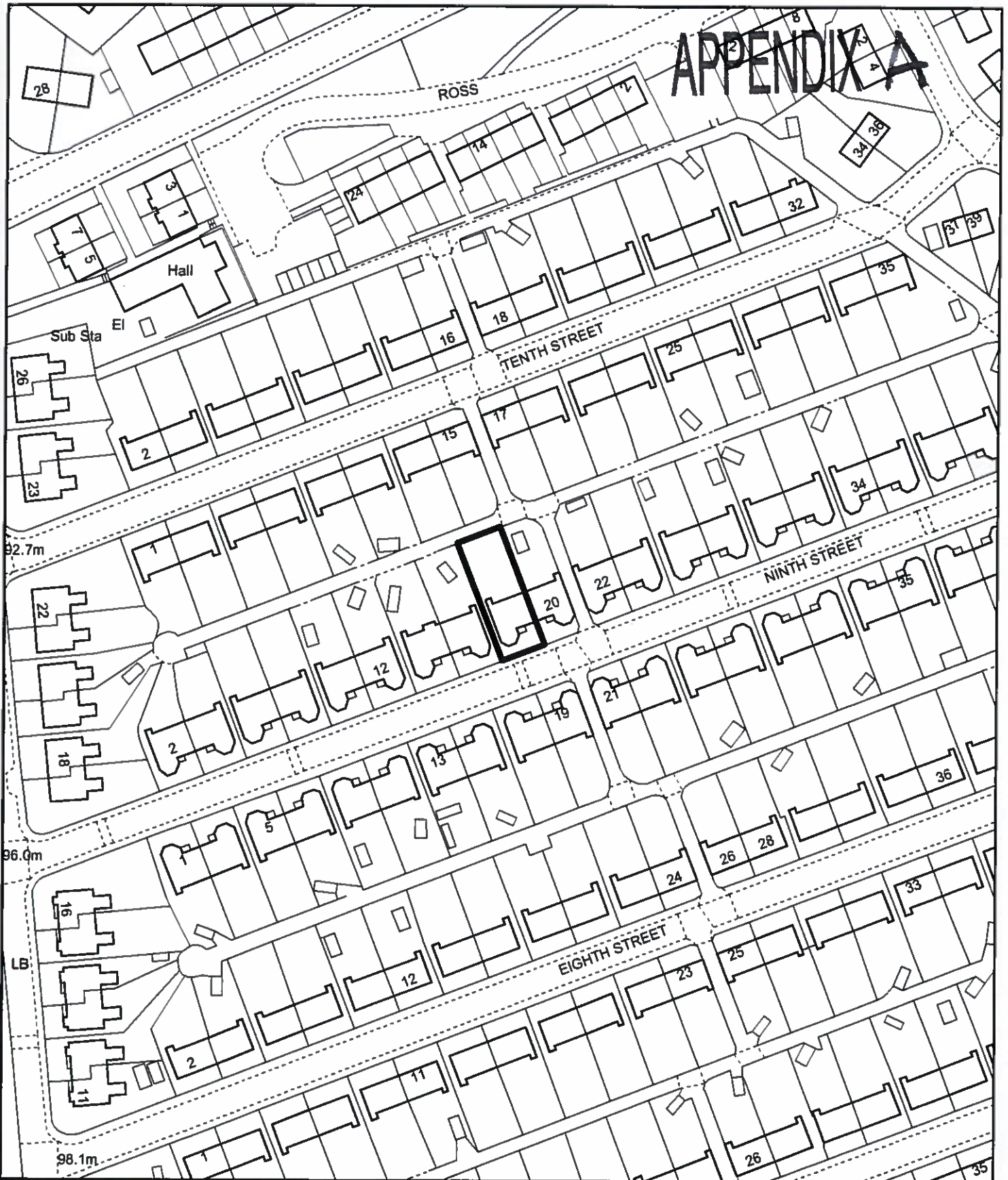


APPENDIX A



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

Extension to dwellinghouse and erection of timber decking at
18 Ninth Street, Newtongrange

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prosecution or civil proceedings

Midlothian Council Licence No. 100023416 (2014)

File No. 14/00064/DPP

Scale: 1:1,250



Midlothian



Fairfield House 8 Lothian Road Dalkeith EH22 3ZN

Tel: 0131 271 3302

Fax: 0131 271 3537

Email: planning-applications@midlothian.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 000090224-001

The online ref number 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: FEM Building Design Services

Ref. Number:

