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**APPLICATION FOR PLANNING PERMISSION 18/00099/DPP, FOR THE ERECTION OF 46 FLATTED DWELLINGS, 17 DWELLINGHOUSES AND 12 EXTRA CARE UNITS; FORMATION OF ACCESS ROADS AND CAR PARKING; SUDS FEATURES AND ASSOCIATED WORKS AT LAND AT GORE AVENUE AND NEWBYRES CRESCENT, GOREBRIDGE**

Report by Chief Officer Place

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## **1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION**

- 1.1 The application is for the erection of 46 flatted dwellings, 17 dwellinghouses and 12 extra care units (all affordable housing units); formation of access roads, car parking, a sustainable urban drainage system (SUDS) and associated works on land at Gore Avenue and Newbyres Crescent, Gorebridge.**
- 1.2 There has been one representation and consultation responses from the Coal Authority, the Scottish Environmental Protection Agency (SEPA), Scottish Water, NHS Lothian, The Wildlife Information Centre, the Council's Policy and Road Safety Manager and the Council's Senior Manager Protective Services.**
- 1.3 The relevant development plan policies are STRAT2, DEV2, DEV3, DEV5, DEV6, DEV7, DEV9, TRAN5, IT1, ENV9, ENV10, ENV16, IMP1, IMP2 and IMP3 of the Midlothian Local Development Plan 2017 (MLDP).**
- 1.4 The recommendation is to grant planning permission subject to conditions and securing developer contributions towards necessary infrastructure.**

## **2 LOCATION AND SITE DESCRIPTION**

- 2.1 The site is situated to the north of the centre of Gorebridge. The site comprises three separate plots with a combined area of 1.9 hectares. The northernmost plot is situated to the north of Gore Avenue and measures 0.2 hectares. The main plot is situated to the south of Gore Avenue and extends as far as Lower Bonnybank Road. This plot measures 1.6 hectares in area. The final plot measures 0.1 hectares and is situated on the eastern side of Newbyres Crescent between numbers 99 and 101. The plots were formerly occupied by Council**

houses which were demolished in 2016 following concerns over gas emissions from former mine workings.

- 2.2 The northernmost plot is predominantly level. The main plot slopes gently down from north to south and sits at a lower level than the adjoining gardens on Newbyres Crescent to the east. The difference in levels between the application site and the gardens varies from approximately 2m to approximately 4.5m. The slopes separating the site from the gardens are retained by timber revetting and gabion baskets. The Newbyres Crescent plot slopes down from east to west with steeply sloping areas in the former rear garden spaces. The road surface and parking areas of the former development are still in place. The building plots are made ground that has been covered by self-seeded scrub vegetation.
- 2.3 The site is bounded to the north-west by Newbyres Care Village. The southern corner of the site is bounded to the west by Gorebridge Bowling and Social Club. The remaining boundaries of the site are with existing residential gardens.

### 3 PROPOSAL

- 3.1 The proposed development forms part of the Council's housing programme and seeks to provide affordable housing. It is proposed to utilise the existing road, car parking and drainage layout to provide a replacement development comprising the following:

Unit Type	Number of units
1 bed, 2 person flat	18
1 bed, 2 person cottage flat	14
2 bed, 4 person cottage flat	14
2 bed, 4 person house	8
3 bed, 4 person house	6
3 bed, 5 person house	2
4 bed, 6 person wheelchair accessible house	1
<b>Total Social Housing</b>	<b>63</b>
1 bed, 2 person extra care house	10
2 bed, 3 person extra care house	2
<b>Total Extra Care Units</b>	<b>12</b>
<b>Total Number of units</b>	<b>75</b>

For the sake of comparison the breakdown of the former (now demolished) development was as follows:

Unit Type	Number of units
2 bed, 3 person flat	20
2 bed, 4 person flat	8
3 bed, 4 person house	18

3 bed, 5 person house	6
4 bed, 6 person house	1
Wheelchair user house	1
<b>Total Social Housing</b>	<b>54</b>
1 bed, 2 person care house	4
2 bed, 3 person care house	6
<b>Total Care Housing</b>	<b>10</b>
<b>Total number of units</b>	<b>64</b>

- 3.2 The increase in unit numbers compared to the previous scheme is primarily accounted for by the replacement of 2 storey houses with 2 storey blocks of cottage flats. The proposed development is predominantly two storey with the exception of the extra care units which will be single storey, the wheelchair accessible house which will be a bungalow with additional accommodation within the roofspace and the 18 x 1 bed flats which will be accommodated in three storey blocks. All of the buildings will have conventionally pitched roofs.
- 3.3 The walls of the buildings will be finished with white dry dash render; red brick basecourses and feature panels; and grey/blue fibre cement feature panels. The roofs will be finished with grey concrete roof tiles. The windows will have white uPVC frames and the entrance doors will be grey or white composite doors.
- 3.4 The existing road layout will be retained with one exception. The previous layout allowed free movement of vehicles from Gore Avenue to Lower Bonnybank Road and this resulted in the road being used as a rat run to avoid congestion on Gorebridge Main Street and Hunterfield Road. The proposed layout incorporates a grassed bund to close off the through route creating a cul-de-sac accessed from Lower Bonnybank Road and a loop from Gore Avenue via Newbyres Crescent. A pedestrian through route will be maintained. The bund will be adjacent to the main landscaped open space within the development. Residents of the former development experienced problems of anti-social behaviour at the raised slopes, revetting and gabion baskets along the eastern edge of the site; the proposed landscaping layout will include dense low level shrubbery on the raised slopes and access will be restricted via fencing.

## 4 BACKGROUND

- 4.1 The site was first developed for residential purposes in the late 1950's. Around 1999 the housing had reached the end of its design life and it was demolished to facilitate a modern redevelopment of the site. Consent for the Council's redevelopment (64 housing units including 10 care units) of the site was granted via a Notice of Intention to Develop (reference 07/00209/NID) and the new housing was constructed with occupation taking place circa 2009.

