/003 1:10 W3	31.03.2022

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

- The replacement windows are located within the principal elevation and replaced four traditional timber framed sash and case windows. The visual mix of four bulky framed, non-traditional, uPVC windows and a uPVC mullion alongside traditional timber framed sash and case windows within the principle street elevation visually detracts from the appearance of the traditional application property and conservation area.*
- The uPVC framed windows are not of a high quality, traditional design or opening method. Therefore, the replacement windows fail to preserve or enhance the character or appearance of the conservation area or the application building, resulting in a significant adverse impact on the character and appearance of the application property and the conservation area, which is contrary to policies ENV19 and DEV2 of the adopted Midlothian Local Development Plan and Historic Environment Scotland policy and guidance.*

Dated 13 / 5 / 2022

.....  
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)

### **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 2021 until 31st December 2022





W1

W2

W3

Previous/existing windows



W1

W2

W3

Current/new windows



W1


W2

W3

Current/new windows

Note:  
windows constructed from UPVC  
with air vent & double glazed glass units

Project 144 Min St. Pathhead		Title Front elevation photos		Drawing No CAD/22/325/001	drawn by RJ	Revision
Client Mrs A. Herron		Scale 1:10 @ A3	Date 26/03/22	Drawing Status For planning		



designxyz  
edinburgh  
scotland  
0736780571  
info@designxyz.co.uk  
www.designxyz.co.uk  
freestanding handcrafted furniture

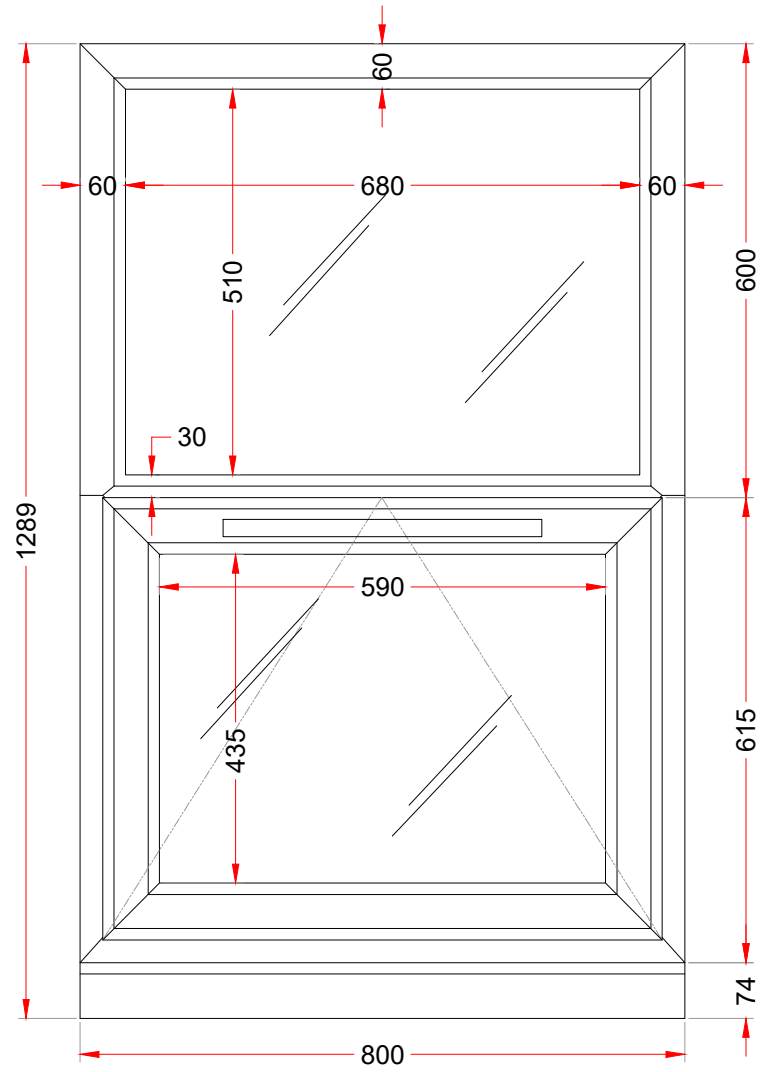




W 1



W 2



W 1 & W2  
elevation drawing

Note:  
windows constructed from UPVC  
with air vent & double glazed glass units

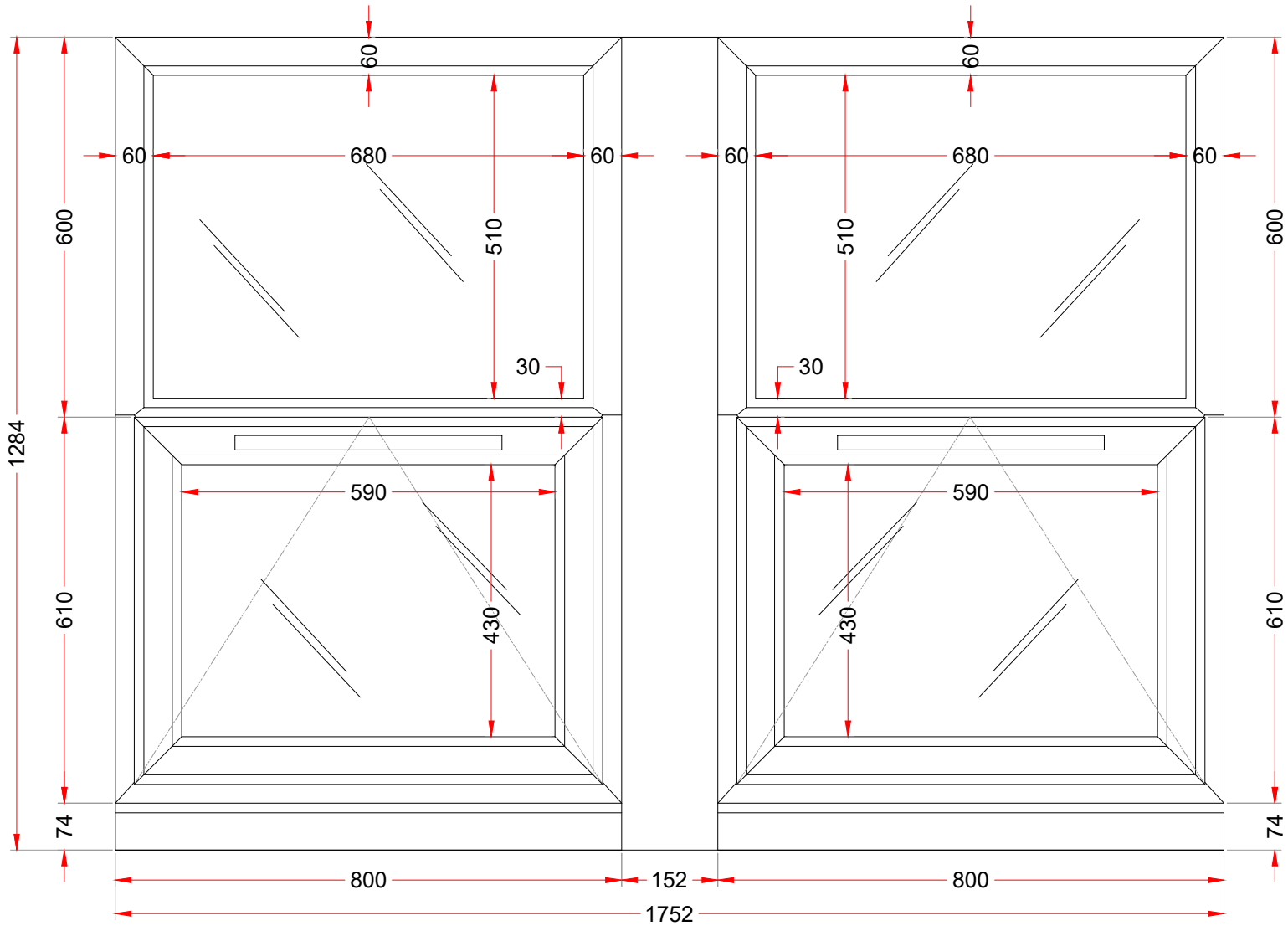
Project 144 Min St. Pathhead		Title W1 & W2 elevation		Drawing No CAD/22/325/002	drawn by RJ	Revision
Client Mrs A. Herron		Scale 1:10 @ A3	Date 26/03/22	Drawing Status For planning		








W 3



W3 elevation drawing

Note:  
windows constructed from UPVC  
with air vent & double glazed glass units

Project 144 Min St. Pathhead		Title W3 elevation		Drawing No CAD/22/325/003	drawn by RJ	Revision
Client Mrs A. Herron		Scale 1:10 @ A3	Date 26/03/22	Drawing Status For planning		



designxyz  
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scotland  
0746780571  
info@designxyz.co.uk  
www.designxyz.co.uk  
freestanding handcrafted furniture

## **Notice of Review: 2 Louis Braille Way, Gorebridge**

### **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 decking and fencing (retrospective) at 2 Louis Braille Way, Gorebridge.

