

Notice of Review: Land at North Lodge (also known as Harvieston Lodge), Powdermill Brae, 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 a dwellinghouse and associated works at land at North Lodge (also known as Harvieston Lodge), Powdermill Brae, Gorebridge.

2 Background

- 2.1 Planning application 21/01008/DPP for the erection of a dwellinghouse and associated works at land at North Lodge (also known as Harvieston Lodge), Powdermill Brae, Gorebridge was refused planning permission on 18 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 18 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

4 Procedures

- 4.1 In accordance with agreed procedures:

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

5 Conditions

- 5.1 In accordance with the procedures agreed by the LRB at its meeting of 13 June 2017, and without prejudice to the determination of the review, the following conditions have been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.
1. Prior to the commencement of development, the following details shall be submitted to and approved in writing by the planning authority:
 - a) Details and samples of the external finishing materials of the proposed house;
 - b) Details of all wall, gates, fences or other means of enclosure to be erected;
 - c) Details of the proposed treatment and disposal of foul and surface water drainage from the proposed house; and

- d) Details of a scheme of landscaping for the site. Details shall include the position, number, size and species of all trees and shrubs that are proposed to be planted, as well as identifying all trees on site which are proposed to be removed and retained.

Thereafter the development shall be implemented as per the approved details

Reason: *These details were not submitted with the original application; in order to protect the character and appearance of the existing house, setting of the listed building and area.*

2. Within six months of the new house being completed or occupied, whichever is the earlier date, the landscape scheme approved under the terms of condition 1d) above shall be carried out; thereafter, any trees or shrubs removed, dying, becoming seriously diseased or being severely damaged within five years of planting shall be replaced during the next available planting season with others of a similar size and species.

Reason: *To enhance the landscaping of the area by ensuring that planting on the site is carried out as early as possible, and has an adequate opportunity to become established.*

3. Notwithstanding the plans hereby approved, a revised site layout, showing an amended parking layout, shall be submitted to the planning authority for prior written approval. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *The submitted plans are unclear. For sake of clarification of what parking spaces is afforded to the existing dwelling and proposed dwellinghouse.*

4. Before the new house is occupied the installation of the means of drainage treatment and disposal approved in terms of condition 1c) above shall be completed to the satisfaction of the planning authority.

Reason: *To ensure that the house is provided with adequate drainage facilities prior to occupation.*

5. Development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority or it has been confirmed in writing to the planning authority that there is no contamination/ground conditions requiring remediation. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:

- i. the nature, extent and types of contamination and/or previous mineral workings on the site;
- ii. measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses

hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;

- iii. measures to deal with contamination and/or previous mineral workings encountered during construction work; and,
- iv. the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied for residential purposes, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

Reason: *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment and to comply with policy ENV16 of the Midlothian Local Development Plan.*

- 6. On completion of the decontamination/ remediation works and prior to occupation of the dwellinghouse on the site, or within another timescale to be agreed in writing by the planning authority, a validation report or reports shall be submitted to the planning authority confirming in writing that the works have been carried out in accordance with the approved scheme. The dwellinghouse shall not be occupied unless or until the planning authority have approved the required validation for that unit.

Reason: *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment and to comply with policy ENV16 of the Midlothian Local Development Plan.*

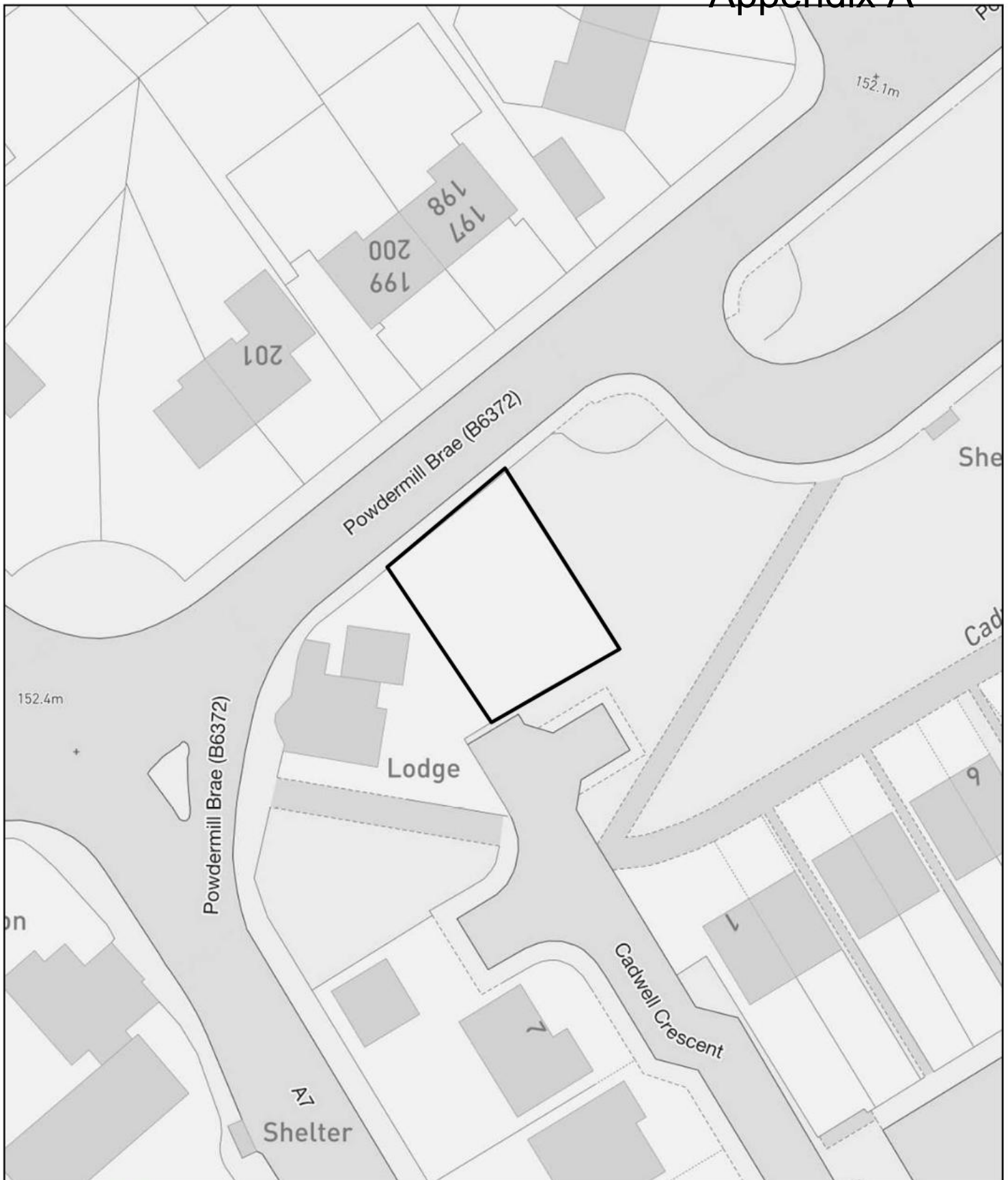
6 Recommendations

- 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: 17 June 2022
Report Contact: Whitney Lindsay, Planning Officer
Whitney.Lindsay@midlothian.gov.uk

Background Papers: Planning application 21/01008/DPP available for inspection online.



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

Erection of dwellinghouse at Land At North Lodge, Powdermill Brae, Gorebridge,

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File No: 21/01008/DPP

Scale:1:500





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 the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100544202-001

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="Gray Planning & Development Ltd"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Neil"/>	Building Name:	<input type="text" value="AYE House"/>
Last Name: *	<input type="text" value="Gray"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="07514278498"/>	Address 1 (Street): *	<input type="text" value="Admiralty Park"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Rosyth"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Dunfermline"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
		Postcode: *	<input type="text" value="KY11 2YW"/>
Email Address: *	<input type="text" value="neil@grayplanning.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="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="Kevin"/>	Building Number: <input type="text" value="25"/>
Last Name: *	<input type="text" value="Craig"/>	Address 1 (Street): * <input type="text" value="Polton Vale"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="Loanhead"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Midlothian"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text" value="07514278498"/>	Postcode: * <input type="text" value="EH20 9DF"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="neil@grayplanning.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="LAND AT NORTH LODGE"/>
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="POWDERMILL BRAE"/>
Post Code:	<input type="text" value="GOREBRIDGE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="660660"/>	Easting	<input type="text" value="334484"/>
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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)

ERECTION OF DWELLINGHOUSE

Type of Application

What type of application did you submit to the planning authority? *

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please refer to submitted Grounds for Review Statement along with the supporting appeal documents; and the planning application as was submitted for determination by the planning authority.

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)

Please refer to Grounds for Review Statement, inside content page, is a List of Appeal Documents as the evidence we wish to rely on

Application Details

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

21/01008/DPP

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

17/12/2021

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

18/02/2022

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

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)

As reason for refusal 1 relies on an understanding of the visual connection to the character and appearance of the area (and as there are very recent changes which will NOT be found on Google StreetView) then it is strongly encouraged for the Review Body to visit the site and view for themselves the context. There are also grounds on reason for refusal 4 about car parking which need to be viewed on site given the new development completed and is again NOT visible from Google StreetView

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 Neil Gray

Declaration Date: 24/03/2022

MR K CRAIG

GROUNDS FOR REVIEW OF A PLANNING DECISION

**LAND AT NORTH LODGE,
POWDERMILL BRAE, GOREBRIDGE**

**ERECTION OF DWELLINGHOUSE
(PLANNING REF: 21/01008/DPP)**

Online E-planning ref: 100544202-001

March 2022
Our Ref: 2021_115

W: www.grayplanning.co.uk

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Appendices

The following documents are referred to in this Grounds for Review Statement.

All such documents have been electronically uploaded to the ePlanning.Scot online portal.

Document 01 – Decision Notice Application Ref: 21/01008/DPP dated 18.02.22

Document 02 – Report of Handling of Planning Application 21/01008/DPP

Document 03 – Supporting Planning Statement submitted with planning application 21/01008/DPP

Document 04 – Photo 1 – image of adjacent Harvieston Lodge taken 2018, prior to restoration works performed by Mr Craig’s construction company

Document 05 – Photo 2 – image of adjacent Harvieston Lodge after completion of restoration works

Document 06 – Architect Drawing reference CDC/19/100/05 – showing existing car parking arrangements and adequacy of space for the appeal proposal

Full Planning application drawings and sections, application form, landowner certification all as submitted for planning approval are re-submitted as required.

1 INTRODUCTION

- 1.1 The appellant Mr Kevin Craig is a self-employed builder with over 15 years experience in renovations, conversions and new build houses. Mr Craig's building company KC Joinery successfully completed the renovation and restoration of the adjacent Category B-Listed Harvieston Lodge in 2018-19. The property was in a dilapidated condition, laid vacant for several years and required significant restoration to provide a new modern dwelling of 2 bedrooms which has been finished to the highest quality standards. Photo 1 shows the adjacent Harvieston Lodge visual condition before Mr Craig's development transformed it to the new dwelling, as shown in Photo 2. The property was highly sought after, and was bought by local purchaser in 2021.
- 1.2 The appeal site lies immediately adjacent to the successfully redeveloped property. Its boundary is immediately formed by the new fence boundary and private garden space of the existing Harvieston Lodge property. Once again Mr Craig has worked hard to present high quality proposals for the approval of Midlothian Council. Unfortunately, after two planning applications the plans have been refused. Mr Craig is particularly frustrated at the second planning application outcome, as he and his architect worked hard to refine the detailing of design which was a reason for refusal of the first planning application (reference 20/00363/DPP) dated 30th August 2020. Rather than appeal this planning decision, Mr Craig invested more time and cost into revisiting his plans for the appeal site. A second further planning application was submitted to Midlothian Council in December 2021, reference 21/01008/DPP) which was refused by Decision Notice dated 18th February 2022.

- **The Principle of housing on the site is acceptable, and fits with the character of the surrounding area. This is an urban brownfield location. Its located within a wider housing area including hundreds of new-build modern homes within the former grounds of Harvieston House**
- **The design of the proposal is in keeping with the surrounding styles and formats. Their character is a combination of terraced-style 20th Century and modern 2-storey family homes of the 21st Century**
- **There will be sufficient amenity provided to existing occupants of Harvieston Lodge, and to future occupants of the appeal site**
- **There will be sufficient car parking provision within the site**
- **There are also material considerations supporting a residential development at this location including a recently constructed large scale housing development within the former grounds of Harvieston House – material because the historical function of grounds associated with a large stately home is no longer applicable given the Council approved the large scale housing development for the housing needs of the area**
- **The existing vacant site with no coherence to its surrounding character can be transformed and fit with the high quality finish and form of the restored Harvieston Lodge, which the appellant was responsible for.**

2 REASONS FOR REFUSAL

2.1 The Review request is submitted under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended 2006). The Notice of Review has been lodged within the prescribed three-month period from the refusal of planning permission dated 18th February 2022 (**Document 01**).

2.2 By Delegated Powers, the Lead Officer (Local Developments) of Midlothian Council decided to refuse the application, as recommended by a Planning Officer in the Report of Handling (**Document 02**). The four reasons for refusal are per the Decision Notice (**Document 01**), which state:

- 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.*
- 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.*
- 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.*

PROPOSED PROCEDURE TO BE FOLLOWED IN DECIDING THE REVIEW

2.3 We recommend one procedure - a site visit (accompanied) should be the procedure followed by the Local Review Body in deciding the case.

2.4 With respect to the four reasons for refusal, visual inspection of the appeal site is necessary to confirm that the appeal site is a suitable location for a house as it is in a residential area and it is surrounded by a character of 20th Century houses (to the north) and by 21st Century houses (over 100) to the south on land within the former Harvieston House estate.