- 4.2 In September 2013 members of two households within the former development reported symptoms consistent with carbon dioxide exposure. Further affected residents were subsequently identified and by September 2014 22 residents, out of a total of 165 in the affected development, had reported symptoms of carbon dioxide exposure. As the number of affected residents increased NHS Lothian established an Incident Management Team in April 2014. Initial investigations concluded that the source of the carbon dioxide was most likely to be ground gas from abandoned mine workings.
- 4.3 Residents of the former development were re-housed between June 2014 and September 2015. A prior notification (reference 16/00055/PNDEM) for the demolition of the buildings was submitted in January 2016 and the buildings were demolished later that year.
- 4.4 A Proposal of Application Notice (reference 17/00913/PAC) for the redevelopment of the site was submitted in November 2017 and reported to the Planning Committee at its meeting on 9 January 2018.
- 4.5 As part of the assessment of the current application the Planning Authority issued a screening opinion for the current proposals advising that an Environmental Impact Assessment (EIA) was not required.

## 5 CONSULTATIONS

- 5.1 The **Coal Authority** does not object to the application subject to conditions to secure a scheme of intrusive site investigations and, if necessary, remediation measures; a scheme of remediation to address the risk posed by the two mine entries (shafts) within the site; and a scheme of gas protection measures.
- 5.2 The **Scottish Environment Protection Agency (SEPA)** does not object to the application confirming that ground/mining gas is a matter for the Council to consider.
- 5.3 **Scottish Water** does not object to the application. They advise that there is currently sufficient capacity within the Rosebery Water Treatment Works for future water supply. However, it was noted that capacity of the Gorebridge Waste Water Treatment Works could not be confirmed and that a detailed Pre-Development Enquiry is required to be provided to consider future connection. They also note that future capacity cannot be reserved and that capacity will be reviewed upon any formal connection application being submitted to Scottish Water. The response advises that for reasons of sustainability Scottish Water do not accept surface water drainage connections into the combined sewer system. There may be limited exceptional circumstances where connection, for brownfield sites only, will be allowed. Significant justification will be required from the customer taking account of various factors including legal, physical and technical challenges.

- 5.4 The **NHS** – The Final Report of the NHS Lothian Incident Management Team (IMT) was published in November 2017. Although not included as a recommendation in the report, the Council's then Chief Executive committed to NHS Lothian being consulted on any future planning application on the site. The planning authority's standard approach for consulting NHS Lothian is to send a consultation to the Midlothian Health and Social Care Partnership (MHSCP). A consultation was sent to MHSCP on 23 March 2018. MHSCP requested that a consultation be sent directly to the Chair of the IMT. A consultation was issued direct to the Chair of the IMT on 27 March 2018. An initial draft of the Ground Gas Discussion & Remedial Measures Proposal was prepared in March 2019 - a notification was issued to the Chair of the IMT on 12 April 2019. The proposal was then amended in May 2019 so a further notification was sent to the Chair of the IMT on 7 May 2019. A consultation reminder email was sent 4 June 2019, following which the Chair of the IMT requested access to the file transfer system used by the Council. Access was granted to the file transfer system 25 June 2019. NHS Lothian has since offered no comment on the proposal and no objection to the application.
- 5.5 The **Wildlife Information Centre (TWIC – the Council's Biodiversity Advisor)** screening process confirmed that due to the nature of the application the proposal will not have any effect on biodiversity.
- 5.6 The Council's **Policy and Road Safety Manager** does not object to the application.
- 5.7 The Council's **Senior Manager, Protective Services** was consulted in February 2018. External peer review comments received in March 2021 confirmed that the scope of the proposed remediation statement was acceptable and that a remediation statement should be prepared. At the time of drafting this Committee report a remediation strategy was being prepared.

## 6 REPRESENTATIONS

- 6.1 The application has received one representations (an objection) which can be viewed in full on the online planning application case file. The primary reasons for objection are as follows:
- The bathroom windows in the gable end of Block 02 (a three storey block of flats) will overlook the representor's garden and result in a loss of privacy;
  - The height of the three storey block will be overbearing when viewed from the representor's property;
  - The height of the three storey block will result in a loss of daylight and sunlight to the representor's property; and
  - The occupants of the flats in the previous development were responsible for multiple incidents of anti-social behaviour. It is likely that similar incidents will occur and this is unacceptable in

close proximity to the existing care village, the proposed extra care housing and the existing amenity housing on Newbyres Crescent.

## 7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan June 2013 (SESplan1) and the Midlothian Local Plan 2017 (MLDP). The following policies are relevant to the proposal:

### Midlothian Local Development Plan 2017 (MLDP)

- 7.2 Policy **STRAT2: Windfall Housing Sites** supports housing on non-allocated sites within the built-up area provided: it does not lead to loss or damage of valuable open space; does not conflict with the established land use of the area; has regard to the character of the area in terms of scale, form, design and materials and accords with relevant policies and proposals.
- 7.3 Policy **DEV2: Protecting Amenity within the Built-Up Area** states that development will not be permitted where it would have an adverse impact on the character or amenity of a built-up area.
- 7.4 Policy **DEV3: Affordable and Specialist Housing** seeks an affordable housing contribution of 25% from windfall sites identified during the plan period. Providing lower levels of affordable housing requirement may be acceptable where this has been fully justified to the Council. This policy supersedes previous local plan provisions for affordable housing; for sites allocated in the Midlothian Local Plan (2003) that do not benefit from planning permission, the Council will require reasoned justification in relation to current housing needs as to why a 25% affordable housing requirement should not apply to the site
- 7.5 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.6 Policy **DEV6: Layout and Design of New Development** states that good design and a high quality of architecture will be required in the overall layout of development proposals. This also provides guidance on design principles for development, materials, access, and passive energy gain, positioning of buildings, open and private amenity space provision and parking.
- 7.7 Policy **DEV7: Landscaping in New Development** requires development proposals to be accompanied by a comprehensive scheme of landscaping. The design of the scheme is to be informed by the results of an appropriately detailed landscape assessment.
- 7.8 Policy **DEV9: Open Space Standards** sets out the necessary open space for new developments. This policy requires that the Council

assess applications for new development against the open space standards as set out in Appendix 4 of that plan and seeks an appropriate solution where there is an identified deficiency in any of the listed categories (quality, quantity and accessibility). Supplementary Guidance on open space standards is to be brought forward during the lifetime of the plan.