First Name: * Douglas

Last Name: * Mack

Telephone Number: * 07966 201299

Extension Number:

Mobile Number:

Fax Number:

Email Address: * fembuildingdesign@hotmail.co.uk

You must enter a Building Name or Number, or both: *

Building Name:

Building Number: 8

Address 1 (Street): * Plantain Grove

Address 2: Lenzie

Town/City: * Glasgow

Country: * UK

Postcode: * G66 3NE

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: *

Robert

Building Number:

18

Last Name: *

Rorrison

Address 1 (Street): *

Ninth Street

Company/Organisation:

Address 2:

Newtongrange

Telephone Number:

Town/City: *

Midlothian

Extension Number:

Country: *

UK

Mobile Number:

Postcode: *

EH22 4JL

Fax Number:

Email Address:

Site Address Details

Planning Authority:

Midlothian Council

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

Address 1:

18 NINTH STREET

Address 5:

Address 2:

Town/City/Settlement:

NEWTONGRANGE

Address 3:

Post Code:

EH22 4JL

Address 4:

Please identify/describe the location of the site or sites.

Northing

664548

Easting

333710

Description of the Proposal

Please provide a description of the 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)

Extension to dwellinghouse and erection of timber decking at 18 Ninth Street, Newtongrange, EH22 4JL

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 of 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 reason we are seeking a review of the refusal of Planning Permission is that the reason for refusal, the overbearing impact on the amenity of 20 Ninth Street would appear to be no worse than the impact caused by a number of existing rear extensions within the Ninth Street and Tenth Street area of Newtongrange. Please see our full statement in 'Supporting documents' section

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

☐ Yes ☒ No

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)

1. Statement of Appeal
2. Relevant photographs of previously approved extensions.
3. Drawings submitted as part of the refused Planning application

Application Details

Please provide details of the application and decision.

What is the application reference number? *

14/00064/DPP

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

10/02/14

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

28/04/14

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: Douglas Mack

Declaration Date: 20/05/2014

Submission Date: 20/05/2014

The reason we are seeking a review of the refusal of Planning Permission is that the reason for refusal, the overbearing impact on the amenity of 20 Ninth Street would appear to be no worse than the impact caused by a number of existing rear extensions within the Ninth Street and Tenth Street area of Newtongrange. We would therefore suggest that there has been a precedence set for the type of extension which we propose.

The fact that the window configuration to the rear of the properties within Ninth Street appear to differ to those in the remaining streets within the First Street to Tenth Street area was given a reason for the refusal. With the adjoining kitchen windows being only approximately 200mm from the boundary line, this differs from the remaining streets where the corresponding windows are approximately 700mm from the boundary line. There are a number of rear extensions built up to the boundary both in Ninth Street and Tenth Street, a number of which are very similar in size and position to the extension we propose at 18 Ninth Street.