2.5 A site visit will also view the awkward arrangements to the existing appeal site boundary which no longer has a relationship to either the Harvieston House grounds, nor the Harvieston Lodge

curtilage by virtue of being 'cut off' following a road re-alignment as will be evident from visual site inspection.

- 2.6 A site visit will allow the Review Body to view the context of the renovated and restored neighbour Harvieston Lodge (See Appeal **Document 04 and 05**). This also presents a visual example of the high quality of craftsmanship and finish the appellant Mr Craig's construction firm would apply in the same way, should planning permission be granted for the appeal proposal.

3 THE APPEAL SITE AND PROPOSALS

- 3.1 Full details of the planning application site, detailed site layout, technical land use considerations are contained in the planning application. A Planning Statement was also submitted (**Appeal Document 03**) which details the proposal and comments on its acceptability in terms of relevant development planning policy. These matters will not be repeated in this Statement, however where considered relevant to address Reasons for Refusal, points will be re-emphasised.
- 3.2 It is proposed to erect a single storey detached dwellinghouse with living accommodation within the attic. The ground floor consists of an open plan lounge and kitchen area, family bathroom, and 2 bedrooms; with the attic space being the master bedroom with an en-suite.
- 3.3 The dwellinghouse would be set within a private garden amenity space, with direct existing access from the public highway at Cadwell Crescent into a driveway to form new parking to the front of the dwellinghouse.
- 3.4 The dwellinghouse has a square footprint covering approximately 81.37 sq m ground floor lying within a site of circa 239 sq m. The proposed dwelling has a 35 degree traditional pitched roof, and measures approximately 2.7m to the eaves and 5.90m to the ridge. The proposal contains a pitched roof dormer window within the front elevation along with a velux window, and a further velux window in the rear elevation pitch. The proposal for a garden size of approximately 63.71 sq m and the hard landscaped driveway and parking area of approximately 46m². of mono blocking and 27sq m to front garden.
- 3.5 The front elevation wall will have a stone finish to match that of Harvieston Lodge, with the other three remaining walls to be finished in a render to match housing in the surrounding area. The roof and that of the dormer window are to be finished in slate.
- 3.6 The site will be enclosed by utilising the existing timber palisade fence to the north, east and south, with retention of the existing stone wall on Powdermill Brae on the western boundary.
- 3.7 Full details of these proposals are found in the submitted package of planning application drawings prepared by Capital Draughting Consultants.
- 3.8 As will be evident from a site inspection, the appeal site would sit alongside Harvieston Lodge - the existing recently restored property forming a single storey dwelling set within its own private garden space.
- 3.9 A previously submitted Planning Statement (**appeal Document 03**) explains the proposals and explains how the appellant had revisited the first planning application refusal and took great care to redesign the current proposals. The Statement contents was noted in the Planning Officer's Report of Handling (**appeal Document 04**) however the appellant contends that the details of this Statement were not fully taken into account by the planning officer in the assessment of the planning application, with key points not being fully understood as follows:
- Principle of housing on the site is acceptable, subject to compliance with relevant local development planning policies, including those concerning design, residential amenity and parking.

-
- Within the supporting planning statement, it is noted that the application site is located within the defined urban area of Gorebridge within an allocated housing site h23 where Proposal STRAT3 (Strategic Housing Land Allocation) applies. This policy supports development in principle providing it accords with other detailed policies of the MLDP. It is noted that the capacity of h23 allowed for 211 units – planning application 14/00481/DPP met this capacity, as it was for the erection of 199 dwellinghouses and 12 flatted dwellings.
 - The application site is located within the built-up area, as defined by policy DEV2 of the adopted local development plan, where there may be scope for the application site to be developed.

4 GROUNDS FOR REVIEW

4.1 Section 1 outlined the Planning Authority's four reasons for refusal. Based on the evidence presented in this appeal, the appellant contends all these reasons can be set aside, and planning permission should be granted for the proposed development. This is subject to the imposition of relevant, enforceable planning conditions.

4.2 It is also relevant for the purposes of focusing the main issues for this appeal, **that there is agreement with the Planning Authority on the following points as found in Report of Handling (Appeal Document 02):**

- The site lies in the defined urban area of Gorebridge where housing is acceptable in principle.
- The site lies adjacent to housing site h23 which has subsequently had 199 dwellinghouses and 12 flatted dwellings built within the former Harvieston House grounds some 50m set back from Powdermill Brae and the North Lodge (Harvieston Lodge)
- North Lodge (Harvieston Lodge) will still have an adequate level of garden ground remaining as a result of the proposed development
- The daylight and sunlight previously enjoyed by North Lodge (Harvieston Lodge) will not be affected by the proposed development.
- There are no side windows proposed for the appeal house which would cause any overlooking or privacy issues to existing occupants of North Lodge (Harvieston Lodge)

4.3 The Report of Handling does not comment any deeper on other relevant planning matters which, on balance in this appeal, should be taken into account, being:

- The site is currently vacant, overgrown and under-utilised causing negative visual impact on the surrounding streetscape
- The site does not form any part of the housing allocation h23 in so far as all the 199 homes plus 12 flats approved for development by the major housing developer have been completed and this has resulted in the appeal site being left aside and no longer appears to fit with the surrounding area
- For the reason given above, the historical grounds associated with former Harvieston House are no longer in existence since the 199 homes and 12 flats were constructed upon it, and therefore the Harvieston Lodge (or North Lodge) adjacent to the appeal site no longer provides its historical "lodge house" purpose
- The appellant has developed Harvieston Lodge to the highest quality of restoration befitting of a Category B-Listed Building – therefore he is experienced in respecting the historical significance of the property and its curtilage which would be equally the case in the appeal site in terms of respecting the Category B-Listed building's setting and status.
- The Powdermill Brae has a public transport bus stop 100m from the appeal site (X95 Service) with frequent service routes to Carlisle and Hawick with further local stops en route. Gorebridge Train station (with main line connections to Edinburgh and Tweedbank) lies 700m walking and cycling distance). These are strong reasons to support a modal shift from private car use to more public transport use to help reduce the climate emergency and contribute to lowering carbon footprints. The Report of Handling does not pick up on the sustainable location of the appeal site and rather emphasises the need for car parking

provision which goes contrary to Scottish and UK Government advice to reduce car dependency and shift to other modes of transport.

4.4 Turning to the Reasons for Refusal, this section will argue the following Grounds:

1. The proposal is not contrary to LDP policy DEV 2 as it does connect visually to the character, appearance and layout of the area and it does relate to the historic character and appearance of the important listed building, North Lodge (also known as Harvieston Lodge). This is more so now that a modern housing estate of 199 houses and 12 flats has been built within 50m of the Listed Building.
2. The proposal is not contrary to LDP Policy ENV22. The proposal respects the localised setting of North Lodge (also known as Harvieston Lodge) and it does relate to its historic character and appearance – bearing in mind the vast grounds once belonging to Harvieston House has been permanently changed to a modern housing estate of 199 houses and 12 flats in the foreground of the North Lodge itself.
3. The proposal does provide sufficient amenity to existing occupants of North Lodge and of future occupants of the appeal site as there are no impacts on existing daylight and sunlight, no impacts on loss of garden ground to North Lodge, and there would be reasonable garden space provided to the appeal site. The proposal complies with LDP Policy DEV 6 and DEV 2 accordingly.
4. The proposal is not contrary to LDP Policy DEV 2 on parking matters. The appellants are providing parking, just not enough to satisfy guidelines for parking. They wish to emphasise the high accessibility of the site to public transport provision (bus stop and train station) within walking and cycling distance, and to promote further increase in car use would run contrary to the Climate Emergency.

4.5 Each of these points is expanded in the paragraphs below, with evidence presented and justification given to support the appellants case that planning permission should be granted. Not only do the proposals meet the provisions of the Development Plan, but there are also material considerations which are relevant, add weight to and support the appellants' case.

1 – VISUAL CONNECTION TO THE CHARACTER AND APPEARANCE OF THE AREA

4.6 The area has seen considerable change in the last 5 years.

- The long-vacant Harvieston Lodge (North Lodge) as seen in 2018 (see Photo 1) was restored and quickly re-occupied as new high quality dwelling, by 2020. The building had been allowed to deteriorate to its former poor quality despite its Category B-Listing. The building was also not included in the h23 housing land allocation for 211 units, and even once planning consent 14/00481/DPP granting the construction of 199 homes and 12 flats was under construction, there were no mitigating design or construction measures in place.
- There have been road design alterations locally, including the severance of part of the former Harvieston House grounds to a bus layby and new road. This has in part resulted in the residual part of land in the appeal site having no connection to its existing character of the area and is vacant and under-utilised.
- As a result, the visual connection of the site to its surrounding character and appearance has been considerably altered and severed.
- On the contrary, the appellants contend that re-purposing the site to form a new home, positioned alongside the restored Harvieston Lodge restores a new visual connection and a new future for the severed and disjointed appearance of the area as present. A site visit will help the Local Review Body understand the visual connection that can be restored by the new proposal.

4.7 The appeal site lies in a built-up area, where urban development is supported in principle. There is a broad mix of house types and ages – with 2 storey terraced mid 20th Century homes lying opposite on Powdermill Brae; and the 199 modern detached 2 storey new build homes within the former historic garden grounds of the former Harvieston House.

4.8 LDP Policy DEV2 alongside the STRAT2 (specific allocations for greenfield housing development including h23) – sets out a broad assumption. In the supporting text to Policy DEV2 at Section 3.1.5 of the LDP it is clearly stated how the Council will support “*additional housing on windfall sites and how such opportunities will generally be located within existing built-up areas, and can include conversion, intensification, infill or redevelopment*” – the appeal site **IS a brownfield site**, or if it is not by definition, then the fact that it has been severed from the h23 housing development and left undeveloped with little prospect to be consumed by the large standard housing estate development, then the appeal proposals should be examined through this prism. The appeal site should be examined not as an extension of the Harvieston Lodge (North Lodge) but as an infill or gap or completion of the surrounding area. It makes no sense to not allow a single dwelling house on the appeal site, when the entire greenfield land within a once historic garden landscape can be built on and bear little visual connection to the character and appearance of the area either.

4.9 The further supporting text to Policy DEV2 states this policy “*aims to ensure that new development does not damage or blight land uses which are already established*” – the appeal proposal will not damage nor blight the existing residential land uses in the surrounding area. As it has been confirmed that the residential use will not impact on existing daylight and sunlight, nor will it impact on privacy or overlooking into existing residential properties. The proposed land use is entirely compatible and the proposed height, position, scale and form of the new dwelling will not harm the intentions of Policy DEV2.

- 4.10 Therefore the appeal proposal complies with Policy DEV2 as a suitable infill and windfall development for a single dwelling. It will also not harm the new established character of the area which is now dominated by 199 modern family dwellings and 12 modern flats of a design and form that itself does not visually connect to the earlier character and appearance of the area. The addition of one new dwelling at this location will have no harm on the visual connection or to the character and appearance of the area.

2 – RESPECTS NORTH LODGE SETTING AND ITS CHARACTER AND APPEARANCE

- 4.11 North Lodge had historically served as a hunting lodge or reception lodge for visitors to the historic Harvieston House. The historical landscape architecture would have emphasised the sense of hierarchy and setting to both the House and the Lodge with the intervening garden lands (now a 199 housing estate). The fact is this historical rhythm has been lost forever by the introduction of the modern housing estate. The relationship between the House and the Lodge is severed and lost.
- 4.12 However the high quality restoration of the long vacant Harvieston Lodge (North Lodge) already improves the visual appearance of the area, and therefore increases the perception that the status of North Lodge should be preserved yet this has already been lost to the modern housing development. The proposal does respect the local setting the relationship between the Lodge and the appeal site is considered to be sensitively designed. There has been sufficient space provided between the existing building and the new building, the existing boundary fence (albeit lacking presently in mature landscaped gardens owing to the newness of the development) provide sufficient setting for the new appeal proposal.
- 4.13 As stated in the Planning Statement (**Appeal Document 03**) in the commentary about cultural heritage (page 6), it is important to repeat “Historic Environment Scotland (HES) define ‘setting’ is the way the surrounding of a historic asset of place contribute to how it is understood, appreciated and experienced. Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 does not preclude the alterations of a Listed Building or changes to its setting. Rather it essentially directs the planning authority to the desirability of their preservation and that special regard should be given to their special architectural or historic interest when making planning decisions. Given the recent changes driven by the completion of 199 homes and 12 flats in the grounds between the historic House and historic Lodge, then the desirability of preservation has already been questioned by the Planning Authority and it did not hold back on allowing the permanent change of the greenfield site around the appeal site. The Local Review Body should therefore examine the desirability issue as one of how the existing character and its recent change has altered the context. This should be an important matter to bear in mind in reviewing the case.
- 4.14 The appellants do not agree with the planning officers view that the introduction of one dwelling, into land adjacent but with a set back from it, and oriented away from the front and side façade of the North Lodge, would have significant consequences for the listed building given the context explained above. Now that the historic relationship with Harvieston House has been eroded, we are of the opinion that the main setting of the proposed development lies to the southern elevation of Harvieston Lodge which is the elevation seen from the A7 (south and west

elevations) which is further confirmed with the items evidenced within the listing of the property. In their Planning Statement, the appellants had explained how the design process for the appeal proposal took cognizance of the Historic Environment Scotland guidance “*Managing Change In the Historic Environment – Setting*”. As such, the appellants contend that the appeal proposal satisfies Policy ENV22.