- 7.9 Policy **TRAN5: Electric Vehicle Charging** seeks to support and promote the development of a network of electric vehicle charging stations by requiring provision to be considered as an integral part of any new development or redevelopment proposals.
- 7.10 Policy **IT1: Digital Infrastructure** supports the incorporation of high speed broadband connections and other digital technologies into new homes, business properties and redevelopment proposals.
- 7.11 Policy **ENV9: Flooding** presumes against development which would be at unacceptable risk of flooding or would increase the risk of flooding elsewhere. It states that Flood Risk Assessments will be required for most forms of development in areas of medium to high risk, but may also be required at other locations depending on the circumstances of the proposed development. Furthermore it states that sustainable urban drainage systems will be required for most forms of development, so that surface water run-off rates are not greater than in the site's pre-developed condition, and to avoid any deterioration of water quality.
- 7.12 Policy **ENV10: Water Environment** requires that new development pass surface water through a sustainable urban drainage system (SUDS) to mitigate against local flooding and to enhance biodiversity and the environment.
- 7.13 Policy **ENV16: Vacant, Derelict and Contaminated Land** supports the redevelopment of vacant and derelict land for uses compatible with their location. Developments will be required to demonstrate that the site is suitable for the proposed new use in terms of the risk posed by contamination and instability from historic uses.
- 7.14 Policy **IMP1: New Development** ensures that appropriate provision is made for a need which arises from new development. Of relevance in this case are education provision, transport infrastructure; contributions towards making good facility deficiencies; affordable housing; landscaping; public transport connections, including bus stops and shelters; parking in accordance with approved standards; cycling access and facilities; pedestrian access; acceptable alternative access routes, access for people with mobility issues; traffic and environmental management issues; protection/management/compensation for natural and conservation interests affected; archaeological provision and 'percent for art' provision.
- 7.15 Policy **IMP2: Essential Infrastructure Required to Enable New Development to Take Place** states that new development will not take

place until provision has been made for essential infrastructure and environmental and community facility related to the scale and impact of the proposal. Planning conditions will be applied and where appropriate, developer contributions and other legal agreements will be used to secure the appropriate developer funding and ensure the proper phasing of development.

- 7.16 Policy **IMP3: Water and Drainage** require sustainable urban drainage systems (SUDS) to be incorporated into new development.

#### National Policy

- 7.17 **SPP (Scottish Planning Policy)** sets out Government guidance for housing. All proposals should respect the scale, form and density of their surroundings and enhance the character and amenity of the locality. The individual and cumulative effects of infill must be sustainable in relation to the social and economic infrastructure of a place, and must not lead to over-development.
- 7.18 SPP encourages a design-led approach in order to create high quality places. It states that a development should demonstrate six qualities to be considered high quality, as such a development should be; distinctive; safe and pleasant; welcoming; adaptable; resource efficient; and, easy to move around and beyond. The aims of the SPP are developed within the local plan and local development plan policies.
- 7.19 SPP states that *“design is a material consideration in determining planning applications and that planning permission may be refused and the refusal defended at appeal or local review solely on design grounds”*.
- 7.20 SPP supports the Scottish Government’s aspiration to create a low carbon economy by increasing the supply of energy and heat from renewable technologies and to reduce emissions and energy use. Part of this includes a requirement to guide development to appropriate locations.
- 7.21 SPP introduces a *‘presumption in favour of development that contributes to sustainable development’* but goes on to state that:  
  
*“The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost”*.
- 7.22 Paragraph 29 of SPP then goes on to state that decisions on sustainable development should be guided by the following principles:
- giving due weight to net economic benefit;

- responding to economic issues, challenges and opportunities, as outlined in local economic strategies;
- supporting good design and the six qualities of successful places;
- making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;
- supporting delivery of accessible housing, business, retailing and leisure development;
- supporting delivery of infrastructure, for example transport, education, energy, digital and water;
- supporting climate change mitigation and adaptation including taking account of flood risk;
- improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;
- having regard to the principles for sustainable land use set out in the Land Use Strategy;
- protecting, enhancing and promoting access to cultural heritage, including the historic environment;
- protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;
- reducing waste, facilitating its management and promoting resource recovery; and
- avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

- 7.23 The Scottish Government policy statement **Creating Places** emphasises the importance of quality design in delivering quality places. These are communities which are safe, socially stable and resilient.
- 7.24 **Designing Places, A Policy Statement for Scotland** sets out the six key qualities which are at the heart of good design namely identity, safe and pleasant environment, ease of movement, a sense of welcome, adaptability and good use of resources.
- 7.25 **The Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design.
- 7.26 The Scottish Government policy statement **Designing Streets** emphasises that street design must consider place before movement, that street design guidance (as set out on the document) can be a material consideration in determining planning applications and that street design should be based on balanced decision-making. Of relevance in this case are the statements that:

'On-plot parking should be designed so that the front garden is not overly dominated by the parking space.'

'Parking within the front curtilage should generally be avoided as it breaks up the frontage, can be unsightly and restricts informal surveillance. On-plot parking may be suitable in restricted situations when integrated with other parking solutions and when considered in terms of the overall street profile.'

## **8 PLANNING ISSUES**

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The representation and consultation responses received are material considerations.

### Principle of Development

- 8.2 The application site is situated within the built-up area of Gorebridge where there is a presumption in favour of appropriate development. MLDP policies DEV2 and STRAT2 support the principle of development within the built-up area subject to the details of the proposal being acceptable. Furthermore, the site has intermittently accommodated residential development since the late 1950's – the last scheme built 2007-2009 and occupied in 2009 was demolished in 2016 because of concerns over gas. The principle of residential development on the site is acceptable.