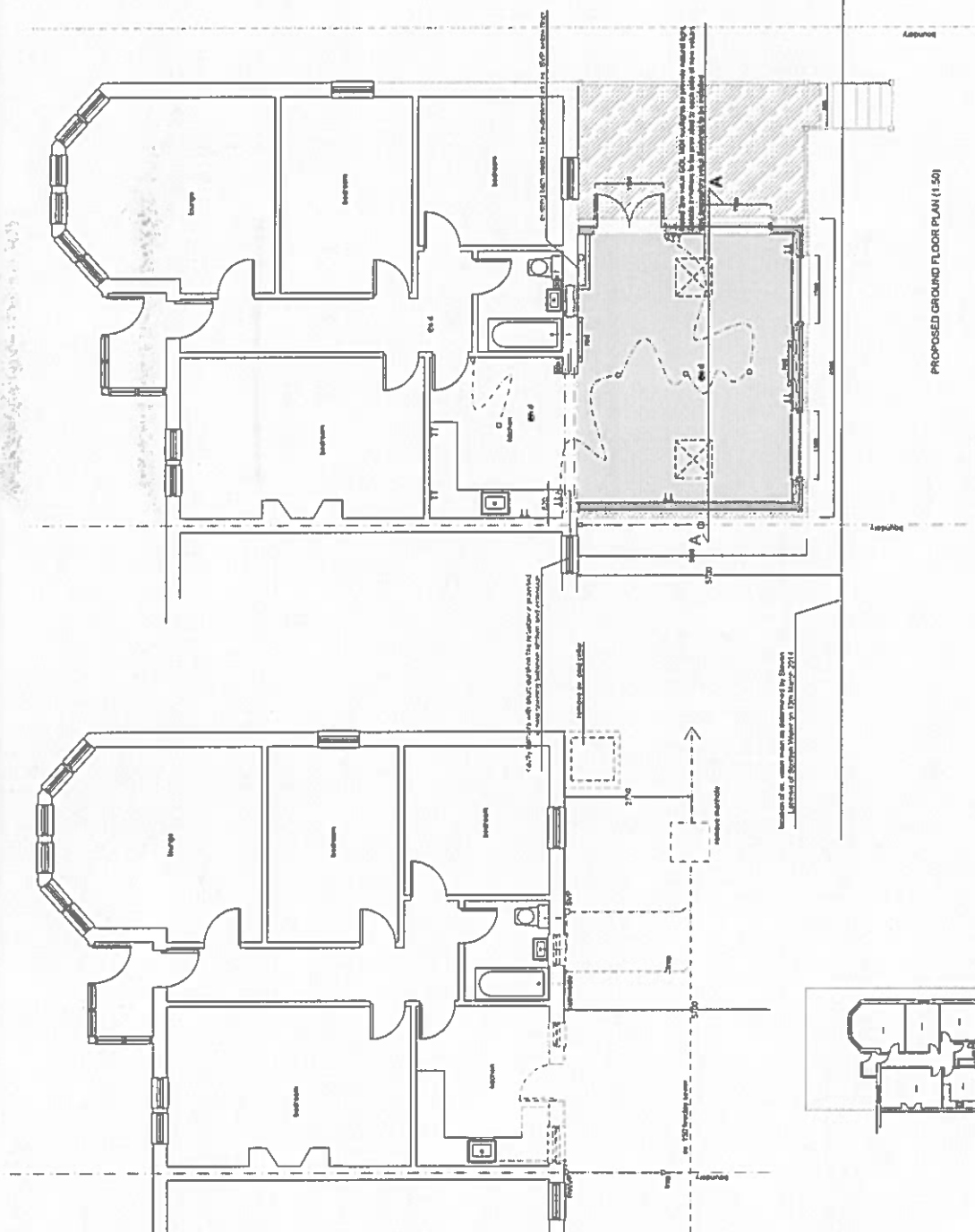
We would suggest that the rear extensions built at numbers 17, 19 and 41 Ninth Street are built to the boundary, and their impact on their adjoining neighbour is no less than the impact our extension would cause to 20 Ninth Street. Although the aforementioned extensions are not as deep as our proposed extension, it is our opinion that an extension 5metres deep would not cause any greater impact on adjoining amenity than an extension of 3metres or 4 metres depth as has been previously approved in the Ninth Street area. We would also suggest that the previously approved extensions built onto the boundary to the rear of Tenth Street would have no less impact than our proposals would by the fact that the adjoining window is 600mm – 700mm from the boundary rather than 200mm. The two extensions at numbers 22 Ninth Street & 24 Ninth Street have been built almost up to the boundary, however we were told that because the extension at no 24 was erected first the impact on its amenity caused by the extension at number 22 was not considered. We would request that our proposal is not harshly reviewed due to the fact that our adjoining neighbour doesn't have a previous extension to which we could build up against.

We would also point out another approved extension to the rear of a house in Eighth Street which has a window at right angles to the neighbours garden at approximately 1 metre from the boundary line. We would suggest that our proposal would have no greater impact on the amenity of 20 Ninth Street than this addition. We are also under the impression that a 1800mm high fence was erected on the boundary as part of a condition attached to Planning approval to an extension to the rear of Tenth Street to provide privacy (amenity?). We are of the opinion that the amenity to 20 Ninth Street would be enhanced due to the greater degree of seclusion and privacy which the gable wall of our proposed extension would provide.

To summarise, we believe that our proposed rear extension would cause no greater impact on the amenity of 20 Ninth Street than a number of previously approved rear extensions within the Ninth Street and Tenth Street areas of Newtongrange and would request that you consider this during review of our case.



| | |
|----------|---------------------------------|
| CLIENT | Mr & Mrs Romson |
| ADDRESS | 18 North Street NewLongrange |
| QUANTITY | 16 Rem 1 |
| SCALE | 150 : 120 : 140 |