3 - AMENITY TO OCCUPANTS

- 4.15 The planning authority considers the proposal fails to meet the requirement of Policy DEV6 and DEV2 with regard to providing sufficient amenity to existing and future residential occupants.
- 4.16 The proposal does provide sufficient amenity to existing occupants of North Lodge and of future occupants of the appeal site as there are no impacts on existing daylight and sunlight, no impacts on loss of garden ground to North Lodge, and there would be reasonable garden space provided to the appeal site.
- 4.17 The Officer’s Report of Handling on the matter (Appeal Document 02) states: “*Detached, semi-detached and terraced dwellings should each be provided with a private outdoor space that is free from direct overlooking form public areas and neighbouring property as far as possible. Private open space attached to the dwelling is required for all non-flatted properties. The Councils standard requires that houses of 3 apartments to have useable garden ground no less than 110m². The proposed dwellinghouse is to be afforded approximately 65m² of useable rear garden ground; there is also a small area of garden ground to the front and sides of the proposed dwelling. The proposed dwellinghouse will not be afforded an adequate level of amenity and therefore do not comply with adopted policy DEV6 and DEV2.*”
- 4.18 However the proposal does not erode the required level of remaining garden ground for the existing dwelling, and the proposal does not result in overlooking or loss of privacy to existing occupants by virtue of window to window or views into the spaces externally.
- 4.19 Policy DEV 6 goes much wider into a range of design requirements to do with site layout, form, use of materials, positioning, open space, cycle provision. When examined as a whole (where applicable), not just parts of Policy DEV 6, the appeal proposal complies with a wide range of other design requirements which on balance demonstrate that the applicant has considered carefully the new design. The appeal proposal is a number of changes made to a previously refused design for a similar proposal. The appeal proposal therefore accounts for these shortcomings and makes considerable improvements in the general approach to amenity and providing for the Policy DEV 6 requirements.
- 4.20 The appeal proposal therefore complies with Policy DEV 6 and on balance the design improvements made to the appeal proposal compared with the first scheme should be taken into account in the assessment of the design of the scheme with regard to amenity matters.

4– PARKING PROVISION VERSUS HIGH ACCESSIBILITY LOCATION

- 4.21 The fourth reason for refusal is based on the planning officer's observation that "*only one*" off-street (in curtilage) parking space will be afforded to the proposed dwelling, accessible via Cadwell Crescent. The fourth reason for refusal further asserts that this would mean the proposal is contrary to Policy DEV2 with regard to adequacy of parking provision.
- 4.22 However the submitted Proposed Site Plan drawing 01 shows the proposed driveway with one car shown, and *suitable additional space on the driveway to accommodate another, making 2 off street car parking spaces are possible*.
- 4.23 Furthermore, the submitted site photos drawing 05, and re submitted to this appeal as **Appeal Document 06**, shows insets of Photo 1 and Photo 3 with other parking available off the main street, on Cadwell Crescent. On the day these photos were taken, 2 vehicles were parked off road at the site. This means that in addition to the 2 in curtilage parking spaces, additional parking spaces can be found immediately on street.
- 4.24 As a result, the appellants wish the Review Body to take a more balanced approach to assessment of this reason for refusal. The Planning Authority has applied its parking guidelines strictly - (by definition "guideline" can be taken as recommendation or advice, it does not imply an absolute requirement).
- 4.25 The appellant is requesting the Review Body considers the following sustainability and high accessibility benefits of the site when considering if the 'guideline' should be applied strictly in this case, or if more reasonably, it can be relaxed to account for measures to combat the Climate Emergency and to encourage modal shift from motor car.
- The site lies 100m walk or cycle from a bus stop on Powdermill Brae – Stagecoach connections Edinburgh to Carlisle and Hawick
 - The site lies 400m walk or cycle from Gorebridge train station – ScotRail services to Edinburgh and to Tweedbank on the Borders Rail line.
- 4.26 The appeal proposal will encourage this high accessibility provision to shift to public transport particularly if new occupants of the property are a family with jobs in Gorebridge, Midlothian or within traveling distance of Edinburgh or the Borders as the public transport provision would be a strong reason for purchasers to locate here. Given the steep rise in fuel costs associated with car use, many peoples habits may be encouraged to alter fuel consumption and this proposal would make a small but relevant contribution to that shift.

5 CONCLUSIONS

5.1 This Grounds for Review statement sets out the appellants case, that the 4 reasons for refusal can be set aside, and planning permission should be granted. This is because:

- The principle of residential use within this residential area, and within the urban boundary supports the development subject to detailed design matters.
- The development is not a greenfield (such as the adjacent large scale housing allocation h23) but should be considered an infill or a windfall development. It is also using vacant land which has little remaining relationship with its immediate surroundings, and little value as a vacant site partially severed by the road design and new housing adjacent.
- The proposal does therefore fill a gap in the pattern surrounding, and visually will improve the streetscape and remove what might otherwise become vacant and visually unpleasant when seen in the context of the wider new large scale development around.
- The proposed form of dwelling as a single storey with attic living space is in market demand and the appellant has no hesitation that this product will be keenly sought and will be a suitable addition to the housing market in this desirable location.
- The Officer's Report of Handling does not offer suitable balance when considering the merits of the proposal from a wider streetscape perspective. The new building will fit much better with the prevailing current and future surrounding streetscape and the past should not be used to gauge change given that the historic gardens once associated with Harvieston House and Lodge have been redeveloped permanently for a modern housing estate.
- The Officer's report of handling positively states the new dwelling will not cause amenity concerns of overlooking, loss of daylight or sunlight and will be a suitable use for this location.
- Whilst the car parking guideline has not been met, this is a conscious decision of the appellant and developer of the site to encourage more public transport use, in times of the Climate Emergency and government encouragement to lower carbon use. Therefore the parking is reduced, given the immediate proximity of bus and train services within 100m and 400 walk or cycle respectively linking the site to Edinburgh, Carlisle, Hawick and rail halts on the Borders Rail Way.
- The appellant is a successful developer having previously purchased in 2018 the then dilapidated and on Building at Risk Category B-Listed Harvieston Lodge – and transformed it into a high quality restoration which has been keenly received by the market. This new proposal would not seek to harm the good work achieved to date, and the appellant would once again take full responsibility to ensure high quality development of the appeal site to ensure it remains a visually attractive and sensitively developed new dwelling which fits with the modern setting and does not hold onto the past, which for the reasons given in this statement, has already been significantly eroded owing to the large scale housing development on the adjacent greenfield.
- A Site Visit is strongly encouraged to appreciate and better understand the context of the surrounding settings and forms of building. Photographs submitted with this appeal can be verified by a site visit.

5.2 It is respectfully requested therefore that the Local Review Body reconsider the proposals and find favour with the arguments set out in this Review and grant planning permission.

07th December 2021

PLANNING STATEMENT

APPLICANT: MR K CRAIG

ERECTION OF DWELLINGHOUSE

AT LAND AT HARVIESTON LODGE (ALSO KNOWN AS NORTH LODGE), POWDERMILL BRAE, GOREBRIDGE

Introduction

This Planning Statement has been prepared on behalf of the applicant to support the planning application for the above proposed development. It follows advice and guidance as provided in the adopted Midlothian Local Development Plan (adopted 2017). This Planning Statement provides a professional assessment of the proposal against these relevant development planning policy considerations, and other material considerations.

Site Description

The application site is located within a built up area as defined by the adopted Midlothian Local Development Plan (MLDP). The application site relates to approximately 239sq m area of part of the garden ground that is associated with Harvieston Lodge (also known as North Lodge). The garden ground is currently enclosed by a high vertical timber fence to the southern and eastern elevations and a natural stone boundary wall to the northern elevation.

Harvieston Lodge is a single storey lodge with a single storey modern flat roof extension which is partially built into the boundary wall of Harvieston House. The lodge and boundary wall form part of the statutory Category B listing. Harvieston Lodge is finished in natural stone with a slate hipped roof.

The lodge and associated garden ground is located at the corner of Powdermill Brae and the A7. To the south and east of the application site there is a new build residential development scheme which is primarily detached and semi-detached two storey dwellings with pitched roofs.

To the north and north east of the application site, at the other side of Powdermill Brae, are residential dwellings. The dwellinghouses are primarily four in a block flatted dwellings which are two storey, semi-detached buildings with hipped roofs.

The land to the western side of the A7 is primarily agricultural land.

The Proposed Development

It is proposed to erect a single storey detached dwellinghouse with living accommodation within the attic. The ground floor consists of an open plan lounge and kitchen area, family bathroom, and 2 bedrooms; with the attic space being the master bedroom with an en-suite.

The dwellinghouse would be set within a private garden amenity space, with direct existing access from the public highway at Cadwell Crescent into a driveway to form new parking to the front of the dwellinghouse.

The dwellinghouse has a square footprint covering approximately 81.37 sq m ground floor lying within a site of circa 239 sq m. The proposed dwelling has a 35 degree traditional pitched roof, and measures approximately 2.7m to the eaves and 5.90m to the ridge. The proposal contains a pitched roof dormer window within the front elevation along with a velux window, and a further velux window in the rear elevation pitch. The proposal for a garden size of approximately 63.71 sq m and the hard landscaped driveway and parking area of approximately 46m² of mono blocking and 27sq m to front garden.

The front elevation wall will have a stone finish to match that of Harvieston Lodge, with the other three remaining walls to be finished in a render to match housing in the surrounding area. The roof and that of the dormer window are to be finished in slate.

The site will be enclosed by utilising the existing timber palisade fence to the north, east and south, with retention of the existing stone wall on Powdermill Brae on the western boundary.

Full details of these proposals are found in the submitted package of planning application drawings prepared by Capital Draughting Consultants.

Key Issues Considered relevant to determination of the planning application

Whilst no formal pre-application advice was obtained from Midlothian Council, the applicant has, via the planning consultant, identified the following broad issues relevant to the determination, in land use planning terms and in the context of the planning history of the site:

- Principle of housing on the site is acceptable, given the urban brownfield location and within a wider housing allocation, subject to compliance with relevant local development planning policies. This includes those concerning design, residential amenity, built heritage (listed buildings), and car parking.
- There are also material considerations supporting the principle of a residential development at this location including a recently constructed large scale housing development within the former grounds of Harvieston House – material because the historical function of grounds associated with a large stately home is no longer applicable given the Council approved the large scale housing development for the housing needs of the area.

Planning History

There is a previous planning history for the application site. On the 21st August 2020, an application (ref 20/00363/DPP) was refused by the planning authority for the erection of a dwellinghouse. The Council Decision Notice states its reasons for refusal being the proposed development fails to connect visually to the character, appearance and layout of the area or relate to the historic character and appearance of the listed Harvieston Lodge. It states that the development does not respect the localised setting of Harvieston Lodge and in turn fails to relate to its historic character and appearance, therefore materially

detracted from the setting of the listed building. The refusal also cited that the development could not be afforded adequate levels of amenity or an adequate level of off street parking.

Notwithstanding the refused planning application relating to the development site, there has been other recent planning history which is relevant to the context of any proposed development on the site.

In September 2015, listed building consent was granted (ref 15/00545/LBC) for alterations to existing boundary wall on land at Harvieston Farm, Powdermill Brae. The section to the north of both Harvieston Lodge and the development site was listed as collapsed and required to be rebuilt with the height to match the existing wall.

In February 2016, planning permission (ref 14/00481/DPP) was granted for 199 dwellinghouses and 12 flatted dwellings, formation of access road, car parking and associated works which has subsequently been built out on the allocated housing site h23 which is located between Harvieston Lodge and Harvieston House.

In September 2019, planning permission (ref 19/00582/DPP) was granted for an extension to Harvieston Lodge along with listed building consent (ref 19/00583/LBC) for extension to Harvieston Lodge, installation of window, installation of replacement windows, and internal alterations.

Development Plan Policy

The development plan comprises the South East Scotland Strategic Development Plan (SESplan) and the Midlothian Local Development Plan (MLDP) adopted 2017.

As the purpose of SESplan is to set out strategic regional wide policy, and this is a local development of small-scale, then no further assessment of SESplan will be made.

In relation to the MLDP, the relevant policies include:

1. Principle - The site is located within the defined urban area of Gorebridge within an allocated housing site h23 where Proposal STRAT3 (Strategic Housing Land Allocation) applies. This policy supports development in principle providing it accords with other detailed policies of the MLDP. Therefore, the plans must be assessed against all relevant policies within the MLDP including housing policies relating to design as introduced below.
2. Detailed Considerations - As a residential development proposed adjacent to a listed building the relevant design policies of the MLDP are – Policy ENV22 (Listed Buildings); Policy DEV2 (Protecting Amenity within the Built up Area) and, Policy DEV6 (Layout and Design of New Development). We will comment on these in the planning policy discussion section later.

Material Considerations

National Planning Policy sits at the top of the planning policy hierarchy and sets the strategic aims and objectives which must be incorporated into the Development Plan.

Scottish Planning Policy (2020)

Scottish Planning Policy (SPP) is a statement of the Scottish Government's policy on how nationally important land use planning matters should be addressed across the country.

The SPP states that:

'The 1997 Act requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise. As a Statement of Ministers' priorities the context of the SPP is a material consideration that carries significant weight'.

And that:

'Planning should take a positive approach to enabling high quality development and making efficient use of land to deliver long term benefits for the public while protecting and enhancing natural and cultural resources'.

The first principle policy of SPP 'introduced a presumption in favour of development that contributes to sustainable development'.

Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

The general duty in the exercise of planning matters relating to Listed Buildings is set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

'General duty as respects listed buildings in exercise of planning functions 59(1) in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State [the Scottish Ministers], as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural interest or historic interest which it possesses'.

In this regard the Act does not preclude the alteration of a Listed Building or changes to its setting. Rather it essentially directs the relevant planning authority to the desirability of their preservation and that special regard should be given to their special architectural or historic interest when making planning decisions.