### Ground Conditions and Remediation Strategy

- 8.3 There remains an outstanding concern over carbon dioxide exposure and the absence of an acceptable remediation strategy to address the risk – the applicant has committed to preparing a remediation strategy, but has not been able to conclude this matter prior to the drafting of this Committee report. It is the current practice to attach contaminated land conditions to the majority of permissions for the erection of new buildings outwith the curtilage of existing dwellinghouses. The standard conditions secure site investigation works, remediation strategies (if required) and validation reports to confirm that remediation works have been satisfactorily carried out prior to the occupation of the building.
- 8.4 Whilst some of the information that would ordinarily be submitted to discharge such conditions has already been submitted, in the absence of a finalised remediation strategy it is still necessary to attach the full conditions. Information submitted to assess such conditions is assessed by the planning authority in consultation with the Council's Senior Manager, Protective Services and also by external peer reviewers with specialist knowledge of contaminated land issues and remediation strategies. In addition to the planning authority's role in assessing such information the building warrant process also assesses the safety and installation of remediation measures.

- 8.5 The planning authority has made it clear to the applicant since pre-application discussions that the issue of a remediation strategy would need to be considered at an earlier phase of the development process than ordinarily happens. Extensive negotiations have been carried out since early 2018 between the applicant and their specialist consultants and the Council's protective services officers and their external peer reviewers; a scope for the remediation strategy was agreed in March 2021 and work has been progressing on the preparation of the strategy since then.

#### Design and Layout

- 8.6 With the exception of a minor adjustment to close off the through road the street and landscape layout is the same as the previously constructed 2007-2009 scheme. The buildings scale, design, layout and finish materials are comparable to the previously constructed scheme and the proposed development will be in keeping with the character and appearance of the surrounding area.
- 8.7 The development layout provides 73 car parking spaces within the application site boundary, this is an increase of 19 spaces when compared to the previous built layout. The proposed spaces are broken down as follows: 22 courtyard spaces; 42 on street bays (comprising a mix of 9 parallel spaces and 33 end on spaces); and 9 spaces within the curtilage of dwellinghouses. In addition the extra care housing has access to 18 spaces that are situated immediately to the north of the site and are shared with Newbyres Care Village.

#### Amenity of Local Residents

- 8.8 The similarities (with the 2007-2009 scheme) in site layout and the size of the proposed buildings mean that the impact on the amenity of neighbouring residents is broadly the same as that for the previous layout which was considered to be acceptable. The most obvious difference is the Gore Avenue frontage where the gable elevation of a three storey block of flats faces towards the garden and rear elevation of a single storey semi-detached bungalow on Newbyres Crescent. The previous layout at this location on the site included a 2 ½ storey block of flats which stepped down to a two storey cottage flatted block closest to the Newbyres Crescent property.
- 8.9 There are significant level changes between the application site and the neighbouring property which mean that the finished floor level of ground floor of the flats will be 3m below that of the bungalow. This will mean that the impact of the gable elevation will be similar to that of a two storey property when viewed from a site where levels are uniform. The gable elevation will not appear as over-bearing when viewed from the neighbouring bungalow or its garden. The level changes, in conjunction with the layout of the proposed development, will also

ensure that the bungalow and its garden will continue to receive adequate levels of daylight and sunlight. There will be no windows in the gable elevation facing towards the bungalow and this will ensure that there will be no significant increase in overlooking when compared to the former situations.

- 8.10 The allocation of properties and any instances of regular anti-social behaviour by residents are matters for the Council as housing authority, but are not matters within the control of the planning authority and are not material considerations in the assessment of the application.

#### Developer Contributions

- 8.11 The site is in the A7/A68 Borders Rail Line Corridor and the site is specifically identified in the MLDP as being required to contribute towards Borders Rail - proportionate contribution will be sought from the additional nine houses (not the extra care units). A proportionate contribution will also be sought towards the Gorebridge Town Centre improvements and towards Gorebridge Community facilities.
- 8.12 The non-care elements of the 2007-2009 scheme comprised two, three and four bedroom units and contributions towards education provision were secured on the basis of the anticipated number of child bed spaces. The current scheme includes more units than the 2007-2009 scheme, however it also includes 32 x one bedroom units. Given the previous contribution towards education infrastructure and the proposed number of one bedroom units there is no requirement for further contributions towards education infrastructure.

## **9 RECOMMENDATION**

- 9.1 That planning permission be granted for the following reason:

*The site is situated within the built-up area and has a long history of residential development of similar scale to the proposal. The proposed development will be in keeping with the scale and character of the surrounding area; will provide adequate open space and parking provision; and will not have a significant detrimental impact on the residential amenity of the area. The proposal therefore complies with policies STRAT2, DEV2, DEV3, DEV5, DEV6, DEV7, DEV9, TRAN5, IT1, ENV9, ENV10, ENV16, IMP1, IMP2 and IMP3 of the Midlothian Local Development Plan 2017.*

Subject to:

- i) the completion of a planning obligation to secure:
- A financial contribution towards public transport (Borders Rail Line);
  - A financial contribution towards town centre improvements; and
  - A financial contribution towards community facilities.

The legal agreement shall be concluded within six months. If the agreement is not concluded timeously the application will be refused.

ii) the following conditions:

1. Development shall not begin until a scheme to deal with any contamination of the site has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and shall include:
  - i. the nature, extent and types of contamination on the site;
  - ii. measures to treat or remove contamination to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination originating within the site;
  - iii. measures to deal with contamination encountered during construction work; and
  - iv. the condition of the site on completion of the specified decontamination measures.
2. On completion of any decontamination/ remediation works, referred to in Condition 1, and prior to any building on the site being occupied or brought into use, a validation report prepared by a suitably competent person shall be submitted to the planning authority confirming that the works have been carried out in accordance with the approved scheme. No building on the site shall be occupied or brought into use unless or until the planning authority have approved the required validation.