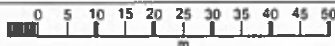
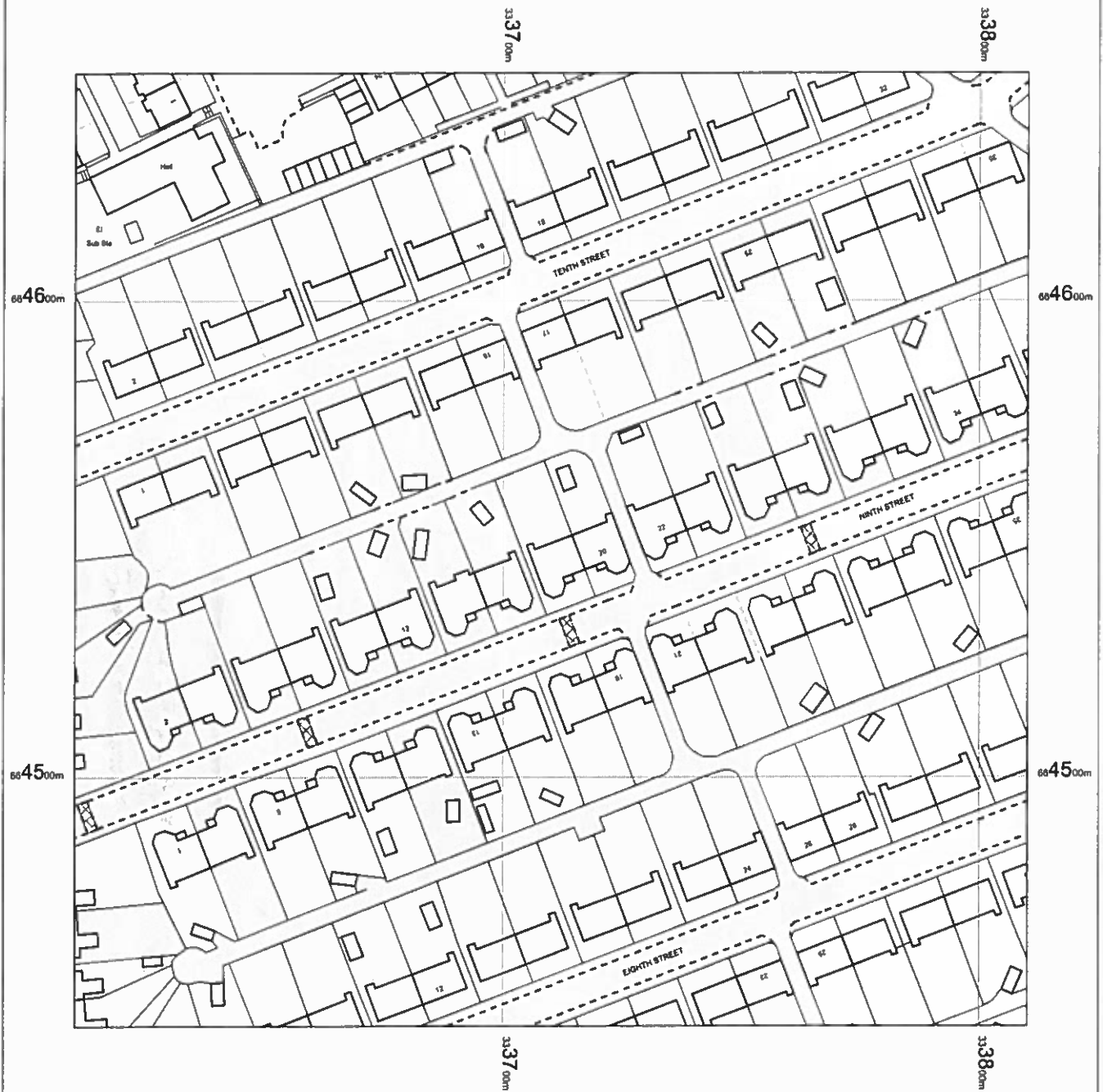








18 Ninth Street



OS MasterMap 1250/2500/10000 scale
05 February 2014, ID: BLJT-00294219
www.planningapplicationmaps.co.uk

1:1250 scale print at A4, Centre: 333710 E, 664548 N

©Crown Copyright Ordnance Survey, Licence no.
100051661

Mapping
sourced from

OS Ordnance
Survey

 **bluejet**
mapping





















MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Planning Application Reference: 14/00064/dpp

Site Address: 18 Ninth Street, Newtongrange

Site Description:

The application property comprises a single storey semi-detached former miner's cottage. It is finished externally in drydash render with white upvc windows and a slate roof. There is a drop in ground levels from the front to the rear of the house with the floor level at the rear 1.3m above the garden level.