Under the heading Listed Buildings, SPP states:

'Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting and any features of special architectural or historic

interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting'.

SPP states that the planning system should:

'enable a positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset and ensure that its special characteristics are protected, conserved or enhanced'.

Managing Change in the Historic Environment – Setting (2016)

Managing Change in the Historic Environment defines 'setting is the way the surroundings of a historic asset or place contributes to how it is understood, appreciated and experienced'. The setting of a historic asset can incorporate a range of factors, not all of which will apply to every case. These include:

- Current landscape or townscape context;
- Views to, from and across or beyond the historic asset or place;
- Key vistas (for instance, a 'frame' of trees, buildings or natural features that give the historic asset or place a context, whether international or not);
- The prominence of the historic asset or place in views throughout the surrounding area, bearing in mind that sites need not be visually prominent to have a setting;
- Aesthetic qualities;
- Character of the surrounding landscape;
- General and specific views including foregrounds and backdrops;
- Views from within an asset outwards over key elements in the surrounding landscape, such as the view from the principal room of a house, or from a roof space;
- Non-visual factors such as historical artistic, literary, place name, or scenic associations, intellectual relationships (e.g. to a theory, plan or design) or sensory factors;
- A 'sense of place': the overall experience of an asset which may combine some of the above factors.

The Historic Environment Scotland guidance states that there are three stages in assessing the impact of a development on setting of a historic asset or place:

- Stage 1: identifying the historic assets that might be affected by a proposed change.
- Stage 2: define the setting by establishing how the surroundings contribute to the ways in which the historic asset or place is understood, appreciated and experienced.
- Stage 3: assess how any change would impact upon the setting.

Planning history is material consideration. The applicant, as builder of the adjacent Harvieston Lodge restoration works, has a proven track record of completing high quality residential development at this location which is both sensitively restored and of attraction to the buyer market.

Planning Policy Discussion

Principle of Use

National Planning Policy encourages Local Planning Authorities to take a positive approach to development that could contribute to sustainable economic growth. SPP seeks to direct development towards the most suitable locations, and supports regeneration proposals which make the full and appropriate use of land.

As highlighted in para 3.2.1 within the MLDP, *'a key aim of the MLDP is to ensure that there is a sufficient range and choice of housing to meet all the needs and help achieve sustainable communities'*. The MLDP seeks to meet the needs of a stabilising population and a changing household formation. It will require more housing, offering greater choice and quality. The Scottish Government in SPP expects Councils to provide a range and type of housing across all market areas.

The proposed development would be an acceptable use for this location as it lies within the defined urban area of Gorebridge and within an allocated site for housing h23 (Harvieston, Gorebridge) which has a stated capacity of 211 units with an expected contribution to the housing land supply up to 2024. The wider allocation site gained planning permission in February 2016 (ref 14/00481/DPP) for 199 dwellinghouses and 12 flatted dwellings, formation of access road, car parking and associated works which has subsequently been built out. In that context, the proposed development lies within an allocated site for housing which is supported by Policy STRAT 1 and Proposal STRAT 3 in that the principle of use is accepted subject to site specific issues being resolved and ensuring it complies with the other MLDP policies.

Cultural Heritage

The application site lies adjacent to Harvieston Lodge which is Category B listed along with associated gates, gatepiers and boundary walls.

SPP notes the planning system should enable a positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use.

Policy ENV22 (Listed Buildings) seeks to protect the character or appearance of a Listed Building, this includes its setting, or any special feature of special architectural or historic interest.

Historic Environment Scotland (HES) define *'setting'* is the way the surrounding of a historic asset of place contribute to how it is understood, appreciated and experienced. Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 does not preclude the alterations of a Listed Building or changes to its setting. Rather it essentially directs the planning authority to the desirability of their preservation and that special regard should be given to their special architectural or historic interest when making planning decisions.

HES guidance *Managing Change I the Historic Environment – Setting* notes that there are 3 stages in assessing the impact of a development on the setting of a historic asset or place:

Stage 1: Identify the Historic Assets

As noted above, Harvieston Lodge, gates, gatepiers and boundary walls a Category B listed from the 19th March 1998. The description of the listing states that:

'Circa 1800. Single storey, 3 bay, rectangular plan lodge built into boundary wall of Harvieston House. Tooled squared and snecked sandstone with droved dressings polished to margins. Base course; raised margins; strip quoins; eaves course.

S (ENTRANCE) ELEVATION: symmetrical; doorway to centre; with timber door; windows to flanking bays.

E ELEVATION: not seen 1997.

N ELEVATION: not seen 1997.

W (GATE) ELEVATION: asymmetrical; broached with droved margins; bowed window to centre; window to left on flat roofed extension. Timber door set in boundary wall to outer left.

Diamond pane, 2 leaf, zinc windows. Grey slate piended roof with lead ridges. Central corniced sandstone ridge stack with fluted frieze and octagonal can. Cast iron rainwater goods.

INTERIOR: not seen 1997.

GATES, GATEPIERS AND BOUNDARY WALLS: 2 leaf decorative ironwork gate; ironwork pedestrian gate to right. 3 coursed, polished sandstone gatepiers; fluted friezes, deep cornices and pyramidal caps. Coped random rubble boundary wall to N and W'.

The Statement of Special Interest goes on to note that:

'The Borthwick family are said to have lived on the estate of Harvieston before they built Borthwick Castle, circa 1430. According to the Statistical Account the ruin of the castle was by the side of Gore Water which runs to the NW of the estate. Harvieston was the home of George Trotter Cranstoun of Dewar around 1750, when it was a building "of moderate size, with very thick walls, and having the lower part arched" (Small). It was altered in the later 19th century by Mr. Brown of Currie, and then again at the beginning of this century. From 1985 it was known as St. Aidan's and was used by the Roman Catholic Church as a training school for boys. It is presently divided up into flats (1997)'.

Stage 2: Define and Analyse the Setting

Historically gate lodges such as Harvieston Lodge (also known as North Lodge) were an eighteenth and nineteenth century phenomenon providing a small lodge at the entrance to the county mansion, in this case Harvieston House (Category C listed). The gates with their lodges were built to retain livestock and at the same time to deter intruders. However, in the space of approximately 15 years the gate lodge changed from the function of defence and vigilance into a fashion statement. Landowners recognised that power and authority could be expressed by having a strong visual statement at the main entrance leading to the big house.

The significance of the setting of Harvieston Lodge is its historic relationship with Harvieston House, being its gate lodge and entry point leading up to the house. There are now circa 211 residential

dwelling of new build design, scale and massing (199 houses and 12 flats) built on the land directly between Harvieston Lodge and Harvieston House which significantly dilutes its direct historic relationship. Therefore significant and changes the way in which the historic link between the two is understood, appreciated and experienced. Access to Harvieston House is now taken directly off the A7 (Harvieston House Drive) which is circa 417m south of the historic entrance to the property at the lodge. The historic access is now a pedestrian access only with vehicular access to the new build housing development taken off Powdermill Brae.

Now that the historic relationship with Harvieston House has been eroded, we are of the opinion that the main setting of the proposed development lies to the southern elevation of Harvieston Lodge which is the elevation seen from the A7 (south and west elevations) which is further confirmed with the items evidenced within the listing of the property.

Up until recently (2019) Harvieston Lodge was on the buildings at risk register and it was the applicant of this planning application who submitted a planning application and listed building consent application for proposed alterations and extension to the lodge so it could be brought back into a sustainable use and revitalise the existing building. The east elevation of the lodge sites adjacent to the proposed development where a modern flat roof extension has been erected, and further articulated within the listing that this elevation had nothing to note and therefore no real significance to the lodge. The same can be said with the north elevation of the lodge with nothing to note in the listing, and had fallen into disrepair with a listed building consent application was granted in 2015 to rebuild it to match existing as it had collapsed.

Stage 3: Evaluate the Potential Impact of the Proposed Changes

No development is proposed adjacent to the elevation of the lodge which has the most significance with that being the south and west elevations which are seen from the A7 and therefore the setting will be unchanged and continue to be maintained and enjoyed.

The proposed development is built away from the lodge's primary elevation and to the rear where modern additions to the lodge have been erected and therefore not competing with or altering its street frontage appearance. The lodge is not mentioned in the statement of special interest associated with the listing and therefore again aligns with the fact that the lodge itself has no real architectural or historic significance, especially that the direct relationship between it and Harvieston House has been amputated with the erection of 211 residential properties on land between the two.

Due to the reasons outlined above the proposed development will not adversely affect the impact of the character or appearance of the Category B Listed Harvieston Lodge or its setting. As noted below the proposal seeks to compliment the architectural and historical character of the lodge to ensure it sits comfortably alongside it as a neighbouring property. In that context, the proposed development adheres to the aims and objectives set out in Policy ENV22 (Listed Buildings) and the assessment of the lodge's setting has robustly and comprehensively been made in line with the requirements in the HES guidance *Managing Change I the Historic Environment – Setting*.

Residential Amenity

National Planning Policy reflects the great importance which the Scottish Government attaches to the design of the built environment. MLDP policies set out the quality of the development that is expected for the Midlothian Area

Policy DEV2 (Protecting Amenity within the Built Environment) where the principle of development is accepted on the site as long as the development does not result in a detrimental visual impact on the area or results in a harmful loss of amenity. Both Policy DEV2 and Policy DEV6 (Layout and Design of New Development) seek to safeguard the character and appearance of an area, with Policy DEV6 in particular requiring new developments to be of a good design and a high quality of architecture.

A number of changes have been made to the design of the proposed development in the context of the refusal of planning permission 20/00363/DPP:

- The scale and massing of the proposal has been reduced with the single storey porch being deleted on the front elevation;
- There is now a traditional pitched roof with both front and rear elevations sitting flush with the eaves line, with the slightly hipped corners of the roof being deleted;
- The two large hipped roof dormer windows have been replaced by one pitched roof dormer window on the front elevation with an additional velux window;
- The one large hipped roof former window on the rear elevation has been deleted and replaced by a single velux window;
- The proposed windows and doors on both the front and rear elevation have now been made smaller and more traditional for the size of the property; and,
- The front elevation wall to the proposed house is to have a stone finish to match that of Harvieston Lodge as opposed to the previous application being a rendered wall to match the surrounding area. This is an important change to reflect the setting of the south elevation of the lodge in which we have identified its significance to the setting of the listed building.

In that context, the applicant has absorbed the reasons for refusal from the previous application and made appropriate design changes which have made an improvement to the overall design and layout of the proposed dwellinghouse which is more appropriate to the site itself and in keeping with its surroundings, more noticeably tying in with the design and materials of Harvieston Lodge.

The rear and side elevation of Harvieston Lodge is at an offset angle to the western gable end of the proposed dwelling which does not include any windows and therefore does not raise and overlooking concerns of Harvieston Lodge. The positioning, scale, form and massing of the proposal, added to the distance to Harvieston Lodge ensures that there are no adverse impacts to daylight or sun light on Harvieston Lodge.

The full heritage assessment that was undertaken of Harvieston Lodge helped influence and develop a suitable design solution making appropriate changes to the previously refused proposal, lowering the profile, roof pitch, scale, massing, and materials which will preserve and enhance the Category B listed lodge and its setting. The proposal provides a sufficiently high standard of design which positively contributes to the character and appearance of not only the adjacent lodge, but a visual link between that and that of the new build residential scheme beyond.

In that context, the proposed development has been designed and developed to ensure that there are no adverse impacts on residential amenity of neighbouring properties regarding privacy, daylight and sunlight and therefore adheres to the requirements of Policy DEV2. The design of the proposal is of a high quality not just in terms of architecture, but the overall layout and its constituent parts. The layout compliments and enhances the character and setting of the adjacent listed lodge and immediate locale; has no adverse impact on surrounding residential amenity; incorporates good quality materials; which there respects what Policy DEV6 seeks to achieve and portray as a built form.

Parking

In terms of parking requirements for the proposed development, the Council's car parking standards indicate for a 3 bedroom house, there is expectation for 2 resident car parking spaces and 0.5 spaces available for visitors. In the context of the Scottish Government's '*Designing Streets*' advice, spaces can be a mixture of driveways and on-street. One car parking space has been provided within the site curtilage to promote low car ownership and promote other sustainable travel means. There are two public car parking spaces directly adjacent to the south of the proposed site which can smeeet any shortfall, as well as the surrounding streets including Cadwell Crescent, Powdermill Brae and Birken-side which do not have any parking restrictions associated to them. We have assessed these surrounding streets and there was no evidence of parking demand at the time of visiting and therefore ample additional spaces if so required.

Looking at the crashmap data there are no historical recorded accidents on Powdermill Brae nor a history of accidents due to on-street parking.

In terms of promoting sustainable transport means, the proposed development is within 50m walking distance of the bus terminus on Powdermill Brae which services Lothian Bus numbers 29 to Silverknowes through Edinburgh's City Centre, 48 to Fort Kinaird via the Royal Infirmary, and the night bus service N3 to Haymarket in the city centre of Edinburgh. The proposed site is also located within 650m (therefore defined as accessible) from Gorebridge Train Station via Powdermill Brae and Station Road providing a regular train service to both Edinburgh and the Scottish Borders.

The proposed site is also within a short walking distance of local facilities and services on Powdermill Brae.

With the absence of a garage, the applicant will provide a shed to accommodate a safe and secure point to store a bike(s) with the absence of a garage to further promote sustainable travel.

In that context, parking can easily be dealt with through a mixture of the proposed driveway and on-street, with any consequences of overspill being dealt within existing arrangements.

Summary

The proposed development would be an acceptable use for this location as it lies within the defined urban area of Gorebridge and within an allocated site for housing h23 (Harvieston, Gorebridge) which has a stated capacity of 211 units with an expected contribution to the housing land supply up to 2024.