***Reason for conditions 1 and 2: 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.***

3. Development shall not begin until a scheme to deal with the risks posed by the coal mining legacy within the surrounding area has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and shall include:
  - i. the undertaking of an appropriate scheme of intrusive site investigations;
  - ii. the submission of a report of findings arising from the intrusive site investigations;
  - iii. the submission of a scheme of remedial works for treatment to treat any areas of shallow mine workings; and

- iv. the submission of a scheme of remedial works for the mine entries within the site.
4. On completion of any remediation works, referred to in Condition 3, and prior to any building on the site being occupied or brought into use, a validation report prepared by a suitably competent person shall be submitted to the planning authority confirming that the works have been carried out in accordance with the approved schemes. No building on the site shall be occupied or brought into use unless or until the planning authority have approved the required validation.

***Reason for conditions 3 and 4: To ensure that any risks posed by the coal mining history of the area are identified and addressed prior to further development commencing.***

5. Development shall not begin until a scheme of hard and soft landscaping has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
- i existing and finished ground levels and floor levels for all buildings, roads, parking areas and paths in relation to a fixed datum;
  - ii existing trees, landscaping features and vegetation to be retained, removed, protected during development (to BS 5837:2012) and in the case of damage, restored;
  - iii proposed new planting including trees, shrubs, hedging and grassed areas;
  - iv location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
  - v schedule of plants to comprise species, plant sizes and proposed numbers/density;
  - vi programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping shall be completed prior to the development being occupied. Any tree felling or vegetation removal proposed as part of the landscaping scheme shall take place out with the bird breeding season (March-August); unless a suitably qualified ecologist has carried out a walkover survey of the felling/removal area in the 48 hours prior to the commencement of felling/removal, and confirmed in writing that no breeding birds will be affected;
  - vii proposed car park configuration and surfacing;
  - viii details of the location, design, height and specification of proposed street lighting within the development;
  - ix proposed footpaths; and
  - x proposed cycle parking facilities.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

**Reason:** *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policy DEV7 of the Midlothian Local Development Plan 2017 and national planning guidance and advice.*

6. Development shall not begin until details and, if requested, samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

**Reason:** *In the interest of protecting the character and appearance of the area; the amenity of future residents or occupiers; and so as to comply with policy DEV2 of the Midlothian Local Development Plan 2017.*

7. Development shall not begin until details of the provision and use of electric vehicle charging stations have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** *To ensure the development accords with the requirements of policy TRAN5 of the Midlothian Local Development Plan 2017.*

8. Development shall not begin until details, including a timetable of implementation, of superfast broadband have been submitted to and approved in writing by the planning authority. The details shall include delivery of superfast broadband prior to the occupation of the building. The delivery of superfast fibre broadband shall be implemented as per the approved details or such alternative as may be approved in writing by the planning authority.

**Reason:** *To ensure the quality of the development is enhanced by the provision of appropriate digital infrastructure; and to comply with policy IT1 of the Midlothian Local Development Plan 2017*

9. Development shall not begin until details of a scheme to deal with surface water drainage has been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** *To ensure that the development is provided with adequate surface water drainage; and to ensure that development complies with policies ENV9 and ENV10 of the Midlothian Local Development Plan 2017.*

10. Development shall not begin until details of a sustainability/biodiversity scheme for the site, including the provision of house bricks and boxes for bats and swifts throughout the development and the provision of hedgehog friendly fencing throughout the development, has been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing by the planning authority.

**Reason:** *To ensure the development accords with the requirements of policy DEV5 of the Midlothian Local Development Plan 2017.*

11. Development shall not begin until details, including a timetable of implementation, of “Percent for Art” have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing by the planning authority.

**Reason:** *To ensure the quality of the development is enhanced by the use of art to reflect its setting in accordance with policies in the Midlothian Local Development Plan 2017 and national planning guidance and advice.*

12. No development shall begin in any part of the site until the following additional procedures have been completed:

- a) The developer has submitted to the planning authority details of the measures it proposes to ensure that all the flats/dwellinghouse/extra care housing built on the site are occupied in perpetuity only as affordable housing as defined in the Midlothian Local Development Plan 2017;
- b) The planning authority has approved the measures, submitted to discharge requirement 12 a) above, in writing; and

- c) The developer has provided documentary evidence to the planning authority that the measures that the planning authority has approved are in place and the planning authority has confirmed in writing that the provision that has been made is satisfactory.

**Reason:** *The application has been assessed on the basis that the development provides affordable housing and this condition is essential in order to ensure that the flats/dwellinghouses remain available for occupation by people on modest incomes to meet locally the identified needs of people who cannot afford to buy or rent housing generally available on the open market.*

13. Development shall not begin until an application for approval of matters specified in conditions for a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the planning authority. The CEMP shall include:

- i. Details of construction access routes;
- ii. signage for construction traffic, pedestrians and other users of the site;
- iii. controls on the arrival and departure times for construction vehicles, delivery vehicles and for site workers (to avoid school arrival/departure times);
- iv. details of piling methods (if employed);
- v. details of any earthworks;
- vi. control of emissions strategy;
- vii. a dust management plan strategy;
- viii. waste management and disposal of material strategy;
- ix. a community liaison representative will be identified to deal with the provision of information on the development to the local community and to deal with any complaints regarding construction on the site;
- x. prevention of mud/debris being deposited on the public highway;
- xi. material and hazardous material storage and removal; and
- xii. controls on construction, engineering or any other operations or the delivery of plant, machinery and materials (to take place between 0700 to 1900hrs Monday to Friday and 0800 to 1300hrs on Saturdays).