#### **2 Background**

- 2.1 Planning application 22/00008/DPP for the erection of decking and fencing (retrospective) at 2 Louis Braille Way, Gorebridge was refused planning permission on 24 February 2022; 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 24 February 2022 (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 consider a visual presentation of the site and undertaking a site visit (elected members not attending the site visit can still participate in the determination of the review); and
  - Have determined to progress the review of written submissions.
- 4.2 The case officer's report identified that there was one consultation response and no representations received. As part of the review process the interested party was 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 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 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.
- 5.2 If the LRB dismisses the review, the unauthorised decking and fencing will be required to be removed. In this case the applicant will be asked to comply with this requirement within two months of the LRB decision. However, the failure to undertake the required works will result in the Council having to consider issuing an enforcement notice to resolve the breach of planning control.

## **6 Recommendations**

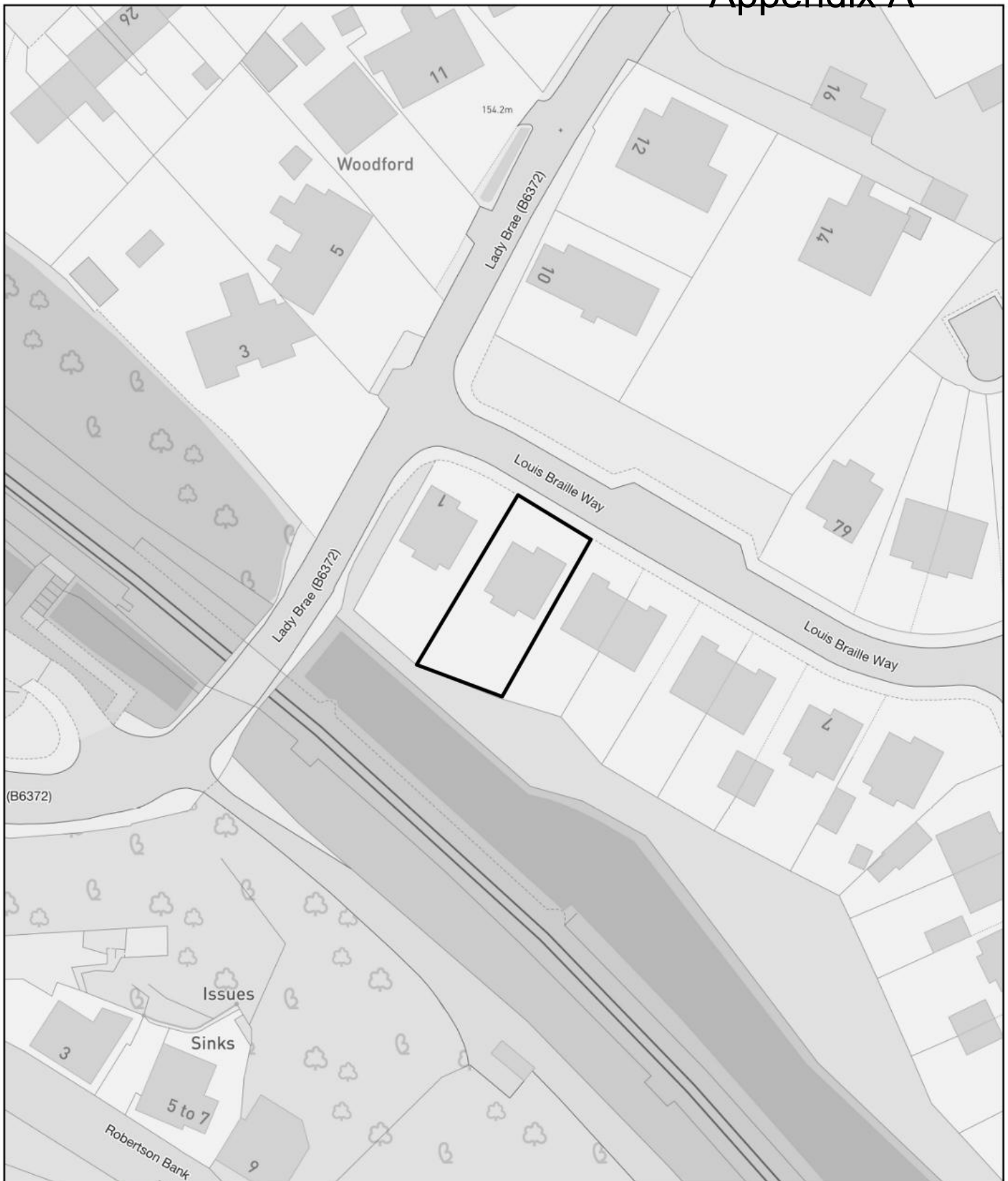
- 6.1 It is recommended that the LRB:
- a) determine the review; and
  - b) the planning advisor draft and issue the decision of the LRB through the Chair

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

**Date:** 26 August 2022  
**Report Contact:** Alison Ewing, Planning Officer  
[alison.ewing@midlothian.gov.uk](mailto:alison.ewing@midlothian.gov.uk)

**Background Papers:** Planning application 22/00008/DPP available for inspection online.





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

Erection of decking and fence (retrospective) at 2 Louis Braille Way, Gorebridge, EH23 4LD

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File No: 22/00008/DPP

Scale: 1:750

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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 100508735-003

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

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Adam"/>	Building Number:	<input type="text" value="2"/>
Last Name: *	<input type="text" value="Scott"/>	Address 1 (Street): *	<input type="text" value="2"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Louis Braille Way"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Gorebridge"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH23 4LD"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:

Midlothian Council

Full postal address of the site (including postcode where available):

Address 1:

2 LOUIS BRAILLE WAY

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GOREBRIDGE

Post Code:

EH23 4LD

Please identify/describe the location of the site or sites

Northing

661200

Easting

334715

## 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)

Garden decking Level off the garden using a decking platform and the addition of a boundary fence to make the garden safe and useable. Application reference: 22/00008/DPP

## 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? * <input checked="" type="checkbox"/> Refusal Notice. <input type="checkbox"/> Grant of permission with Conditions imposed. <input type="checkbox"/> No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.							
<h3>Statement of reasons for seeking review</h3> <p>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)</p> <p>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.</p> <p>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.</p> <div style="border: 1px solid black; height: 60px; margin-top: 10px;"></div>							
Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? * <span style="float: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No         </span>							
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) <div style="border: 1px solid black; height: 60px; margin-top: 10px;"></div>							
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) <div style="border: 1px solid black; height: 60px; margin-top: 10px;"></div>							
<h3>Application Details</h3> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">Please provide the application reference no. given to you by your planning authority for your previous application.</td> <td style="border: 1px solid black; padding: 5px;">100508735</td> </tr> <tr> <td>What date was the application submitted to the planning authority? *</td> <td style="border: 1px solid black; padding: 5px;">06/01/2022</td> </tr> <tr> <td>What date was the decision issued by the planning authority? *</td> <td style="border: 1px solid black; padding: 5px;">24/02/2022</td> </tr> </table>		Please provide the application reference no. given to you by your planning authority for your previous application.	100508735	What date was the application submitted to the planning authority? *	06/01/2022	What date was the decision issued by the planning authority? *	24/02/2022
Please provide the application reference no. given to you by your planning authority for your previous application.	100508735						
What date was the application submitted to the planning authority? *	06/01/2022						
What date was the decision issued by the planning authority? *	24/02/2022						

## 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: Mr Adam Scott

Declaration Date: 17/05/2022

I would like to appeal against the decision to refuse planning permission for this proposal as I feel that refusing it on visual aspects is entirely subjective. I'd argue it is not detrimental to the surrounding area as the same kind of fencing has been used as all the gardens up the street, that are only visible from the path along the back, which is mainly used by dog-walkers. If I'd used a different kind of wood or painted it in an outrageous colour, then I could see why it might be detrimental to the surrounding area.