The proposed development will not adversely affect the impact of the character or appearance of the Category B Listed Harvieston Lodge or its setting. As noted above the proposal seeks to more than compliment the architectural and historical character of the lodge to ensure it sits comfortably alongside it as a neighbouring property. In that context, the proposed development adheres to the aims and objectives set out in Policy ENV22 (Listed Buildings) and the assessment of the lodge's setting has been robustly and comprehensively made in line with the requirements in the HES guidance *Managing Change I the Historic Environment – Setting*.

The proposed development has been designed to ensure that there are no adverse impacts on residential amenity of neighbouring properties regarding privacy, daylight and sunlight. It therefore adheres to the requirements of Policy DEV2. The design of the proposal is of a high quality not just in terms of architecture, but the overall layout and its constituent parts. The layout compliments and enhances the character and setting of the adjacent listed lodge and immediate locale; has no adverse impact on surrounding residential amenity; incorporates good quality materials; which respects Policy DEV6 aims looks to portray as a built form.

Parking can easily be dealt with through a mixture of the proposed driveway and on-street provision, with any consequences of overspill being dealt with existing arrangements. The proposed site is highly accessible to regular bus services across the city, to the train station with access to Edinburgh and the wider Borders area, and to facilities and services within Gorebridge.

In terms of material considerations, these also support the planning judgement and add more weight to the assessment, being:

- The proposals comply with the Scottish Government's policy intentions for design of new homes, protection of historic places and meeting the needs of our future places for living
- The applicant has successfully completed the restoration and subsequently marketed the adjacent Harvieston Lodge property – so has proven track record of completing sensitive new development to a high quality and to the liking of the housing market.
- The relationship forged between the former Harvieston House and grounds with its Lodge house has been significantly eroded by the modern housing development positioned in the foreground between the Harvieston House and Harvieston Lodge therefore it is our view that arguments about setting have now shifted from the foreground area to the south and west elevations instead.

Through our Planning Statement and the other supporting documentation submitted, we have demonstrated that there are no significant adverse effects that outweigh the scheme's benefits and respectfully request that planning permission be granted.

Prepared By

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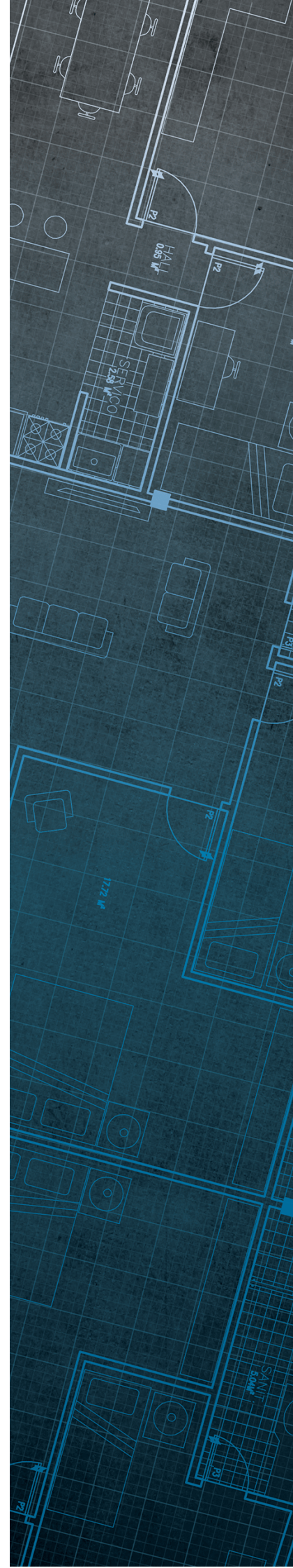
The Coal
Authority

Consultants Coal Mining Report

North Lodge
Powdermill Brae
Gorebridge
Midlothian
EH23 4NG

Date of enquiry:	24 June 2020
Date enquiry received:	24 June 2020
Issue date:	24 June 2020

Our reference:	51002287234001
Your reference:	ED4359



Consultants

Coal Mining Report

This report is based on and limited to the records held by the Coal Authority at the time the report was produced.

Client name

WARDELL ARMSTRONG LLP

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Approximate position of property



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Section 1 – Mining activity and geology

Past underground mining

No past mining recorded.

Probable unrecorded shallow workings

Yes.

Spine roadways at shallow depth

No spine roadway recorded at shallow depth.

Mine entries

None recorded within 100 metres of the enquiry boundary.

Abandoned mine plan catalogue numbers

None available.

Outcrops

No outcrops recorded.

Geological faults, fissures and breaklines

No faults, fissures or breaklines recorded.

Opencast mines

None recorded within 500 metres of the enquiry boundary.

Coal Authority managed tips

None recorded within 500 metres of the enquiry boundary.

Section 2 – Investigative or remedial activity

Please refer to the 'Summary of findings' map (on separate sheet) for details of any activity within the area of the site boundary.

Site investigations

None recorded within 50 metres of the enquiry boundary.

Remediated sites

None recorded within 50 metres of the enquiry boundary.

Coal mining subsidence

The Coal Authority has not received a damage notice or claim for the subject property, or any property within 50 metres of the enquiry boundary, since 31 October 1994.

There is no current Stop Notice delaying the start of remedial works or repairs to the property.

The Coal Authority is not aware of any request having been made to carry out preventive works before coal is worked under section 33 of the Coal Mining Subsidence Act 1991.

Mine gas

None recorded within 500 metres of the enquiry boundary.

Mine water treatment schemes

None recorded within 500 metres of the enquiry boundary.

Section 3 – Licensing and future mining activity

Future underground mining

None recorded.

Coal mining licensing

None recorded within 200 metres of the enquiry boundary.

Court orders

None recorded.

Section 46 notices

No notices have been given, under section 46 of the Coal Mining Subsidence Act 1991, stating that the land is at risk of subsidence.

Withdrawal of support notices

The property is not in an area where a notice to withdraw support has been given.

The property is not in an area where a notice has been given under section 41 of the Coal Industry Act 1994, cancelling the entitlement to withdraw support.

Payments to owners of former copyhold land

The property is not in an area where a relevant notice has been published under the Coal Industry Act 1975/Coal Industry Act 1994.

Section 4 – Further information

Based on the responses in this report, no further information has been highlighted.

Section 5 – Data definitions

The datasets used in this report have limitations and assumptions within their results. For more guidance on the data and the results specific to the enquiry boundary, please **call us on 0345 762 6848** or **email us at groundstability@coal.gov.uk**.

Past underground coal mining

Details of all recorded underground mining relative to the enquiry boundary. Only past underground workings where the enquiry boundary is within 0.7 times the depth of the workings (zone of likely physical influence) allowing for seam inclination, will be included.

Probable unrecorded shallow workings

Areas where the Coal Authority believes there to be unrecorded coal workings that exist at or close to the surface (less than 30 metres deep).

Spine roadways at shallow depth

Connecting roadways either, working to working, or, surface to working, both in-seam and cross measures that exist at or close to the surface (less than 30 metres deep), either within or within 10 metres of the enquiry boundary.

Mine entries

Details of any shaft or adit either within, or within 100 metres of the enquiry boundary including approximate location, brief treatment details where known, the mineral worked from the mine entry and conveyance details where the mine entry has previously been sold by the Authority or its predecessors British Coal or the National Coal Board.

Abandoned mine plan catalogue numbers

Plan numbers extracted from the abandoned mines catalogue containing details of coal and other mineral abandonment plans deposited via the Mines Inspectorate in accordance with the Coal Mines Regulation Act and Metalliferous Mines Regulation Act 1872. A maximum of 9 plan extents that intersect with the enquiry boundary will be included. This does not infer that the workings and/or mine entries shown on the abandonment plan will be relevant to the site/property boundary.

Outcrops

Details of seam outcrops will be included where the enquiry boundary intersects with a conjectured or actual seam outcrop location (derived by either the British Geological Survey or the Coal Authority) or intersects with a defined 50 metres buffer on the coal (dip) side of the outcrop. An indication of whether the Coal Authority believes the seam to be of sufficient thickness and/or quality to have been worked will also be included.

Geological faults, fissures and breaklines

Geological disturbances or fractures in the bedrock. Surface fault lines (British Geological Survey derived data) and fissures and breaklines (Coal Authority derived data) intersecting with the enquiry boundary will be included. In some circumstances faults, fissures or breaklines have been known to contribute to surface subsidence damage as a consequence of underground coal mining.

Opencast mines

Opencast coal sites from which coal has been removed in the past by opencast (surface) methods and where the enquiry boundary is within 500 metres of either the licence area, site boundary, excavation area (high wall) or coaling area.

Coal Authority managed tips

Locations of disused colliery tip sites owned and managed by the Coal Authority, located within 500 metres of the enquiry boundary.

Site investigations

Details of site investigations within 50 metres of the enquiry boundary where the Coal Authority has received information relating to coal mining risk investigation and/or remediation by third parties.

Remediated sites

Sites where the Coal Authority has undertaken remedial works either within or within 50 metres of the enquiry boundary following report of a hazard relating to coal mining under the Coal Authority's Emergency Surface Hazard Call Out procedures.

Coal mining subsidence

Details of alleged coal mining subsidence claims made since 31 October 1994 either within or within 50 metres of the enquiry boundary. Where the claim relates to the enquiry boundary confirmation of whether the claim was accepted, rejected or whether liability is still being determined will be given. Where the claim has been discharged, whether this was by repair, payment of compensation or a combination of both, the value of the claim, where known, will also be given.

Details of any current 'Stop Notice' deferring remedial works or repairs affecting the property/site, and if so the date of the notice.

Details of any request made to execute preventative works before coal is worked under section 33 of the Coal Mining Subsidence Act 1991. If yes, whether any person withheld consent or failed to comply with any request to execute preventative works.

Mine gas

Reports of alleged mine gas emissions received by the Coal Authority, either within or within 500 metres of the enquiry boundary that subsequently required investigation and action by the Coal Authority to mitigate the effects of the mine gas emission.

Mine water treatment schemes

Locations where the Coal Authority has constructed or operates assets that remove pollutants from mine water prior to the treated mine water being discharged into the receiving water body.

These schemes are part of the UK's strategy to meet the requirements of the Water Framework Directive. Schemes fall into 2 basic categories: Remedial – mitigating the impact of existing pollution or Preventative – preventing a future pollution incident.

Mine water treatment schemes generally consist of one or more primary settlement lagoons and one or more reed beds for secondary treatment. A small number are more specialised process treatment plants.

Future underground mining

Details of all planned underground mining relative to the enquiry boundary. Only those future workings where the enquiry boundary is within 0.7 times the depth of the workings (zone of likely physical influence) allowing for seam inclination will be included.

Coal mining licensing

Details of all licenses issued by the Coal Authority either within or within 200 metres of the enquiry boundary in relation to the under taking of surface coal mining, underground coal mining or underground coal gasification.

Court orders

Orders in respect of the working of coal under the Mines (Working Facilities and Support) Acts of 1923 and 1966 or any statutory modification or amendment thereof.

Section 46 notices

Notice of proposals relating to underground coal mining operations that have been given under section 46 of the Coal Mining Subsidence Act 1991.

Withdrawal of support notices

Published notices of entitlement to withdraw support and the date of the notice. Details of any revocation notice withdrawing the entitlement to withdraw support given under Section 41 of the Coal Industry Act 1994.

Payment to owners of former copyhold land

Relevant notices which may affect the property and any subsequent notice of retained interests in coal and coal mines, acceptance or rejection notices and whether any compensation has been paid to a claimant.

Photo 1 – Harvieston Lodge (adjacent to appeal site) – Before Mr Craig’s Development Restoration



Photo 2 – Harvieston Lodge (adjacent to appeal site) – After Mr Craig’s Development Restoration





Photo 1



Photo 2



Photo 3



Photo 4



Photo 5
House with 1 Car Parking
in Same Street



Photo 6



Photo 7

Rev	Description	Date
Capital Draughting Consultant's Ltd		
40 Dinmont Drive Edinburgh EH16 5RR		
Email. cdc.ltd@sky.com		Tel. 0131 666 1804 Mob. 07834156071
Status	Planning	
Project Title		
Proposed New 3 Bedroom Dwelling adjacent to Harvieston Lodge at Powdermill Brae Gorebridge		
Client Mr K. Craig		
Drawing Title		
Existing Site Photos		
Date	Nov '21	Scale As Shown
Drawn		
Drawing Number		Rev.
CDC/19/100/05		

MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Planning Application Reference: 21/01008/DPP

Site Address: Land at North Lodge (also known as Harvieston Lodge), Powdermill Brae, Gorebridge

Site Description:

The application site is located within a built-up area as defined by the adopted Midlothian Local Development Plan. The application site relates to approximately 252m² area of part of the garden ground that is associated with North Lodge (also known as Harvieston Lodge). The garden ground is currently enclosed by a high vertical timber fence to the southern and eastern elevations and a natural stone boundary wall to the northern elevation.

North Lodge is a single storey lodge with single storey extension that currently being erected, which is partly built into the boundary wall of Harvieston House. The lodge and boundary wall form part of the statutory category B listing. North Lodge is finished in a natural stone with a slate hipped roof. The building currently contains white timber windows. There is a single storey, flat roof contemporary extension erected to the rear/side of North Lodge.

The lodge and associated garden ground is located on the corner of Powdermill Brae and the A7, in a prominent location that is open to views from around the site.

To the south and east of the application site there is a residential development that is still currently being constructed; the dwellinghouses are primarily detached and semi-detached, traditional modern, two storey dwellings with pitched roofs. The residential development to the south and east of the application site is set back approximately 50 metres from the main road, Powdermill Brae.