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

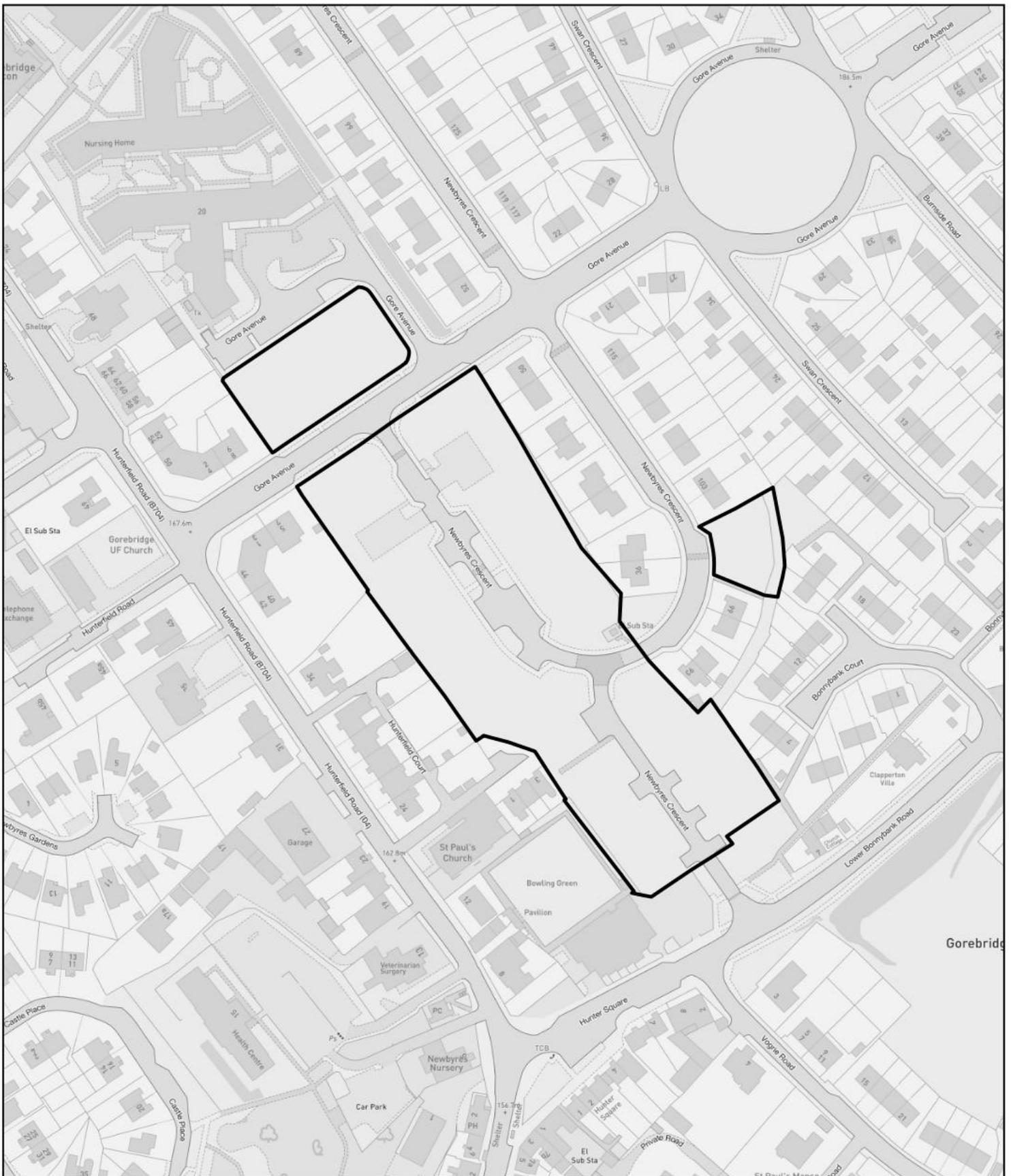
**Reason:** *In order to control the construction activity on the site, ensure environmental impact during the construction period is acceptable and to ensure appropriate mitigation is in place.*

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 or any subsequent order amending or superseding it, no extensions to the dwellinghouses, flats or Extra Care Housing nor the erection of any new buildings within the curtilage of the dwellinghouses, flats or Extra Care Housing shall be permitted without the submission of a planning application.

***Reason:** To ensure that any extensions or detached buildings are provided with adequate gas mitigation measures.*

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

**Date:** 4 March 2022  
**Application No:** 18/00099/DPP  
**Applicant:** Hart Builders  
**Agent:** Hackland + Dore  
**Validation Date:** 15 February 2018  
**Contact Person:** Graeme King  
**Email:** [graeme.king@midlothian.gov.uk](mailto:graeme.king@midlothian.gov.uk)  
**Background Papers:** 07/00209/NID, 17/00913/PAC



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

Erection of 46 flatted dwellings; 17 dwellinghouses and 12 extra care units; formation of access roads and car parking; SUDS features and associated works at Land At Gore Avenue And Newbyres Crescent, Gorebridge,

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File No: 18/00099/DPP

Scale:1:2,000

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- 1 bed 2 person flats - type C1 x 18
  - 1 bed 2 person cottage flats - type C2 x 14
  - 2 bed 4 person cottage flats - type E x 14
  - 2 bed 4 person house - type G x 8
  - 3 bed 4 person house - type H x 6
  - 3 bed 5 person house - type J x 2
  - 4 bed 6 person wheelchair accessible house - type N x 1
- Total 63 units      66 car parking spaces**

Extra Care:      12no.  
 1 bed / 2 person      10no.  
 2 bed / 3 person      2no.

- Total 75no. dwellings**
- EC1 1 bed 2 person x 3
  - EC2 1 bed 2 person x 2
  - EC3 1 bed 2 person x 4
  - EC4 2 bed 3 person bariatric units x 2
  - EC5 2 bed 3 person bariatric units x 1
- Total 12 units      18 car parking spaces**

rev D lockable gates shown to access eastern boundary for landscape and maintenance to maintain shrubs. Block 08 footprint moved towards footpath for levels      18-03-20 JP  
 rev C planning application      18-03-20 JP  
 rev B amendments:      17-11-20 JP  
 1. turning head landscaping amended  
 2. footpath to Block 08 amended  
 rev A amendments:      17-11-20 JP  
 1. care units amended to include additional bariatric unit  
 2. fenced blocks moved to Gore avenue in line with planning comments  
 3. block 17 repositioned to face main street  
 4. turning head for refuse vehicles added

Headland Consultants Ltd 1017/PL/002 D	1017/PL/002 D	1017/PL/002 D	1017/PL/002 D
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Not to Scale