You may also note that there is a run down shack along the same path, that looks like a deathtrap, that has been set on fire twice in the last couple of years, that can be seen by all the residents. It appears to have been pulled down and left in an absolutely horrendous state. It feels to me that this not only hugely dangerous, but is a lot more detrimental to the visual aspects/character of the surrounding area than someone who has merely tried to make their garden safe and useable.

Also, as the garden currently is, it ensures my families privacy and safety. When it was left as it was, anybody coming up the street or using the path could see right in and the hill is so steep, we could not let our young child play in the garden safely. I feel that it's not unreasonable to ensure my family's safety and privacy.

I do agree that it could be made more visually pleasing by installing additional fencing boards, inline with the existing fencing, to cover/fill the gap. Is it possible to take that into consideration as part of the appeal? Or perhaps any other suggestions that someone could make?

We have spoken to several neighbours/street residents, none of whom have any issue with the visual aspect whatsoever. This is backed up by the fact there were absolutely no objections on the planning permission application that is made available for comment to the wider public.

Clearly, there are no privacy issues with it either or this would have been noted on the application during the comment period by any concerned party.

If there had been multiple objections to the application, then I would be far more accepting of the decision. If the application had been refused on safety grounds then again, this is a reason that in my view, holds far more weight than someone deciding, basically, it doesn't look good enough.

I'd also like to draw attention to the historical planning application for the wider development:

**11/00105/DPP | Erection of 40 dwellinghouses, formation of access road and associated works | Land At Vogrie Road And Lady Brae Gorebridge Midlothian**

It includes a document titled: **C - APPROVED Site Plan (also use if location plan is on the same drawing)**

**Drawing number - E9266/1001 1:500 Vogrie Road**

This document appears to include approved drawings that suggest a retaining wall (2.1m high) was in the original plans, to be built along the bottom of a number of properties (ours included), but has never been built. Had this been installed, as it should have been, this would have provided us with further options to make our garden safe and useable.

I'd also like to draw attention to another historical, retrospective planning application that had multiple objections added by neighbours citing privacy and size concerns:

**21/00766/DPP | Erection of shed and formation of decking (retrospective) | 41 Whitehouse Way Gorebridge EH23 4FP**

I note that this application was ultimately approved, even with the neighbours comments/concerns. I feel that it is rather unfair that mine has had absolutely no concerns from people who live nearby and would be affected by it, but has been declined based on looks, yet another Midlothian resident had theirs approved with multiple objections due to privacy and looks.

I hope the above doesn't sound unreasonable and that we can come to some sort of agreement that suits all parties.

## **MIDLOTHIAN COUNCIL**

### **DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:**

**Planning Application Reference:** 22/00008/DPP

**Site Address:** 2 Louis Braille Way, Gorebridge, EH23 4LD

#### **Site Description:**

The application property comprises a modern two storey detached dwellinghouse located within a residential development.

The rear garden of the property backs onto open space with railway line beyond. The garden as originally constructed featured a significant slope to the south, away from the property. There is an existing shed and paved area within the garden.

The property at no.1 Louis Braille Way to the west of the site sits at a lower level to the application site, with no.3 to the east sitting at an elevated level.

#### **Proposed Development:**

Erection of decking and fence (retrospective)

#### **Proposed Development Details:**

The application seeks retrospective planning permission for the erection of decking to the rear garden, with surrounding fence.

The decking protrudes out from the dwellinghouse at one level, reaching a maximum of 3.1m above ground level to the rear of the garden adjacent to no.1, and 1.6m adjacent to no.3. A fence has been erected surrounding the decking at a height of 1.8m to the rear and to the eastern boundary in addition to the existing fence, and 1.5m to the boundary with no.1.

The decking area and former garden ground has been covered with Astroturf grassing.

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

History sheet checked.

#### **Consultations:**

Network Rail – No objection

**Representations:** No representations were received.

#### **Relevant Planning Policies:**

The relevant policies of the **Midlothian Local Development Plan 2017** are;

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.

As noted above, the rear garden of the application site slopes steeply downwards to the rear section of the garden. The presence of this slope results in a large extent of the garden area effectively unusable.

The garden, and erection of decking and fencing subject to this application, is prominent as viewed on approach to the housing development from Lady Brae travelling northeast. The fence to the rear of the application garden which reaches a height of 3.1m above ground level results a very tall structure which has an overbearing presence and significantly affects the character and amenity of the surrounding area. This loss of amenity is contrary to policy DEV2 of the Midlothian Local Development Plan.

The raised decking affords some overlooking to the garden of no. 1 Louis Braille Way, however given the height of the fence erected along the boundary of the properties, and that to the boundary of no.3, it is not considered that the increased overlooking as a result of the development will significantly reduce the level of privacy available to neighbouring properties.

**Recommendation:**

Refuse planning permission

# Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

**Reg. No. 22/00008/DPP**

Mr Adam Scott  
2 Louis Braille Way  
Gorebridge  
EH23 4LD

Midlothian Council, as Planning Authority, having considered the application by Mr Adam Scott, 2 Louis Braille Way, Gorebridge, EH23 4LD, which was registered on 19 January 2022 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

**Erection of decking and fence (retrospective) at 2 Louis Braille Way, Gorebridge, EH23 4LD**

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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1:1250	19.01.2022
Illustration/Photograph	Proposed Measurements	19.01.2022
Illustration/Photograph	Proposed Construction Details	19.01.2022
Illustration/Photograph	Existing Site Elevations	19.01.2022

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

- Due to the existing level changes within the garden, and the height of the proposed decking, the development appears as an overly dominant feature and has a significant detrimental impact on the visual amenity of the surrounding area. 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 24 / 2 / 2022



.....  
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 (Planning Enquiries)  
Email: [planningconsultation@coal.gov.uk](mailto:planningconsultation@coal.gov.uk)  
Website: [www.gov.uk/coalauthority](http://www.gov.uk/coalauthority)

**INFORMATIVE NOTE**

The proposed development lies within an area that has been defined by the Coal Authority as containing potential hazards arising from former coal mining activity at the surface or shallow depth. These hazards can include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such hazards are seldom readily visible, they can often be present and problems can occur in the future, particularly as a result of new development taking place.

It is recommended that information outlining how former mining activities may affect the proposed development, along with any mitigation measures required (for example the need for gas protection measures within the foundations), is submitted alongside any subsequent application for Building Warrant approval (if relevant).