To the north and north-east of the application site, at the other side of Powdermill Brae are residential dwellings; the dwellinghouses are primarily four in a block flatted dwellings which are two storey, semi-detached buildings with hipped roofs.

The land to the western side of the A7 is primarily agricultural land.

It is noted that a high timber fence has been erected to enclose land to the front and side of North Lodge along with additional timber fencing which do not benefit from planning permission.

Proposed Development: Erection of dwellinghouse

Proposed Development Details:

Planning permission is sought for the erection of a single storey, detached dwellinghouse with living accommodation afforded within the attic.

The proposed dwellinghouse has a square footprint covering approximately 82m². The proposed dwelling has a 39 degree pitched roof. The proposed dwelling measures approximately 2.9m to the eaves and 6m to the ridge. The proposed dwellinghouse contains one large, pitched roof dormer window within the front elevation and a velux roof light within the front and rear elevation.

The external walls are to be finished in a stone to the front elevation and render to the rear and sides, details of the colour or type of render have not been detailed on the submitted plans. The roof and the fascia and cheeks of the dormer windows are to be finished in slate. Details of the windows have not been included within the submitted plans.

Vehicle access to the proposed dwelling is to be taken from Cadwell Crescent, the new residential development to the south/east of the application site. The proposal is afforded parking which is offset to the front of the proposed dwelling.

It is noted that the applicant submitted a supporting planning statement with the planning application.

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

Planning permission was refused in 2020 for the erection of dwellinghouse. Planning ref: 20/000363/DPP.

Planning permission was granted in 2019 for the extension to dwellinghouse (North Lodge). Planning ref: 19/00582/DPP.

Listed building consent was granted in 2019 for the extension to dwellinghouse; installation of window; installation of replacement windows; and internal alterations (North Lodge). Planning ref: 19/00583/LBC.

It is noted that pre-application advice was provided to the applicant in 2018 with regards to the extension to dwellinghouse and internal alterations and erection of additional dwellinghouse. The applicant was advised at this that there were concerns relating to the development proposal which primarily relate to the adverse impact upon the setting of the listed building and the area and road/pedestrian safety. The erection of an additional dwelling in this located does not respect the historic character/siting of the lodge nor does it reflect the character of the area. It was concluded that the erection of an additional dwellinghouse at this site could not be supported.

Consultations:

The **Councils Policy and Road Safety Manager** offered no objection in principle to this proposal but advised of concerns over aspects of the layout. It was recommended that the plans be amended to ensure that an additional two spaces for the proposed dwelling and a visitor space provided and that the parking afforded to the existing dwelling are included. However, it was noted that visitor parking spaces

have been provided by the developer of the new residential estate and the number of spaces being provided is based on the number of new houses being developed. This additional dwelling is not proposing any additional visitor parking and would rely on the existing number of spaces available. This situation would put additional pressure on the limited number of visitor parking spaces and may result in inconsiderate or illegal on-street parking in the local area. The provision of an adequate number of residential spaces at both the Lodge and new dwelling would help mitigate this lack of visitor parking however if these residential parking spaces are not to be provided I would be recommending that this application be refused.

Scottish Water offered no objection to the development proposed. However, it was noted that this does not confirm that the proposed development can currently be serviced. It is also noted that **Scottish Water** will not accept any surface water connections into our combined sewer system. A surface water management plan is required for the site.

The **Coal Authority** offered no objection subject to conditions being attached to address coal mining legacy issues.

Representations: No representations received.

Relevant Planning Policies:

1997 places a duty on planning authorities to pay special attention to the desirability of preserving or enhancing the building or its setting or any features of special architectural or historic interest which it possesses.

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 Setting states that the setting can be important to the way in which historic structures or places are understood, appreciated and experienced. It can often be integral to a historic asset's cultural significance. Monuments, buildings, gardens and settlements were almost always placed and orientated deliberately, normally with reference to the surrounding topography, resources, landscape and other structures. Over time, these relationships change, although aspects of earlier settings can be retained.

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

Policy **DEV2: Development within the Built-up Area** states that development will not be permitted within existing and future built-up areas where it is likely to detract materially from the existing character or amenity of the area.

Policy **DEV6: Layout and Design of New Development** sets out design guidance for new developments.

Policy **DEV7: Landscaping in New Development** sets out the requirements for landscaping in new developments.

Policy **TRAN5: Electric Vehicle Charging** seeks to promote a network of electric vehicle charging stations by requiring provision to be an integral part of any new development.

Policy **ENV22: Listed Buildings** states that development will not be permitted where it would adversely affect the character or appearance of a Listed Building; its setting; or any feature of special, architectural or historic interest.

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 applicant submitted a planning statement in support of the current planning application. Within this statement it was noted that the **principle of housing on the site is acceptable, given the urban brownfield location and within a wider housing allocation, subject to compliance with relevant local development planning policies. This includes those concerning design, residential amenity, built heritage (listed buildings), and car parking** and that **there are also material considerations supporting the principle of a residential development at this location including a recently constructed large scale housing development within the former grounds of Harvieston House – material because the historical function of grounds associated with a large stately home is no longer applicable given the Council approved the large scale housing development for the housing needs of the area.***

Within the supporting planning statement, it is noted that the application site is located within the defined urban area of Gorebridge within an allocated housing site h23 where Proposal STRAT3 (Strategic Housing Land Allocation) applies. This policy supports development in principle providing it accords with other detailed policies of the MLDP. It is noted that the capacity of h23 allowed for 211 units – planning application 14/00481/DPP met this capacity, as it was for the erection of 199 dwellinghouses and 12 flatted dwellings.

The application site is located within the built-up area, as defined by policy DEV2 of the adopted local development plan, where there may be scope for the application site to be developed so long as the development proposal does not result in a detrimental visual impact on the area or results in a harmful loss of amenity.

The remaining planning issues relate to the appropriateness of the scale, mass and proportions of the dwellinghouse, the design, material finish, siting, impact upon setting of listed building, amenity space, access and parking.

Policy DEV2 and DEV6 seek to safeguard the character and appearance of an area; policy DEV6 in particular requires new developments to be of a good design and a

high quality of architecture. Policy ENV22 seeks to protect the character or appearance of a Listed Building, this includes its setting; or any feature of special, architectural or historic interest.

The submitted planning statement notes that the proposed development is built away from the lodge's primary elevation and to the rear where modern additions to the lodge have been erected and therefore not competing with or altering its street frontage appearance. The lodge is not mentioned in the statement of special interest associated with the listing and therefore again aligns with the fact that the lodge itself has no real architectural or historic significance, especially that the direct relationship between it and Harvieston House has been amputated with the erection of 211 residential properties on land between the two.

North Lodge is not a curtilage listing associated with Harvieston Lodge, it is a separate category B listed building which historically was a relatively modest structure sited on its own at the entrance to the former Harvieston House estate. Whilst there is a large residential development to the south and east of the application site, it is noted that the layout of the residential development is set back approximately 50 metres from Powdermill Brae, which respects the historic setting and character of North Lodge by allowing it to still visually read as a historic lodge/gate house. The introduction of an additional dwellinghouse will impact this and detract from the character and setting of North Lodge.

Whilst planning permission and listed building consent was granted for a considerably large contemporary extension, the extension did not visually detract with the character or appearance of North Lodge. Furthermore, the extension replaced a previous unsympathetic extension located to the same elevation. The extension is of a contrasting design and scale that does not visually compete with the historic character appearance or setting of North Lodge.

Whereas, the erection of a dwellinghouse within the garden ground associated with North Lodge does not respect the localised setting of North Lodge and in turn fails to relate to its historic character and appearance. The erection of a dwellinghouse would result in an adverse impact upon the setting of the listed building. Furthermore, the scale, form and design of the proposed dwellinghouse fails to respect the character and appearance of the listed building which also results in an adverse impact upon the setting of the listed building. Overall it is considered that the proposed dwellinghouse will materially detract from the setting of the listed building which is contrary to adopted policy ENV22.

In terms of the design of the proposed dwellinghouse, the general design of the proposed dwellinghouse fails to contribute to the character or appearance of the North Lodge. Whilst it could be argued that the proposed dwelling is a modest traditional design that would be more than acceptable in most residential areas across Midlothian, it is considered that the siting, scale or design does not reflect the character, appearance or setting of the listed building. Furthermore, the proposed dwellinghouse is not of a sufficiently high standard of design to suggest that it would positively contribute to the character and appearance of the listed building or area.

The proposed dwellinghouse will read as an alien addition to the area, and it is visually disconnected from North Lodge and the neighbouring properties surrounding the site. The proposed dwellinghouse fails to connect visually into the layout of the existing residential area or relate to the historic character, appearance or setting of North Lodge. Overall, it is considered that the proposed dwellinghouse will materially detract from the character of the area which is contrary to adopted policy DEV2.

It is noted that policy DP2 Development Guidelines, from the now superseded 2008 Midlothian Local Plan, sets out design guidance for new developments. The guidance provided in this policy has been successfully applied to development proposals throughout Midlothian and will be echoed within the Council's Supplementary Guidance on Quality of Place which is currently being drafted.

Detached, semi-detached and terraced dwellings should each be provided with a private outdoor space that is free from direct overlooking from public areas and neighbouring property as far as possible. Private open space attached to the dwelling is required for all non-flatted properties. The Council's standard requires that houses of 3 apartments to have useable garden ground no less than 110m². The proposed dwellinghouse is to be afforded approximately 65m² of useable rear garden ground; there is also a small area of garden ground to the front and sides of the proposed dwelling. The proposed dwellinghouse will not be afforded an adequate level of amenity and therefore do not comply with adopted policy DEV6 and DEV2.

The proposed dwellinghouse is to be located within the garden ground associated with North Lodge which results in the reduction of private garden ground, it is noted that North Lodge will be still be left with adequate garden ground.

The daylight and sunlight previously enjoyed by North Lodge will not be significantly affected.

The rear and side elevation of North Lodge is at an offset angle to the side elevation of the proposed dwelling; the rear, north-east corner of North Lodge is approximately 6 metres from the side elevation of the proposed dwelling. It is noted that the side elevation of the proposed dwelling does not include any windows. The proposed dwellinghouse does not raise any over-looking concerns of North Lodge.

The proposed site plan indicates that one parking space will be afforded to the proposed dwelling which is accessible via Cadwell Crescent. The development proposal fails to meet the parking standard. The proposed dwellinghouse is a three bedroom dwellinghouse which requires a total of 2.5 parking spaces to be included within the curtilage of the proposed dwellinghouse.

The Council's Policy and Road Safety Manager offered no objection to the principle of development proposal, subject to the layout being revised to address the parking space deficit. There is a requirement for an adequate number of residential spaces at both the Lodge and new dwelling otherwise this would put additional pressure on the limited number of visitor parking spaces and may result in inconsiderate or illegal on-street parking in the local area. The Council's Policy and Road Safety Manager noted that if the required residential parking spaces are not to be provided would be recommending that this application be refused.

As noted above, Scottish Water advised that they will not accept any surface water connections into our combined sewer system. However, should the application be approved then this could be addressed by condition.

Overall, all relevant matters have been taken into consideration in determining this application. It is not considered that the proposal accords 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. 21/01008/DPP

Capital Draughting Consultants Ltd
40 Dinmont Drive
Edinburgh
EH16 5RR

Midlothian Council, as Planning Authority, having considered the application by Mr K Craig, Land At North Lodge, Powdermill Brae, Gorebridge, which was registered on 20 December 2021 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Erection of dwellinghouse at Land at North Lodge, Powdermill Brae, Gorebridge

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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Proposed Block Plan	1:200	20.12.2021
Proposed Elevations	CDC/19/100/04 A 1:100	20.12.2021
Illustration/Photograph	CDC/19/100/05 EX SITE PHOTOS	20.12.2021
Proposed Site Plan	CDC/20/188/01 1:200	20.12.2021
Proposed Floor Plan	CDC/20/188/03 1:50 First	20.12.2021
Proposed Floor Plan	CDC/20/188/03 1:50 Ground	20.12.2021
Location Plan and Site Plan	CDC/21/188/00 1:1250/100	20.12.2021
Other		20.12.2021

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

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.
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.
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.

Dated 18 / 2 / 2022

A handwritten signature in black ink, appearing to be 'DR' with a stylized flourish.