**Headland** **Consultants**

1017/PL/002 D



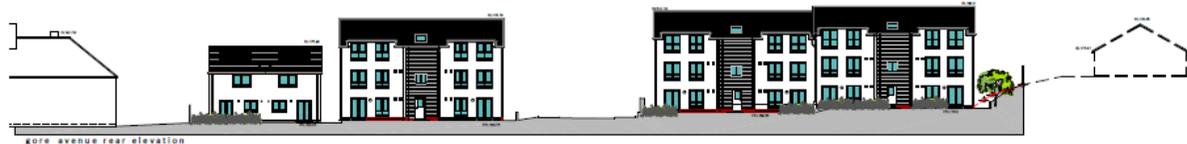
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gore avenue elevation



gore avenue rear elevation



main street elevation a-a



main street elevation b-b

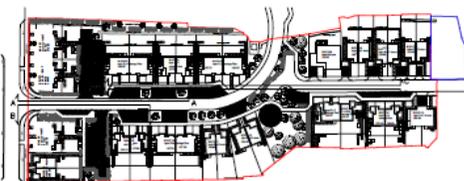


main street elevation c-c

landscaped mound separating road and cul de sac



main street elevation d-d



**Not to Scale**

**Hatchell** **Design**  
 111 Ansonia Court  
 Millersburg WA 6105  
 Telephone: (08) 9427 7122  
 Fax: (08) 9427 7123  
 www.hatchelldesign.com

Drawings and Data used in Electronic Version	Proposed main street elevations	File No.	1017	Revision	001
Drawings and Data used in Electronic Version	Proposed main street elevations	Date	10/11/17	Scale	1:100 (A3) 1:100 (A4)
Drawings and Data used in Electronic Version	Proposed main street elevations	Project No.	1017(P)	Sheet No.	100

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east elevation



west elevation



main street elevation



internal courtyard elevation

Not to Scale

scale at 1:100

15m

**Philipp Dreier**  
Architect  
11 Ansonville Street  
Singapore 079944  
Tel: +65 6334 1122  
Fax: +65 6334 1123  
www.philippdreier.com

proposed external materials

- external walls:  
3 course red brick base course  
white dry dash render
- feature panels:  
marley etemit natura - blue grey  
cladding to entrance porch red brick
- feature panels
- roof:  
concrete interlocking tiles
- windows:  
white UPVC windows
- Doors:  
Composite white doors

Extra Care: 12 no.  
1 bed / 2 person 10 no.  
2 bed / 3 person  
bariatric units 02 no.

Total 12 no. dwellings

Drawings and Data Date and Frequency Control	care unit elevations	Date	Drawn by
10/03/2024	10/03/24	10/03/24	1017(PL) 004

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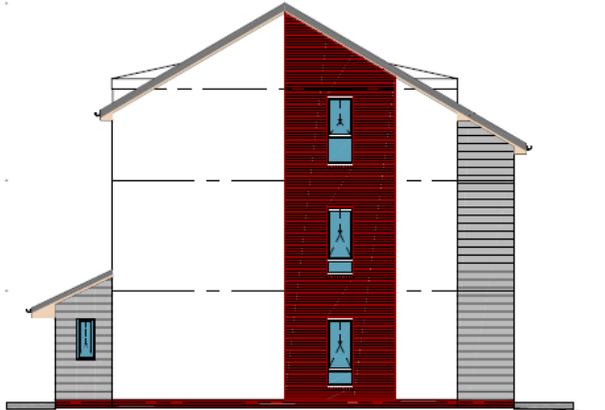
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block 02 front elevation to Gore Avenue

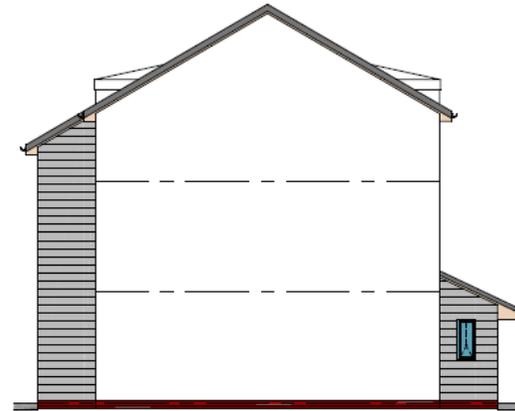
**Type C1**  
**1 Bed 2 person flats**

- proposed external materials
- external walls:  
 3 course red brick base course  
 white dry dash render
  - feature panels  
 marley steamit natura - blue grey  
 cladding to entrance porch and  
 communal stair  
 red brick feature panels on gables
  - roof  
 concrete interlocking tiles
  - windows  
 white UPVC windows
  - Doors  
 Composite grey doors



block 02 gable elevation

red brick feature panel to gables at entrance into site



block 02 gable elevation

**Not to Scale**

**Hullthorn Design**  
 10 Knowledge Drive  
 Millers Dale  
 Hull, HU11 2JG  
 Telephone: 01482 341712  
 Fax: 01482 341713  
 email: hullthorn@hullthorn.com

Block 02 - 1st Type C1 - 1 Bed 2 person front elevations	Block 02 - 1st Type C1 - 1 Bed 2 person front elevations	08/04/2022	10/04/2022
Block 02 - 1st Type C1 - 1 Bed 2 person front elevations	Block 02 - 1st Type C1 - 1 Bed 2 person front elevations	10/04/2022	10/04/2022

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**Type C1**  
**1 Bed 2 person flats**



- marley etemit natura -  
 blue grey cladding to entrance porch and communal stair  
 - three course base red brick

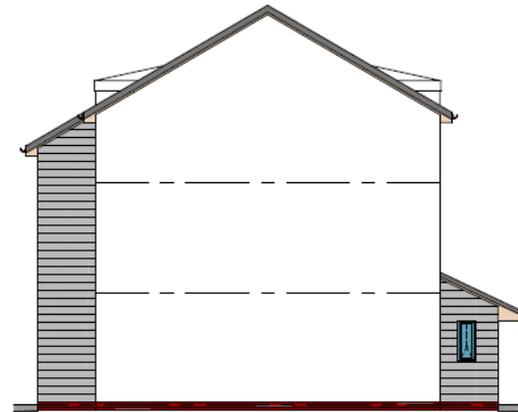
block 02 rear elevation

- proposed external materials
- external walls:  
 3 course red brick base course  
 white dry dash render
  - feature panels  
 marley etemit natura - blue grey  
 cladding to entrance porch and  
 communal stair  
 red brick feature panels on gables
  - roof  
 concrete interlocking tiles
  - windows  
 white UPVC windows
  - Doors  
 Composite white doors



block 02 gable elevation

- marley etemit natura -  
 blue grey cladding to entrance porch and communal stair  
 - three course base course red brick