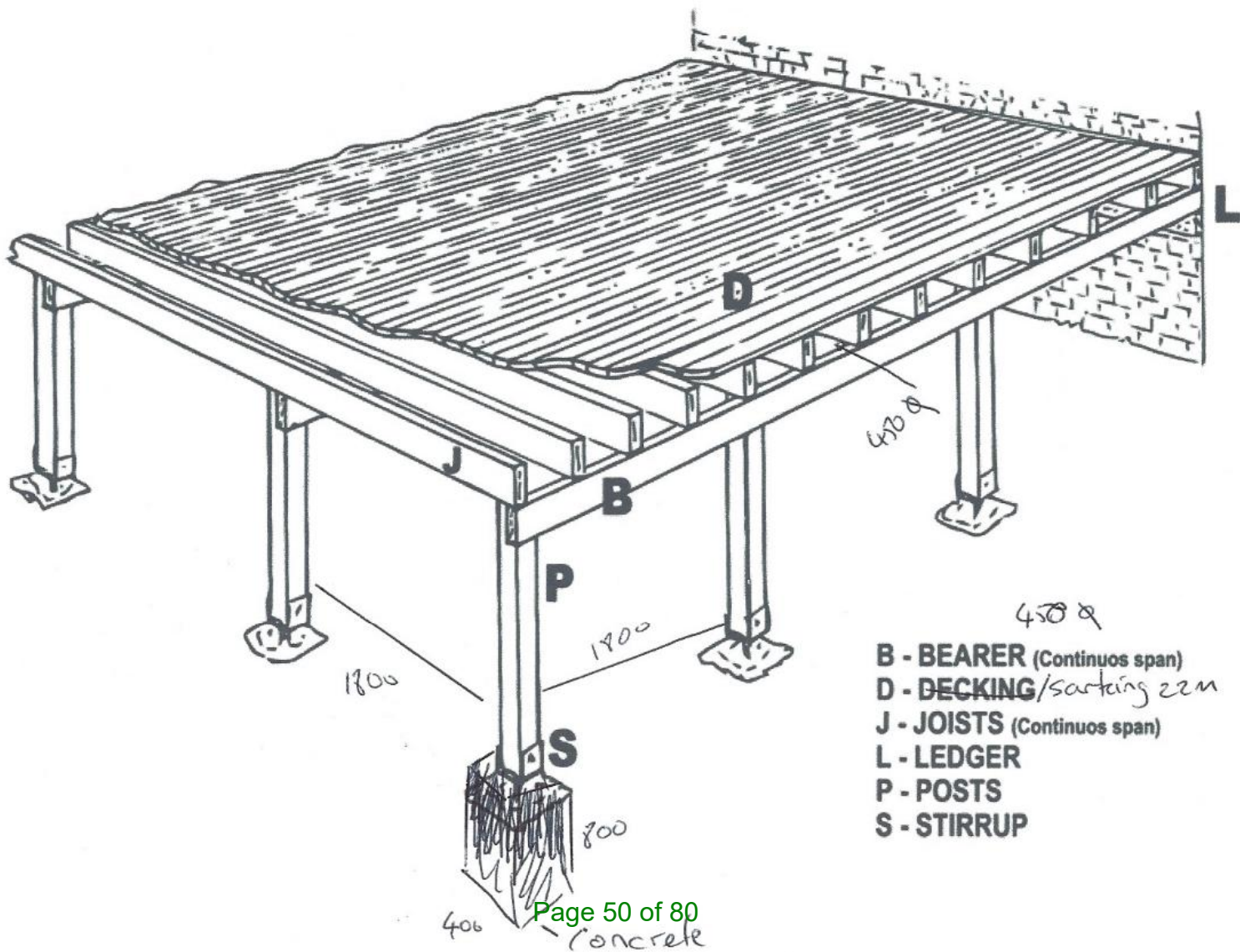
Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:  
[www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries](http://www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries)

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

**Informative Note valid from 1st January 2021 until 31st December 2022**











## **Notice of Review: 22 John Street, Penicuik**

### **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 alterations to shopfront including installation of roller shutter and fascia sign (part retrospective) at 22 John Street, Penicuik.

#### **2 Background**

- 2.1 Planning application 22/00006/DPP for alterations to shopfront including installation of roller shutter and fascia sign (part retrospective) at 22 John Street, Penicuik was refused planning permission on 10 March 2022; 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 10 March 2022 (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 consider a visual presentation of the site and undertaking a site visit (elected members not attending the site visit can still participate in the determination of the review); and
  - Have determined to progress the review of written submissions.
- 4.2 The case officer's report identified that there was one consultation response and 31 representations received. As part of the review process the interested parties were notified of the review. One additional comment has been received reaffirming their objection to the application. 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 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 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.
- 5.2 If the LRB dismisses the review, the unauthorised roller shutter will be required to be removed. In this case the applicant will be asked to comply with this requirement within two months of the LRB decision. However, the failure to undertake the required works will result in the Council having to consider issuing an enforcement notice to resolve the breach of planning control.



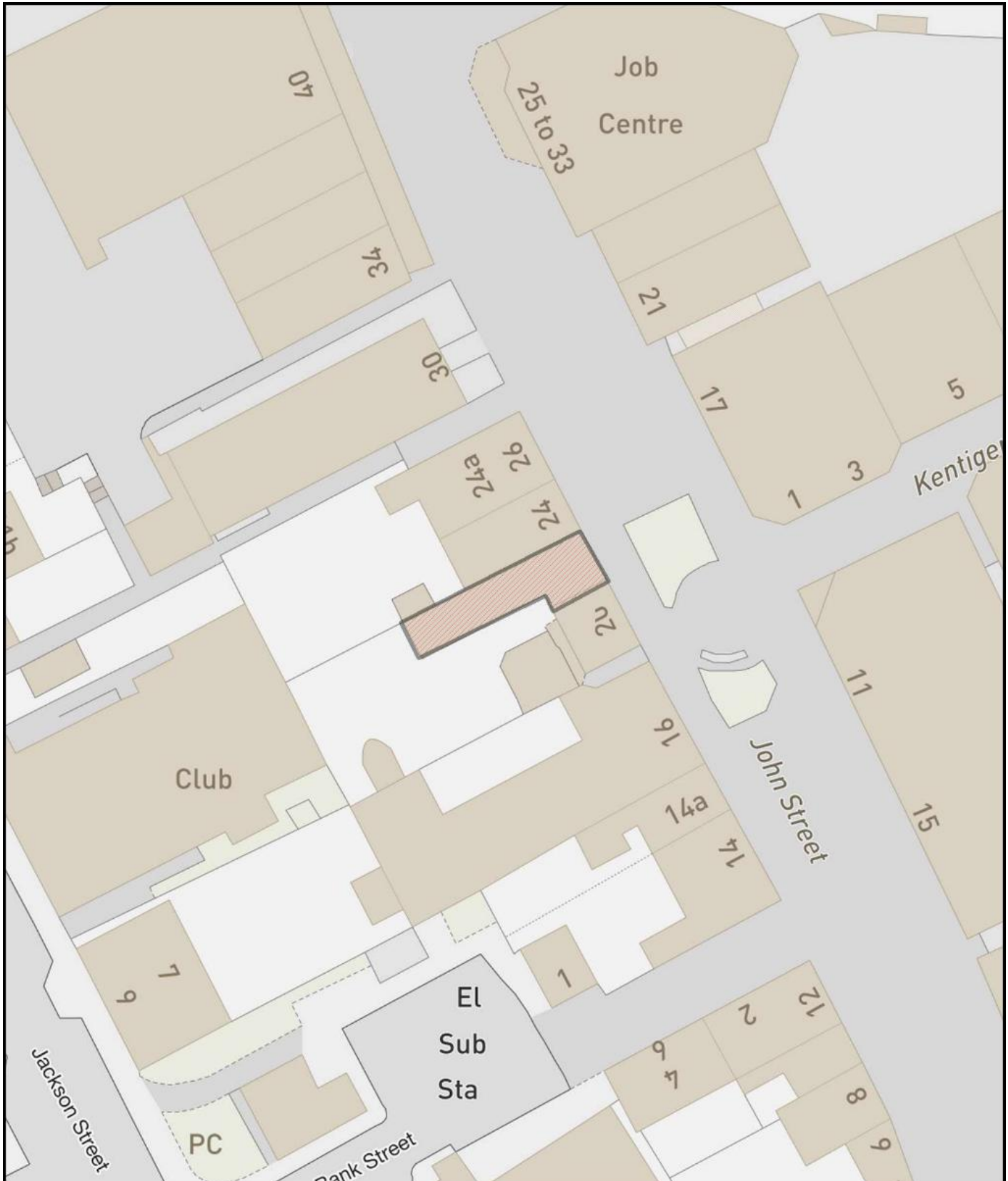
## **6 Recommendations**



- 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:** 26 August 2022  
**Report Contact:** Whitney Lindsay, Planning Officer  
[whitney.lindsay@midlothian.gov.uk](mailto:whitney.lindsay@midlothian.gov.uk)

**Background Papers:** Planning application 22/00006/DPP available for inspection online.



 <p><b>Education, Economy &amp; Communities</b> Midlothian Council Fairfield House 8 Lothian Road Dalkeith EH22 3AA</p>	<p><b>Alterations to shopfront (part retrospective)</b> <b>22 John Street, Penicuik</b></p>	
<p><small>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</small></p> <p><b>Midlothian Council Licence No. 100023416 (2018)</b></p>	<p>File No.22/00006/DPP</p> <p>Scale: 1:500</p>	<p>N</p> 



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 100519005-004

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="Fred Walker Associates"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Peter"/>	Building Name:	<input type="text" value="19 Biggar Road"/>
Last Name: *	<input type="text" value="Walker"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="01968 672588"/>	Address 1 (Street): *	<input type="text" value="Silverburn"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Penicuik"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Midlothian"/>
		Postcode: *	<input type="text" value="EH26 9LQ"/>
Email Address: *	<input type="text" value="peter@fredwalkerassociates.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? \*

☐ Individual ☒ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Marc	Building Number:	22
Last Name: *	Stuart	Address 1 (Street): *	John Street
Company/Organisation	Ying Peng Podiatry	Address 2:	
Telephone Number: *	01968705097	Town/City: *	Penicuik
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	EH26 8AB
Fax Number:			
Email Address: *	ying@penicuikpodiatrist.co.uk		

## Site Address Details

Planning Authority:	Midlothian Council
Full postal address of the site (including postcode where available):	
Address 1:	22 JOHN STREET
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	PENICUIK
Post Code:	EH26 8AB

Please identify/describe the location of the site or sites

--	--

Northing	660012	Easting	323542
----------	--------	---------	--------

## 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)

Proposal to install external metal roller shutter on shop street frontage.