.....
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

Website: 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

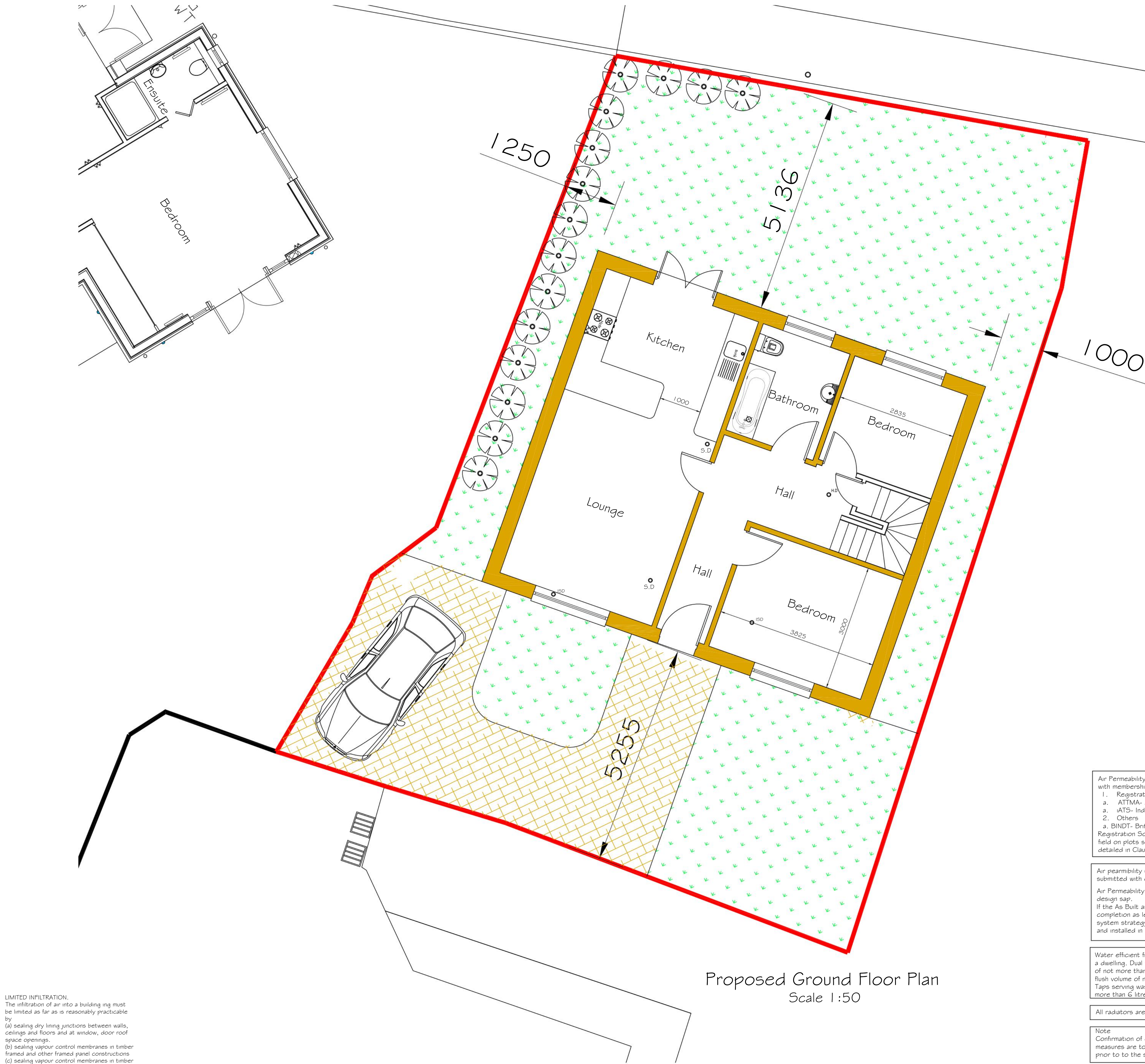
Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent 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

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

0 0.5 1 1.5 2 2.5m 5m 1:50@a1



LIMITED INFILTRATION.
The infiltration of air into a building ing must be limited as far as is reasonably practicable by
(a) sealing dry lining junctions between walls, ceilings and floors and at window, door roof space openings.
(b) sealing vapour control membranes in timber framed and other framed panel constructions
(c) sealing vapour control membranes in timber framed and other framed panel roof space openings
(d) fitting of draught stripping in the frames of operable elements of Windows, doors and rooflights.
All in accordance with BRE Report BR 265: 1994

H,D,S,D
OSD
Denotes new Optical smoke detection system in Lounge Optical smoke alarms should conform to BS EN 14604: 2005. Heat detector in Kitchen & Ionisation Smoke detector in hall to be mains connected and have battery back up. All smoke detectors to be interconnected. Detectors to be not more than 3.0m from any bedroom door, New ceiling mounted Smoke & Heat Detectors to comply with BS 5839:Part.6 :2004, and BS 5446:Part.1 :2006 & to be on a separate circuit, detector to be at least 300mm from a wall or light fitting. At least 300mm away from, and not directly above a heater or air conditioning outlet and within 7m of the doors to living rooms and kitchens see floor plans for locations.

C,M,D
Denotes Carbon Monoxide Detector. 1.0-3.0m away from appliance compliant with BS EN 50291-1: 2010 & Scottish building standards section 3.20.20.

LIMITED INFILTRATION. The infiltration of air into a building ing must be limited as far as is reasonably practicable by (a) sealing dry lining junctions between walls, ceilings and floors and at window, door roof space openings. (b) sealing vapour control membranes in timber framed and other framed panel constructions (c) sealing vapour control membranes in timber framed and other framed panel roof space openings and around services penetrations (d) fitting of draught stripping in the frames of operable elements of Windows, doors and rooflights. All in accordance with BRE Report

Ionisation smoke alarms should conform to BS EN 14604: 2005

Regulation 13
mandatory
(1) No person shall carry out work unless the following provisions of this regulation are complied with.
(2) Subject to paragraph (3), where work is to be carried out on any building site or building which is within 3.6 metres of any part of a road or other place to which members of the public have access (whether or not on payment of a fee or charge) there shall, prior to commencement of the work, be erected protective works so as to separate the building site or building or that part of the building site or building on which work is to be carried out from that road or other place.
(3) Nothing in paragraph (2) shall require the provision of protective works in any case where the local authority is satisfied that no danger to the public is caused, or is likely to be caused, by the work.
(4) The protective works referred to in the preceding paragraphs are all or any of –
(a) providing hoardings, barriers or fences;
(b) Subject to paragraph (5), where necessary to prevent danger, providing footpaths outside such hoardings, barriers or fences with safe and convenient platforms, handrails, steps or ramps, and substantial overhead coverings;
(c) any other protective works which in the opinion of the local authority are necessary to ensure the safety of the public, all of such description, material and dimensions and in such position as the local authority may direct.
(5) Nothing in paragraph(4)(b) shall require the provision of a platform, handrail, step or ramp –
(a) where no part of the existing footpath is occupied by the protective works or in connection with the work; or
(b) where that part of an existing footpath remaining unoccupied affords a safe means of passage for people, and is of a width of not less than 1.2 metres or such greater width as the local authority may direct.
(6) Any protective works shall be so erected as to cause no danger to the public and shall be maintained to the satisfaction of the local authority.
(7) Subject to paragraph (8), any protective works shall be removed –
(a) in the case of a building which has been constructed by virtue of a warrant, not more than 14 days or such longer period as the local authority may direct from the date of acceptance of the certificate of domestic | general | provision of protective works | 2006

Sap Service Uk are not certifiers of design section G

Regulation 15
requires that all building sites where there are unfinished or partially complete works are kept safe and secure

Air Permeability testing to be undertaken by a suitably accredited professional with membership of either
1. Registration schemes
a. ATTMA- Air Tightness Testing and Measuring scheme
a. iATS- Independent Airtightness Testing Scheme
2. Others
a. BINDT- British Institute of the Non Destructive Testing Air Tight Testers Registration Scheme Other organisations that are UKAS accredited in this field on plots selected by Midlothian Building Standards at the frequency detailed in Clause 6.25 and results submitted with completion submission.

Air permeability (Tightness) testing to be undertaken and results submitted with completion submission
Air Permeability design design Target is 50 m3/m2/h (5.00) as design sap.
If the As Built air permeability (tightness) rate is measured upon completion as less than m3/m2/h @ 50Pa, an alternative ventilation system strategy will be designed by a suitably qualified professional and installed in the dwelling (See B. Reg 3.14.3 & 3.14.1.1)

Water efficient fittings should be provided to all WCs and WHBs within a dwelling. Dual flush WC cisterns should have an average flush volume of not more than 4.5 litres. Single flush WC cisterns should have a flush volume of not more than 4.5 litres.
Taps serving wash or hand rinse basins should have a flow rate of not more than 6 litres per minute.

All radiators are to be fitted wwith TRVs

Note
Confirmation of completion and validation of any environmental remedial measures are to be submitted in a timely manner to allow for reviewing, prior to the submission of completion certificate.

General Notes

1. electrical :- denotes light switch
denotes light point
denotes 13amp F.P. circuit

All electrical works to be in accordance with part 4.5 of the current technical handbook, BS7671 :2006 and current I.E.E. Regulations

2. External Wall Construction to be render as existing 100mm Thermalite Block, 50mm Cavity, 9mm OSB Sheathing on, 145x45 Timber Studs at 600mm c/s with 120mm thk. Celotex FR5000 Insulation Between Studs & 25mm thk. Celotex TB4000 to room side of stud with 500 Gauge polythene as vapour barrier to internal Surface with 12.5mm thk plywood and Skim-Coat Plaster Finish to Achieve a Thermal Value of a min 0.17 W/M2.K

3. roofs :- to give 0.15 U' value (as noted) walls :- to give 0.22 U' value (as noted) Floors :- to give 0.18 U' value (as noted)

4. All drainage to be to part 3.6, 3.7 & 3.12 of the current technical handbook and to BS EN 12056-2: 2000. to be installed in accordance with manufacturer's recommended instructions

A

The electrical installation should be designed, constructed, installed and tested in accordance with the recommendations of BS7671 :2006. New electrics to be connected to existing supply. White uPVC switch covers & sockets. Outlets and controls of electrical fixtures and systems should be positioned at least 350 mm from any internal corner, projecting wall or similar obstruction and, unless the need for a higher location can be demonstrated, not more than 1.2 m above floor level. This would include fixtures such as sockets, switches. Within this height range:
• light switches should be positioned at a height of between 900 mm and 1.1 m above floor level;
• standard switched or unswitched socket outlets and outlets for other services such as telephone or television should be positioned at least 400 mm above floor level. 75% of all new artificial lighting should be low energy type. Electrical installation to be designed, constructed, installed and tested in accordance with the recommendations of BS 7671:2006, As amended and submitted only by a person or company having membership to S.I.E.L.C.T or NICEIC or similar electrical schemes recognised by the Scottish Building Standards Agency to comply with safety 4.5. Electrical fixtures and fittings to be positioned as per the Scottish Building Standards section 4.8.5.

Rev	Description	Date
Capital Draughting Consultant's Ltd		
40 Dinmont Drive Edinburgh EH16 5RR		
Email: cdc.ltd@sky.com		Tel. 0131 666 1804 Mob. 07834156071
Status	Planning	
Project Title		
Proposed New 3 Bedroom Dwelling adjacent to Harvieston Lodge at Powdermill Brae Gorebridge		
Client	Mr K. Craig	
Drawing Title	Proposed Ground Floor Plan	
Date	Nov '21	Scale As Shown
Drawn		
Drawing Number CDC/20/126/03		Rev.

Water efficient fittings should be provided to all WCs and WHBs within a dwelling. Dual flush WC cisterns should have an average flush volume of not more than 4.5 litres. Single flush WC cisterns should have a flush volume of not more than 4.5 litres. Taps serving wash or hand rinse basins should have a flow rate of not more than 6 litres per minute.

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(d) fitting of draught stripping in the frames of openable elements of Windows, doors and rooflights.
All in accordance with BRE Report BR 265: 1994

Shower Glass to BS 6262 safety tray to be of a ceramic type or similar approved

All Insulation for pipes and ducts should be carried out in accordance with with the guidance contained within BRE Report:- Ref 626 Thermal Insulation avoiding risks and to BS 5422: 2009.

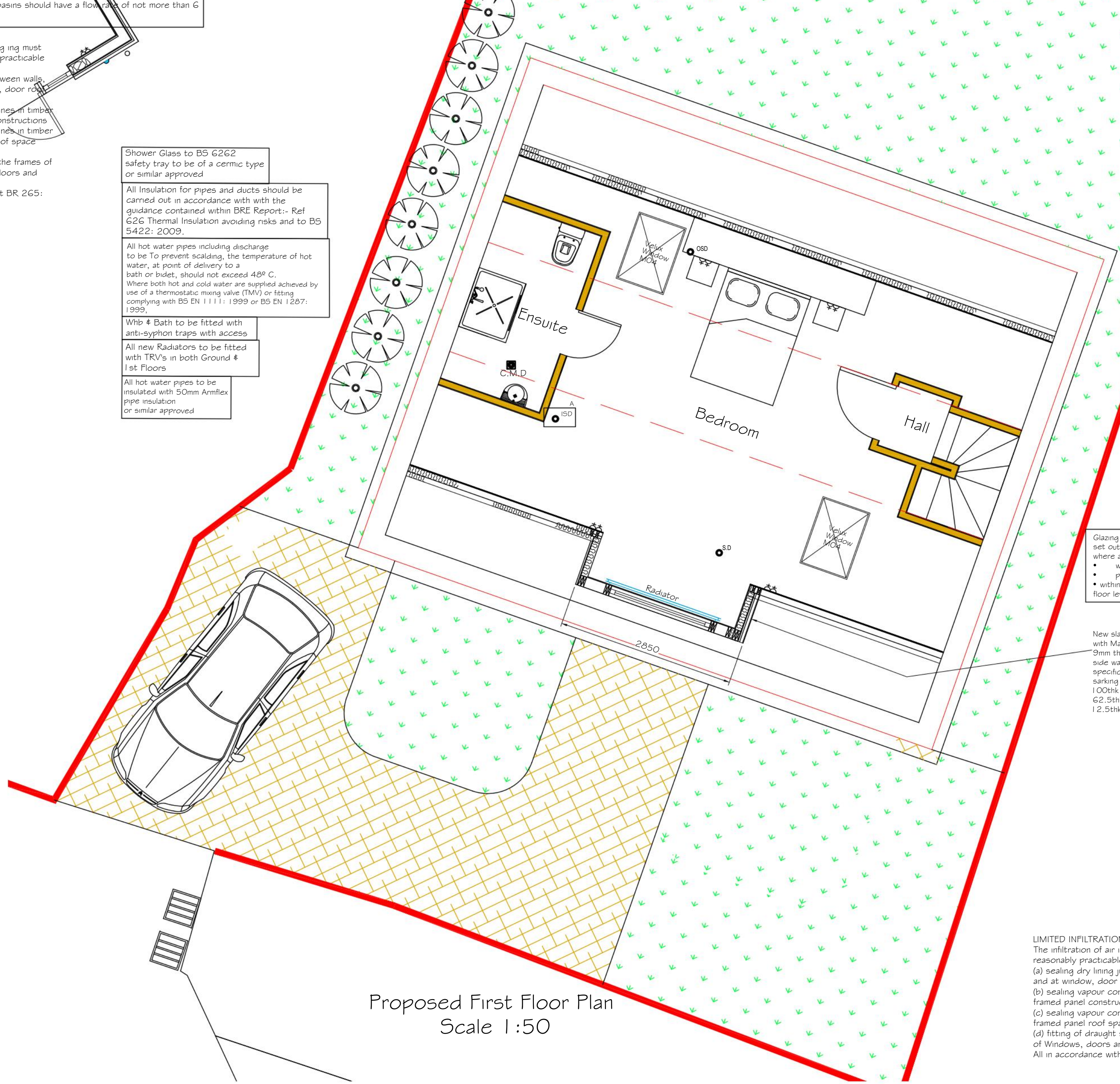
All hot water pipes including discharge to be To prevent scalding, the temperature of hot water, at point of delivery to a bath or bidet, should not exceed 48° C. Where both hot and cold water are supplied achieved by use of a thermostatic mixing valve (TMV) or fitting complying with BS EN 1111: 1999 or BS EN 1287: 1999.