Proposed Development:

Extension to dwellinghouse and erection of timber decking

Proposed Development Details:

It is proposed to erect a single storey pitched roof extension at the rear of the house measuring 5m deep and 6.5m wide. Materials are to match existing. It is also proposed to erect 1.2m high (approx) raised decking on the south west side of the extension measuring 3m wide.

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

History sheet checked.

Consultations:

None required.

Representations:

None received.

Relevant Planning Policies:

The relevant policies of the **2008 Midlothian Local Plan** are;

RP20 – Development within the built-up area - seeks to protect the character and amenity of the built-up area.

DP6 – House Extensions - requires that extensions are well designed in order to maintain or enhance the appearance of the house and the locality. The policy guidelines also relate to size of extensions, materials, impact on neighbours and remaining garden area.

SPG – Rear extensions to single storey, terraced and semi-detached houses.

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 design of the extension is acceptable. The footprint of the extension complies with the SPG. The SPG states that extensions between 4 and 5m in depth shall have a hipped roof a minimum of 0.5m below the ridge of the original house. Whilst the proposed extension has a pitched gable end, the ridge of the extension is shown as being lower than that of the original house and will not appear as an overly bulky addition and as such complies with the aims of the SPG.

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

Impact on neighbours-

No 16

There is a bedroom window on the side of no 16. The extension would not be overbearing to the outlook of this property. The windows on the side of the extension would afford views in to the back garden of no 16. The raised decking would also afford overlooking of no 16's garden at close proximity. A screen erected on top of the deck would minimise overlooking. This could be covered by condition.

No 20

The extension would not be overbearing to the outlook of the garden of no 20. However no 20 has a kitchen window on the rear elevation which is only 15cm (approx) from the boundary with the application site. The extension is shown as being set just over 10cm from the mutual boundary. At such close proximity the proposed extension would be a very prominent feature with an overbearing impact on the outlook of the kitchen window at no 20.

It was suggested to the agent/applicant that the extension be repositioned a further 1m from the boundary with no 20 in order to reduce the impact on the kitchen window. In response the agent/applicant highlighted other examples of extensions at Ninth Street. However the examples highlighted are either set of the boundary or are not as deep as the current proposal. The agent has confirmed that the applicant does not want to alter the position of the proposed extension.

Satisfies Vertical Sky Component daylight test to kitchen window of no 20.

The extension would result in increased overshadowing of the rear garden of no 20 from 1pm onwards. However this is not sufficient to warrant refusal of planning permission.

Recommendation:

Refuse planning permission.



Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

Reg. No. 14/00064/DPP

Douglas Mack
8 Plantain Grove
Lenzie
Glasgow
G66 3NE

Midlothian Council, as Planning Authority, having considered the application by Mr And Mrs Rorrison, 18 Ninth Street, Newtongrange, EH22 4JL, which was registered on 17 February 2014 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Extension to dwellinghouse and erection of timber decking at 18 Ninth Street, Newtongrange, EH22 4JL

In accordance with the application and the following plans:

| <u>Drawing Description.</u> | <u>Drawing No/Scale</u> | <u>Dated</u> |
|--|----------------------------|--------------|
| Location Plan | 1:1250 | 17.02.2014 |
| Elevations, floor plan and cross section | 14/RORR/1 1:200 1:100 1:50 | 24.02.2014 |

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

1. The extension would be an overly dominant feature when viewed from the adjoining house at 20 Ninth Street, with an overbearing impact on the amenity of the occupiers.
2. *For the above reason the proposal is contrary to policies RP20 and DP6 of the Midlothian Local Plan which seek to protect the amenity of residential areas and require that in providing additional space for the existing building there should be no material loss of amenity for adjoining houses. If the proposal were approved it would undermine the consistent implementation of these policies.*

Dated 28 / 4 / 2014

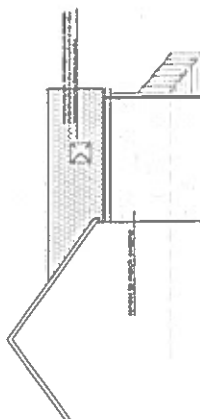
.....
Duncan Robertson
Senior Planning Officer; Local Developments
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN

APPENDIX E

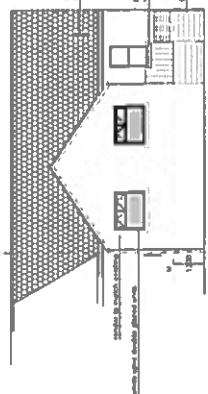
PLANNING PERMISSION

| | |
|---------|---------------------------------|
| CLIENT | Mr & Mrs Romson |
| ADDRESS | 10 North Street Newlongrange |
| DATE | 1968 |
| SCALE | 1:1000 |

PROPOSED EAST ELEVATION (1:100)



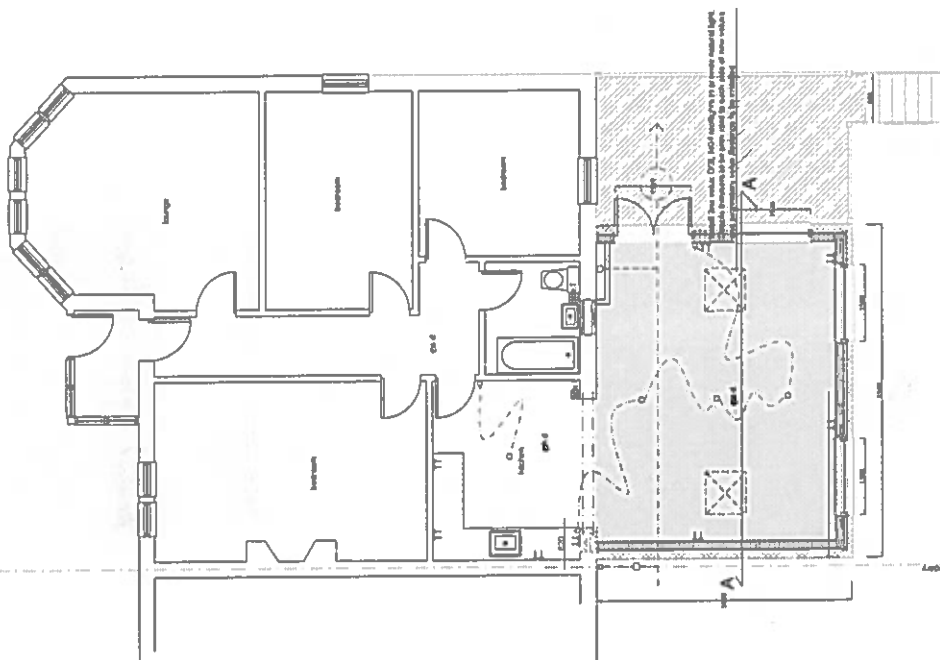
PROPOSED REAR ELEVATION (1.100)



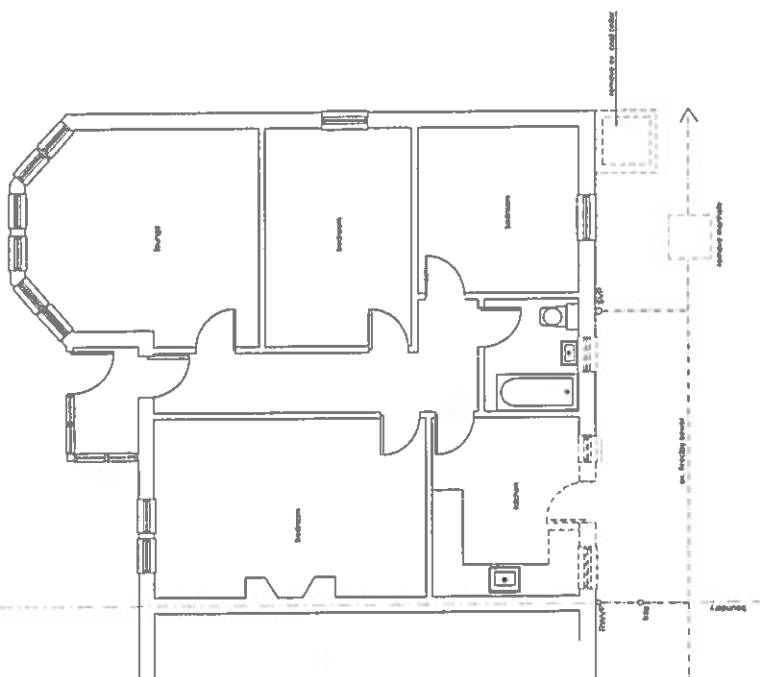
PROPOSED WEST ELEVATION (1:100)



PROPOSED GROUND FLOOR PLAN (1:50)



EXISTING GROUND FLOOR PLAN (1:50)



SITE BLOCK PLAN (1/2001)