## 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.

The applicant feels that a number of points were not fully addressed in the Planning Officer's report, so would like to request a review of the decision. A detailed explanation of grounds for appeal accompanies this application.

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)

Re: Data Protection Issue and Entry Codes At time of application clinic was just opening, work on property ongoing & patient records stored in home office as had been procedure. So, technically not an issue at time of application. Also, did not anticipate taking on so many new customers. ~500 client records stored in paper format & accessible on 3 PCs in clinic. Potential risk of disclosing patient information through a break in due to the lack of roller shutters - security is paramount.

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)

- A report describing the special circumstances & details of the planning application which the applicant feels were not fully considered in the Planning Officer's report.

## Application Details

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

22/00006/DPP

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

11/01/2022

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

10/03/2022

## 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: Mr Peter Walker

Declaration Date: 06/06/2022



**Report describing the special circumstances & details of the planning application which the applicant feels were not fully considered in the Planning Officer's report.**



**The Penicuik Podiatrist Clinic**

**22 John Street**

**Penicuik EH21 8AB**

**[www.penicuikpodiatrist.co.uk](http://www.penicuikpodiatrist.co.uk)**

**01968 705097**

**Prepared by Marc Stuart Practice Manager**

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## **Introduction**

There are two categories of reasons which we feel requires this planning decision to be reversed.

First is because of nine special circumstances which have not been addressed in the planning officer's document. Second there are three essential errors or areas where information has been ignored and not addressed.

There are degrees of overlap, for example the numbers of patients who need the medical attention coming into the town centre having an economic impact and leading to job creation already now and soon. But we have tried to lay this out as a list of separate individual points under these two headings.

## **The Special Circumstances which were not fully addressed in the Planning Officer Document**

First and foremost, the first category is the fact that the special circumstances of this appeal are not being considered. It is not enough to say only those comments were made, there are several special circumstances which were not even addressed in the document produced by the planning officer.

1. Insurance: it was clearly stated in the information provided that our insurance company has insisted that we have roller security for the value of the medical equipment now stored in the building. Without insurance we close or relocate.
2. Security. There are going to be up to 1,000 scalpels, expensive medical equipment and drugs stored on these premises. Without the rollers we will not get insurance (first point) and we could not afford to lose the money invested in this. The community would be severely exposed if the drugs and scalpels were stolen from the property. We approached the local police station who clearly stated that they would be "extremely concerned" if the shutters are removed. It should also be noted that this point was not even mentioned in the assessment that communication had been received by the police. (See final point for more detail).
3. Closing the Only Dedicated private podiatrist clinic in Penicuik. The fact that this is the only dedicated Podiatrist Clinic operating in Penicuik was ignored. All other Podiatrists are doing home visits or working out of other premises. This is currently the only main door clinic for patients. We are being overwhelmed by the number of new patients that approach us on almost a daily basis in the town. Demographically the town has a large elderly number of residents. Great care has been taken to choose this property because of its ease of access to a car park, and bus terminus. It's closeness to the NHS Podiatry clinic, one of the main Penicuik Medical practices as well made it a perfect spot. In the four months it has been open it has been fully booked on most days open. Now the Clinic is treating thirty new patients per month. If this rate of new patient acquisition continues, we will be on target to be employing five professional staff there within two years if we remain open of course.

4. Lost Employment to the Town Centre. One person has now started working at the clinic on a self-employed basis starting a new business. This is a Penicuik resident who we discovered on Facebook and was planning on going to set up her business in Edinburgh, now working in Midlothian or specifically Penicuik town centre. We have a second person who has accepted an offer to start working at the clinic from August providing Reflexology and we are now advertising for a third person who will be a qualified Podiatrist. If we can find a successful candidate this role would start in August. This position is being advertised with Queen Margaret University which teaches Podiatry.

A poster for a podiatrist position. The left side has a teal background with white text. The right side features a close-up image of a person's feet, one of which is being treated with a yellow tool. Contact information is listed in bold black text on the right.

**PODIATRIST  
POSITION  
AVAILABLE**

New and rapidly expanding clinic, growing by three days of appts. a month. Looking for a part time Podiatrist to grow with the practice possibly becoming full time by the year end.

The Clinic is in Penicuik, with Dom work. Penicuik is 11 minutes' drive from the Bypass.

**01968 705097**  
**ying@penicuikpodiatrist.co.uk**  
**www.penicuikpodiatrist.co.uk**  
**facebook.com/penicuikpodiatrist**  
**22 John Street Penicuik EH26 8AB**

If the clinic is forced to close or perhaps relocate out of Penicuik these positions will either be lost or leave the town.

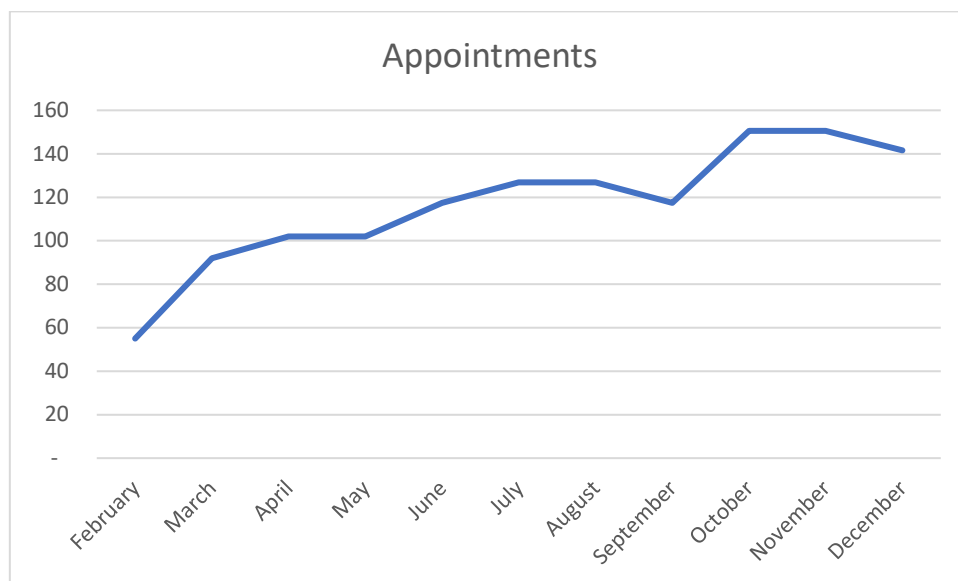
5. Negative Economic Impact If the Clinic Closes or Moves. In the time that we have been building the clinic and when open, only one word can be used to describe the pedestrian area in John Street, Ghost Town. Making the town look nice is a complete fallacy if no one goes there except for the few residents in the street. B&M faces the front and does not bring footfall into the area. Farm Foods have closed due to a planning issue as well. We have the potential long term to bring an approximate fifty people per day and create upwards of five professional jobs. We have already had one person turn down a role because of the uncertainty caused by waiting for the planning decision and the potential closure of the clinic. If the Council wish to revitalise the area, businesses like the Clinic are required that bring footfall. Without this simple economic fact, there is not future for the area as a retail centre for the town. Without adequate security, the clinic will close at a future point without insurance.