Whb & Bath to be fitted with anti-syphon traps with access

All new Radiators to be fitted with TRV's in both Ground & 1st Floors

All hot water pipes to be insulated with 50mm Armlflex pipe insulation or similar approved

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The electrical installation should be designed, constructed, installed and tested in accordance with the recommendations of BS7671:2008. New electrics to be connected to existing supply. White UVC switch covers & sockets. Outlets and controls of electrical fixtures and systems should be positioned at least 350 mm from any internal corner, projecting wall or similar obstruction and, unless the need for a higher location can be demonstrated, not more than 1.2 m above floor level. This would include fixtures such as sockets, switches. Within this height range:
• light switches should be positioned at a height of between 900 mm and 1.1 m above floor level;
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Electrical installation to be designed, constructed, installed and tested in accordance with the recommendations of BS 7671:2008, As amended and submitted only by a person or company having membership to S.E.L.E.C.T or NICEIC or similar electrical schemes recognised by the Scottish Building Standards Agency to comply with safety 4.5. Electrical fixtures and fittings to be positioned as per the Scottish Building Standards section 4.8.5.

Mains operated CO2 (Carbon Dioxide) monitoring equipment should be provided in the apartment expected to be the main or principal bedroom in a dwelling where infiltrating air rates are less than 15m3/hr/ m2 @ 50 Pa. This should raise occupant awareness of CO2 levels (and therefore other pollutants) present in their homes and of the need for them to take proactive measures to increase the ventilation. Guidance on the operation of the monitoring equipment, including options for improving ventilation when indicated as necessary by the monitor, should be provided to the occupant.

Glazing should be designed to resist human impact as set out in BS 6262: Part 4: 2005, where all, or part, of a pane is:
• within 800mm of floor level, or
• part of a door leaf, or
• within 300mm of a door leaf and within 1.5m of floor level.

New slates fixed back to dormer Haftit in accordance with Manufacturer's Specification and Detail 9mm thk OSB fixed to 145x45 timber studs forming side walls to dormer, refer engineers drawings for specification Code 5 lead flashing dressed over sarking and returned 150mm up dormer walling 100thk Kooltherm insulation.Between Timber Studs 62.5thk Kooltherm insulation over Timber Studs with 12.5thk Foil Backed P/Board

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3. roofs :- to give 0.11 'U' value (as noted) walls :- to give 0.17 'U' value (as noted) Floors :- to give 0.15 'U' value (as noted)
4. All drainage to be to part 3.6, 3.7 & 3.12 of the current technical handbook and to BS EN 12056-2: 2000. to be installed in accordance with manufacturer's recommended instructions

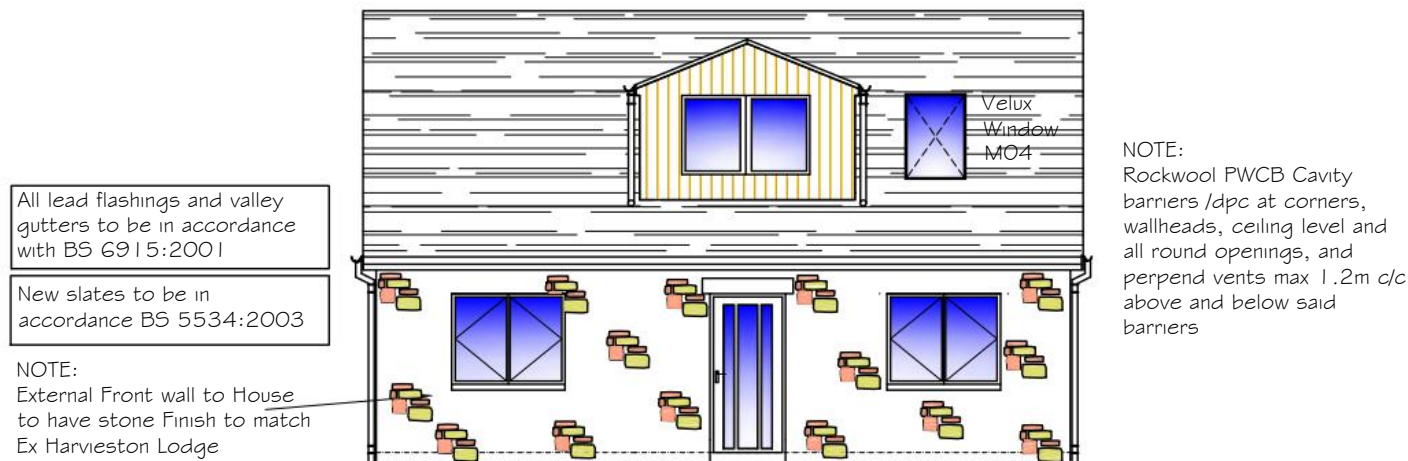
Rev	Description	Date
Capital Draughting Consultant's Ltd 40 Dinmont Drive Edinburgh EH16 5RR Email. cdc.ltd@sky.com Tel. 0131 666 1804 Mob. 07834156071		
Status Planning		
Project Title Proposed New 3 Bedroom Dwelling adjacent to Harvieston Lodge at Powdermill Brae Gorebridge		
Client Mr K. Craig		
Drawing Title Proposed First Floor Plan		
Date Nov '21	Scale As Shown	
Drawn		
Drawing Number CDC/20/126/03		Rev.



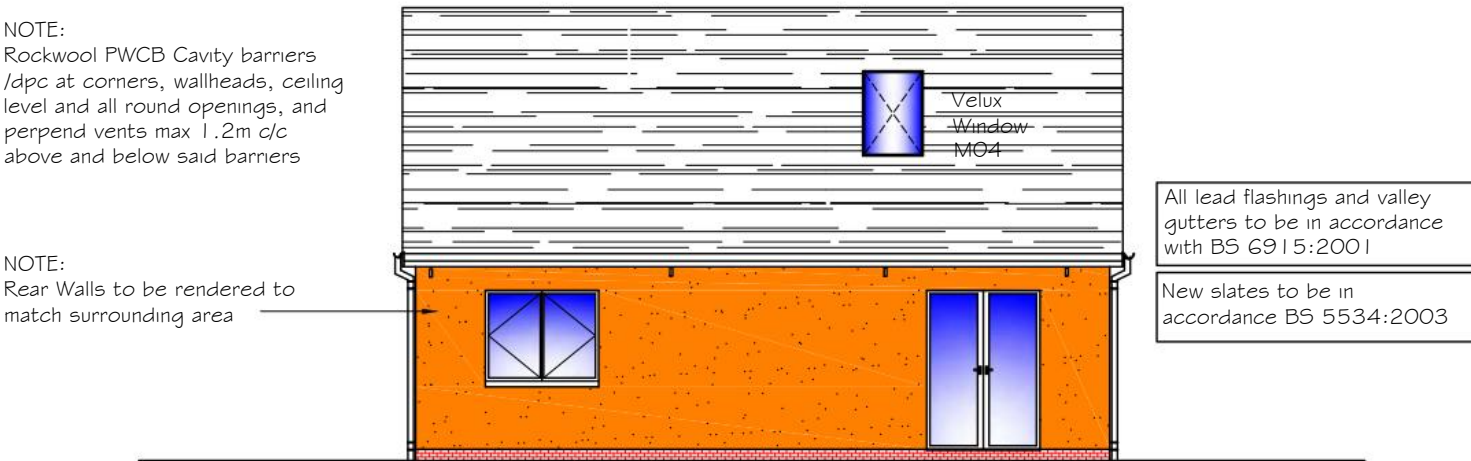
Proposed Site Plan
Scale 1:200

Rev	Description	Date
Capital Draughting Consultant's Ltd		
40 Dinmont Drive Edinburgh EH16 5RR		
Email: cdc.ltd@sky.com Tel: 0131 666 1804 Mob: 07834156071		
Status Planning		
Project Title Proposed New 3 Bedroom Dwelling adjacent to Harvieston Lodge at Powdermill Brae Gorebridge		
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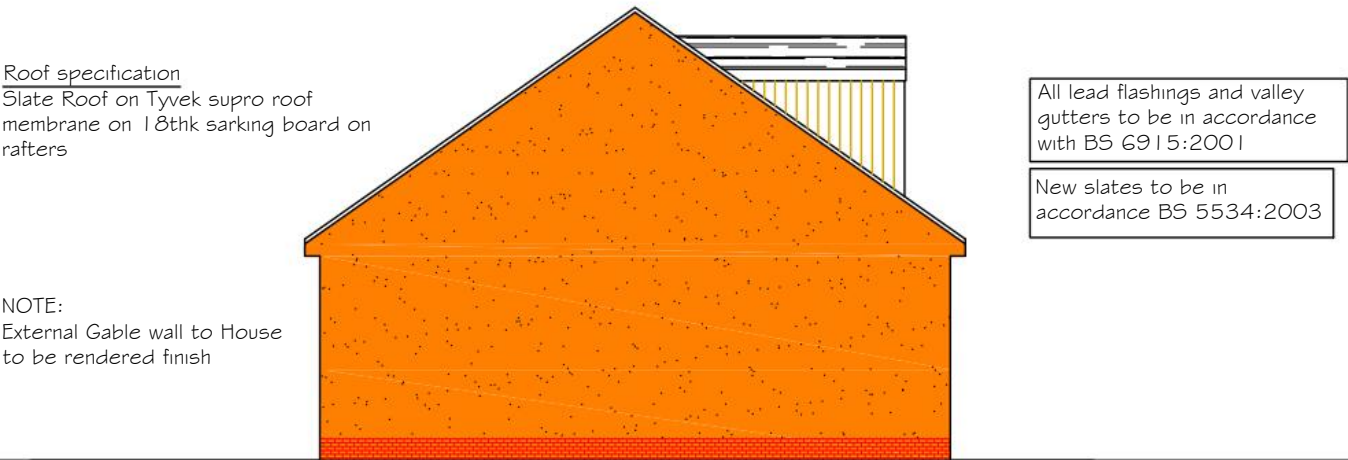
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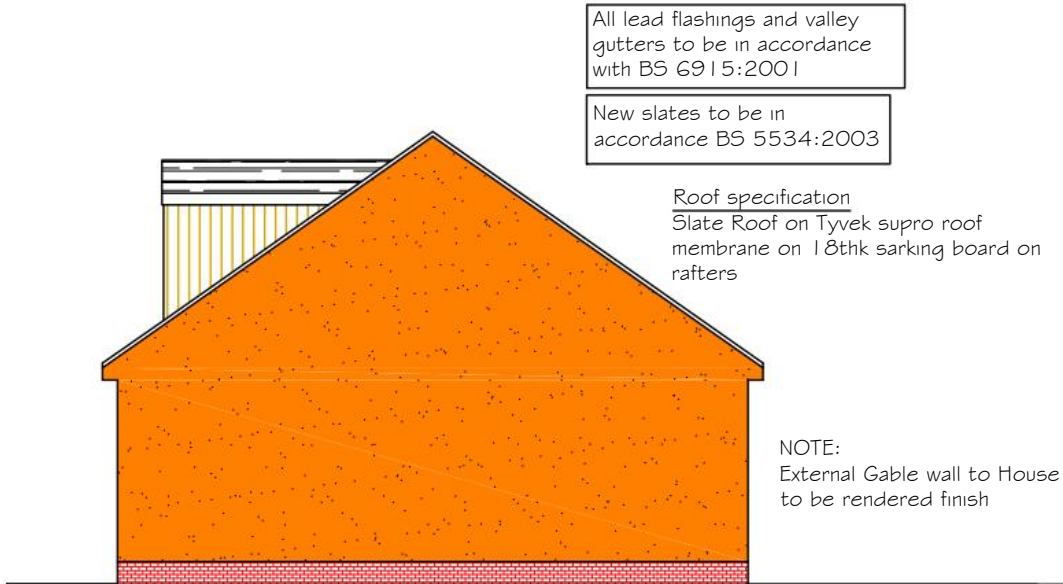
Proposed Front Elevation
Scale 1:100



Proposed Rear Elevation
Scale 1:100



Proposed Gable Elevation
Scale 1:100



Proposed Gable Elevation
Scale 1:100

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Capital Draughting Consultant's Ltd 40 Dinmont Drive Edinburgh EH16 5RR Email: cdc.ltd@sky.com Tel. 0131 666 1804 Mob. 07834156071		
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