Since the clinic opened in February the number of people coming monthly to the clinic has risen each month to 102 people a month at the present. The number of new and thus repeat patients has been approximately 32 for each of the last three months. If the number of new patients continues at this rate and factoring the level of repeat appointments at a three-monthly basis with a dropout rate of less than 5% for the business (determined over six years of historical data) we are predicting that this number of repeat visits to the Pedestrian area will rise as follows over the next 12 months:

Projected Appointments at the Clinic based on the first four months of being open:

Appointments	
February	55
March	92
April	102
May	102
June	117
July	127
August	127
September	117
October	151
November	151
December	142

	Actual
	Projected Based on
	1. Consistent number of New Patients
	2. Repeating after three months
	3. 5% drop out of Patients on average



Each appointment equals someone coming to the precinct and spending money. For example, there is a very high rate of people going to the new micro centre for example for a coffee after or pre visit to the clinic.

6. Impact on the Penicuik Residents. We will have to put in an alarm. We live so far from the premises to be able to attend if it goes off. One of us is a type one diabetic and usually is not able to drive in the evening due to low sugar levels, and both owners often have a glass of wine with a meal. Thus, under Scottish Law could not drive to get into the premises. This means that an alarm could potentially be ringing there for say up to 5-6 hours before we would be able to attend to it. Specifically, there are two extremely elderly people living above the clinic.
7. Data Protection Issues. It is a requirement of law that the registration contracts and documents are kept in paper. This contains medical records. This amounts to about 500 local Penicuik residents. These records are secured obviously, but if the added protection of rollers is removed then if someone broke in and was able to access or destroy the cabinet these documents are filed in then this is more than an inconvenience. All the information required to steal someone's identity plus for the extremely personal information covering health etc would be at risk. There are an extremely large number of patients for home visits where we have the entrance code to the properties also stored in the clinic, anyone breaking in and stealing these codes becomes an extremely high risk to many elderly and relatively helpless patients and residents. Thus the requirement for the highest level of security at the premises.
8. Overwhelming Public Support and Penicuik Feelings of Unfairness from the Council towards Penicuik. This has caused further unhappiness in the Penicuik Population or will do when the clinic closes or moves.

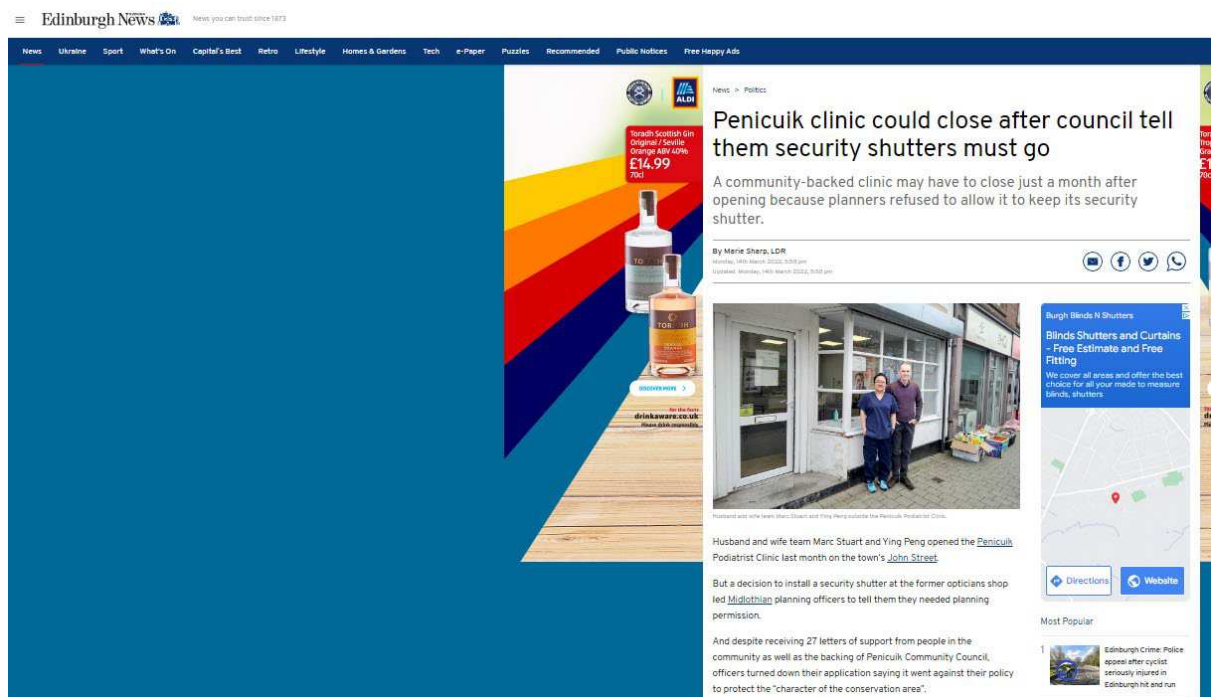
We have been running a video Facebook diary which gets on some of the posts just short of four thousand watches in some posts, so this is a well-known potential event re the proposed closure of the clinic subject to failure to get approval for these rollers. Many of our patients are extremely elderly and do not have or are able to access the internet. Many of these people have also approached local politicians directly.

One underlying comment that has been made by many people is a feeling that Midlothian Council reacts badly against Penicuik. This is only comments and not an opinion poll, but a significant number of patients coming into the clinic complain about lack of expenditure in Penicuik versus Dalkeith. Talk about how no investment is made in the Precinct and businesses are encouraged to move away such as Farm Shops recent closure. When or if the clinic closes, given the level of support from local people, as in twenty-seven to one, this will very quickly be felt and looked at in the same way.

This is reflected in the total support of the Penicuik Community Council who based on comments of the Chair expected this to be passed.

This level of support should also be listed in the list of special circumstances at the start. This level of support caused this article to be posted in the Scotsman and evening News when they saw the level of support:





9. The Look of the Precinct Itself. Whilst the letter of the law may be being followed, it does not consider the look and feel of the area. There are already several businesses with rollers already in the precinct. The opinion of the Penicuik Community Council was perfectly clear on this subject, that **"Any decision made has to take the appearance of the whole of the Precinct into account, therefore it would be seen to be unfair on this particular business, if this application was refused."** The look and feel included modern sand coloured building on one side, and a wide range of buildings on the side of the clinic many of which are in a terrible state and let the look and feel of the side down. When all our work is completed, it will dramatically cause an improvement on the side of the clinic and the rollers will obviously only be down at night. In fact, it will balance the rollers directly opposite as the same supplier was deliberately chose to accomplish this.

We have had the entire clinic front painted and the wood on the old sign replaced. It looks like a mess now as we have not been able to get a sign up and one will not go up until we have the planning permission approved.



Whereas the current decision leaves no balance whatsoever. Look simply at the two shops

### **The Errors in the Planning Officer's Report**

There are three very specific errors in the planning officer's report.

1. Miscalculation of the Level of Support and Opposition: there has been a mis calculation not fully representing the overwhelming level of support the clinic has received from the residents of Penicuik.

It is stated that four objections were received. This is first inaccurate, only three were objections and one was listed as neutral. Of the three remaining objections, one is from a resident of Dalkeith. Whilst this person is certainly entitled to her opinion, the fact that she lives in a town with several Podiatrist Clinics means that her opinion is not representative of the people making positive comments who fully realises the consequences for Penicuik of a negative decision. One of the negatives is from an architectural organisation and not a resident.

So, to put this as simply as possible, this means that one resident of the town of Penicuik has objected and there have been twenty-seven positive comments. This level of Public Support is clearly reflected by both private comments from local politicians and public statements of support from the MSP and the Penicuik Community Council.

To emphasise this, it means that there is 2,700% in support as a measurement of these comments. I in my paid employment work for IPSOS and thus am used to Polling for a living often actually working on political Polls in Scotland and have never seen such a positive response in any form of survey even if you have to underplay this as a self-selecting poll.

As an example of this level of support look at the number of supportive comments that were made in a post on a Facebook group which involved a councillor making replies, which got up to 123 comments. Not one person was against the shutters.

2. Alternative Security Measures are Unsuitable for this Property: The document ignores the fact that we have already looked at alternative security systems and found them unsuitable for this premises. Simply ignoring and saying we should look at alternatives without going through and saying why the alternatives we have looked at and not being suitable is not acceptable, without addressing the reasons that they were rejected.
  - a. Removable Window Bars – When we took over the property the security was metal bars which could be removed. These were so heavy they could not be removed by either of the two owners of the property.
  - b. Internal Rollers were considered. The nature of the property makes these an extreme fire risk. There is no rear entrance to the property and no windows other than the front shop windows. So if there is a fire the Fire Brigade cannot access quickly and easily and would have in the case of a fire alarm to demolish the front of the shop to get in.
3. Police Support for the need for Rollers. As already stated, because up to 1,000 scalpels that are stored on the premises local police officers have contacted the planning officer.

This was not reported in the document produced. This is significant at this was the basis of one appeal being processed successfully last year in East Lothian.

Two officers that are based out of Penicuik station were met at the Penicuik Station. Situation regarding the store of Scalpels was fully discussed and they indicated that they would want the rollers to remain in place. They were clear that they could not in any way be involved in making any decision but indicated they would send an appropriately worded email expressing their local concern as local officers if the rollers were removed.

Again, to repeat this was ignored in the report from the planning officer.



Police Scotland called on: Date 24.12.21 at Time 1145

To speak with .....

Regarding (tick applicable)	Incident Reported	Witness Appeal	Pass on Information	Security	Enquiries
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other .....

**Please email in the first instance, however if unable to do so please call 101.**

Officer/Staff Name: PC Polan / PC Hand Shoulder number: .....

Incident/Crime Number: Inc 24/12/21 Station: Penicuik

Please contact me at: 1210 @scotland.pnn.police.uk

**Thank you – your assistance with this matter is very much appreciated**

003-010 V4-A1117

## Conclusion

The Pedestrian area of John Street could be described as a Ghost Town based on the lack of pedestrian shoppers and a lack of active businesses in the area. The street suffers from two issues a landlord charging overly high rents and from the restrictions of the planning applications.

In the four months we have operated we have seen two very successful businesses move out of the area and one open to support micro businesses which had one business move out and rent another retail unit.

We are having a direct impact on people coming into the street. We are providing an essential service for the town which was not being addressed for about eight months since the sale of the previous clinic in 2021.

It is the responsibility of the council to encourage economic activity to bring economic activity and jobs. Not to mention the very specific requirement that the town of Penicuik needs a Podiatry Clinic. It has an aging population and when we announced that we would not be able to stay open look at the reaction and support.

The clinic is literally at the edge of the Conservation area. It is facing into an area of shops directly facing another with an identical shutter. We even propose to cover the shutter to hide it when closed. It was pointed out by the Community Council that the entire look and feel must be taken into account when making this decision and that not to do so was unfair to our business.

We will either close or relocate the clinic. We are in a perfect location for multiple business reasons and will leave the shop standing empty if required, we own the property with no mortgage, and campaign and appeal to get the decision we need.

## **List of Illustrations**

Podiatrist job advertisement	3
Table and Chart of Appointments	4
Newspaper Article in the Scotsman and Evening News	6
The Property after External Painting	7
Police Record Cards	8-9

## MIDLOTHIAN COUNCIL

### DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

**Planning Application Reference:** 22/00006/DPP

**Site Address:**

22 John Street, Penicuik, EH26 8AB

**Site Description:**

The application site is located within the Penicuik Town Centre which comprises of mixed commercial, retail and residential uses. The site is located on John Street, a pedestrianised area within the Penicuik Conservation Area. The property comprises of a two storey building with a pitched slate roof with dormer windows. The application site, the ground floor commercial unit presents white framed windows and a recessed door.

**Proposed Development:**

Alterations to shopfront including installation of roller shutter and fascia sign (part retrospective).

**Proposed Development Details:**

The application is part retrospective with regards to the installation of the roller shutter already in place at the property. New signage is proposed to be fixed on and above the roller shutter box.

**Background (Previous Applications, Supporting Documents, Development Briefs):** Planning history sheet checked.

**Consultations:** The Penicuik and District Community Council support the application. The representation submitted noted support based on the view that the shutters are required for security purposes due to the materials and equipment kept on-site. Further it is noted that there are other premises within the area which have similar shutters and this should be considered as part of the assessment of the application. The Community Council also comment that they are pleased to see the unit being occupied due to it being vacant previously.

**Representations:**

There are 27 representations of support for the application. These representations are based on the following grounds;

- Needs of the community due to the absence of such a podiatrist service within Penicuik.
- The economic benefit due to the creation of jobs and increased footfall within the local vicinity.
- Safety and security concerns due to the materials and equipment kept on-site as part of the business operations.
- Supporting local businesses and the vitality of the town centre.



There are four objections received based on the grounds of the impact of the shutters on the Penicuik Conservation Area, the impact of the visual appearance on the urban realm and the subsequent negative perception of the Town Centre.

Further, the applicant has also submitted four additional representations. The information references the need for a podiatrist service in Penicuik, the need for security measures due to medical equipment on-site and their understanding that there is no viable alternative security measure other than the roller shutters already installed. The Applicant has also noted support for the application from MSP Christine Grahame. As per planning procedures, these will not be counted within the total number of neighbour representations, however each of these additional statements of information have been taken into account.

**Relevant Planning Policies:**

The relevant policies of the **2017 Midlothian Local Development Plan** are;

**Policy DEV2 – Protecting Amenity within the Built-up Area**

Development will be permitted within existing and future built up areas, and in particular within residential areas, unless it is likely to detract materially from the existing character and amenity of the area.

**Policy TCR1 – Town Centres, Penicuik**

Proposals for retail, commercial leisure development or other uses which will attract significant numbers of people, will be supported in Midlothian's town centres, provided their scale and function is consistent with the town centre's role, as set out in the network of centres and subject to the amenity of neighbouring uses being preserved.

**Policy ENV19 – Conservation Areas, Penicuik**

Within or adjacent to a Conservation Area, development will not be permitted which would have any adverse effect on its character and appearance. In assessing proposals, regard will be had to any relevant Conservation Area Character Appraisal.

**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 establishment of a new local business in Penicuik is supported and the Planning Authority acknowledges the contribution this can make to footfall and the vitality of the town centre. Policy TCR1 is therefore relevant. The principle of the opening of the business or its use is not the planning issue being considered with regards to this application. Furthermore protecting and securing the business and its assets is not in question should the Applicant wish to do so. It is in fact, the measure in which they have chosen to do this and have put in place, in this instance the roller shutters. As such, this is the planning matter being considered given the location of the property within the Conservation Area of Penicuik town centre.

To highlight, this is a retrospective application following enforcement action being taken against the Applicant regarding the installation of the roller shutters. The

Applicant did not seek advice from the Planning Authority previous to the installation of the shutters.

The application site is located within the Penicuik Conservation Area Regeneration Scheme (CARS). Significant investment has been made, and continues to be made, to assist with the repair and restoration of the Conservation Area. One of the key aims of the CAR Scheme is to improve the attractiveness through shopfront restoration and improvement, and public realm improvements.

As noted in the Penicuik Conservation Area Management Plan, 'good design can enhance the shop front, make a positive contribution to the street scene and improve retail operations.' The plan also notes, 'Aluminium or other "standard" shopfront systems that do not respect the historic patterns of bays, recesses and the like will not normally be acceptable, particularly for listed and traditional buildings.' It is therefore noted that security measures should not have a detrimental effect on an appearance of a property and its surrounding environment, particularly within the Conservation Area.

The Penicuik Shop Front Design Guide has been produced as part of the Penicuik Townscape Heritage and Conservation Area Regeneration Scheme and offers guidance to support efforts in improving the attractiveness of shop fronts, town centres and the public realm. The guide particularly notes careful consideration should be given towards implementing security measures for retail and commercial units. 'Solid external security shutters are not acceptable. They require a permanent bulky housing attached to the fascia which is unsightly and when rolled down they give the street a deadening effect which can encourage crime.'

In particular DEV2 Protecting Amenity within the Built-Up Area, does look to support development unless it is likely to detract materially from the existing character or amenity of the area. With regards to 22 John Street, the concern is that the chosen security measure, in the shutter box, which projects out from the property and the roller shutters, significantly impacts upon the visual appearance of the property and how this presents onto the street front and subsequent character of the area.

The integrity of the Conservation Area and Penicuik town centre must be safeguarded and in doing so the location, setting and appropriate planning policy must be respected. It is the Council's duty to preserve and enhance the character and appearance of conservation areas within Midlothian Council and in supporting this retrospective application for roller shutters, this would appear to contradict with the efforts by the Council to protect, enhance and promote Penicuik town centre and the CAR Scheme.

**Recommendation:**

Refuse Planning Permission

**Reg. No. 22/00006/DPP**

Fred Walker Associates  
19 Biggar Road  
Silverburn  
Penicuik  
EH26 9LQ

Midlothian Council, as Planning Authority, having considered the application by Ying Peng Podiatry, Mr Marc Stuart, 22 John Street, Penicuik, EH26 8AB, which was registered on 11 January 2022 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

**Alterations to shopfront including installation of roller shutter and fascia sign (part retrospective) at 22 John Street, Penicuik, EH26 8AB**

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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Elevations, Floor Plan And Cross Section	1 1:100/1250 Location Plan	11.01.2022
Illustration/Photograph	Proposed Signage	11.01.2022
Location Plan	LP 1:1000	11.01.2022
Other Statements	Supporting Statement	11.01.2022

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

- This proposal is a retrospective application for roller shutters in Penicuik Town Centre where significant investment has been made in recent years as part of the CAR Scheme, to assist with the attractiveness and restoration of shop fronts. The roller shutters are contrary to the efforts by the Council to protect and enhance amenity within the built-up area and to enhance and promote the character and appearance of the conservation area, as per policies DEV2 and ENV19 of the adopted Midlothian Local Development Plan 2017.*

Dated 10 / 3 / 2022



.....  
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)

### **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 2021 until 31st December 2022

# Appendix E

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LOCATION PLAN 1:1000 SCALE

0 10 20 30 40 50 metres



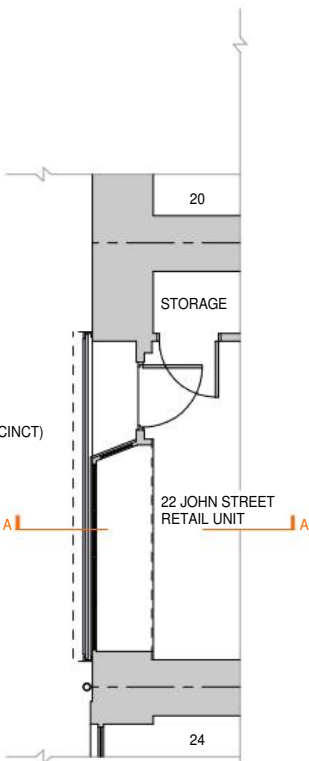
Premises belonging to applicant

suffix	revision	date 28/12/21	
<b>NAME</b>		MR STUART	
<b>ADDRESS</b>		YING PENG PODIATRY 22 JOHN STREET PENICUIK EH26 8AB	
<b>job title</b>		EXTERNAL SHUTTER INSTALLATION	
<b>drawing</b>		LOCATION PLAN	
<b>774</b>		<b>drg. no.</b>	LP
		/	/
		/	/
		/	/
<b>scale (at A4)</b>	<b>date</b>	<b>drawn</b>	<b>checked</b>
1/ 1000			
<b>FWA</b>		FRED WALKER ASSOCIATES ARCHITECTS 19 BIGGAR ROAD SILVERBURN PENICUIK MIDLOTHIAN EH26 9LQ TEL / FAX : 01968 672588 INFO@FREDWALKERASSOCIATES.CO.UK	





EAST (JOHN STREET) ELEVATION



GROUND FLOOR PLAN (PART)

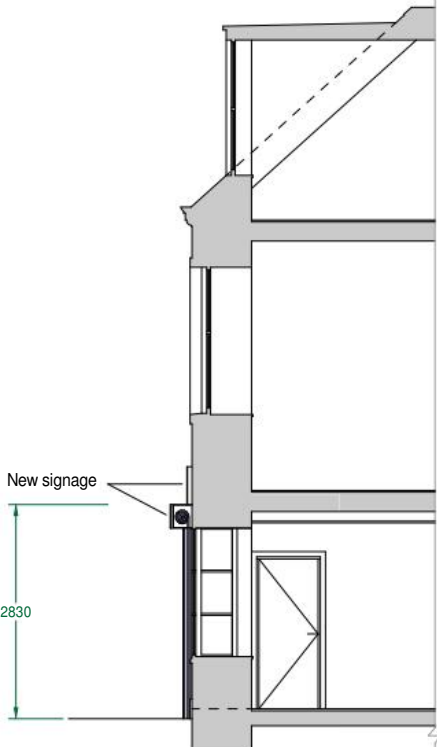


PROPOSED EAST (JOHN STREET) ELEVATION 1:100 SCALE

0 1 2 3 4 5 metres

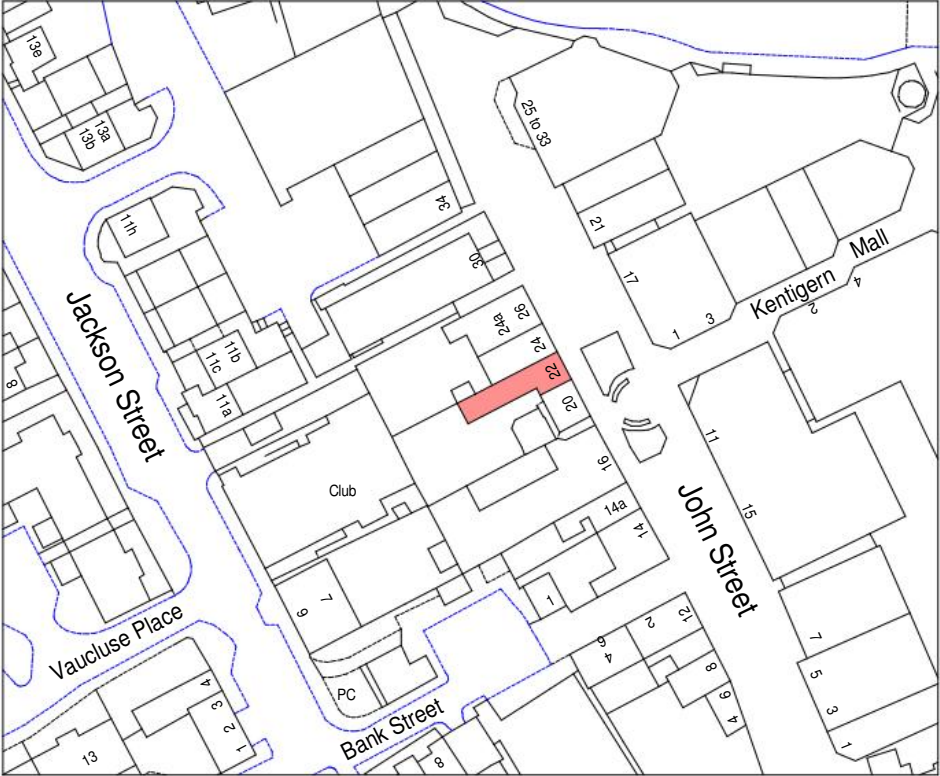


Proposed external metal roller shutter  
New signage to be fixed both on & above roller mechanism casing



PROPOSED SECTION A-A (PART)

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LOCATION PLAN 1:1250 SCALE

0 10 20 30 40 50 metres



VIEWS FROM JOHN STREET



PREVIOUS METAL GRILL SHUTTERS

suffix	revision	date	28/12/21
NAME	MR STUART		
ADDRESS	YING PENG PODIATRY		
	22 JOHN STREET		
	PENICUIK EH26 8AB		
job title	EXTERNAL SHUTTER INSTALLATION		
drawing	PLAN, LOCATION PLAN, SECTION & ELEVATIONS		
774	drg. no.	1	/ / /
			/ / /
			/ / /
			/ / /
scale (at A3)	date	drawn	checked
1/			
FWA			
FRED WALKER ASSOCIATES ARCHITECTS 19 BIGGAR ROAD SILVERBURN PENICUIK MIDLOTHIAN EH26 9LQ TEL / FAX : 01968 672588 INFO@FREDWALKERASSOCIATES.CO.UK			





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