**Not to Scale**

**Edmond Dean**  
 101 Ansonville Drive  
 Hedderston, Glasgow G12 0JG  
 Telephone: 0141 844 7112  
 Email: info@edmond-dean.com

Author	Block 02 - flat type C1 1 bed 2 person	Date	17.01.2017
Check	Block 02 - flat type C1 1 bed 2 person	Drawn	1017/PL 222
Scale	1:100	Project	

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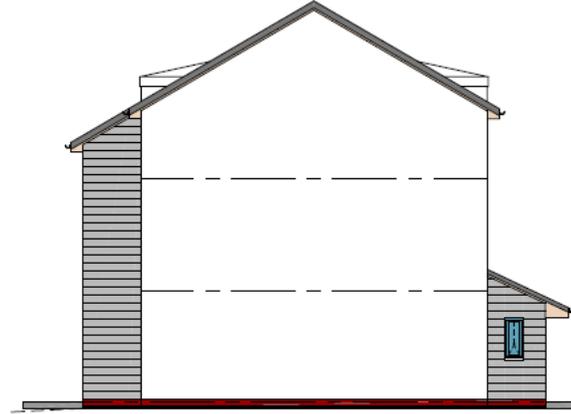
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**Type C1**  
**1 Bed 2 person flats**



block 03 rear elevation



block 03 gable elevation

proposed external materials

external walls:  
 3 course red brick base course  
 white dry dash render

feature panels  
 marley element natura - blue grey  
 cladding to entrance porch and  
 communal stair  
 red brick feature panels on gables

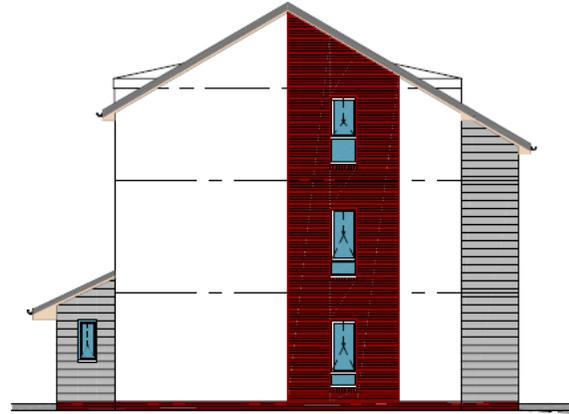
roof  
 concrete interlocking tiles  
 photovoltaics on main roof

windows  
 white UPVC windows

Doors  
 Composite white doors



block 03 front elevation



block 03 gable elevation

**Not to Scale**

**Hedderley Colwell**  
 111 Liverpool Street  
 Edinburgh EC2 2JF  
 Tel: 0131 222 7700  
 Fax: 0131 222 7701  
 www.hedderleycolwell.com

Approved and sealed by the Architect	Block 03 - flat type C1 1bed 2 person	Project No.	1017/PL/2018
Approved and sealed by the Planning Authority	Edinburgh	Drawn	1017/PL/2018
Approved and sealed by the Building Authority	Edinburgh	Scale	1:100

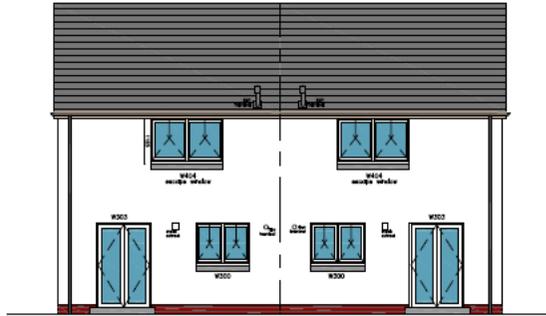
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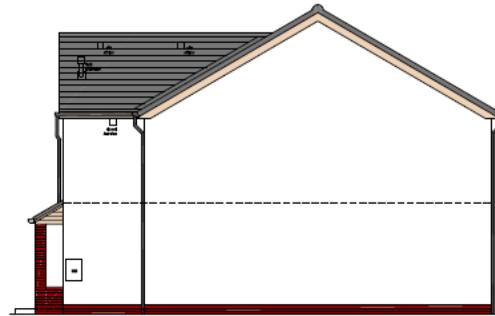
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**Type G  
 2 Bed 4 person house**

- proposed external materials
- external walls:  
 3 course red brick base course  
 white dry dash render
  - roof  
 concrete interlocking tiles  
 photovoltaics on main roof
  - windows  
 white UPVC windows
  - Doors  
 Composite grey doors
  - red brick piers to entrance canopies



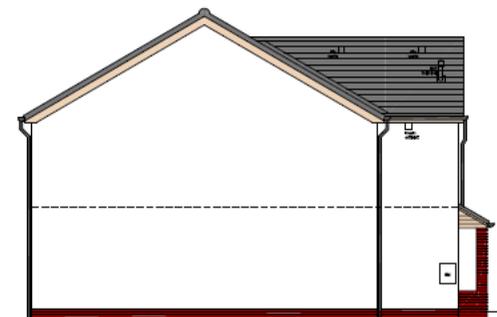
block 04 rear elevation



block 04 gable elevation



block 04 front elevation



block 04 gable elevation

**Not to Scale**

**Helethorns**  
 111 Woodlands Drive  
 Ashburton, Dunedin  
 Telephone: 03 478 1200  
 Fax: 03 478 1202  
 www.helethorns.co.nz

Project Name	House Type G - 2 bed 4 person semi detached	Drawn by	18/04/21	Scale	1:100
Client	Helethorns Council, 111, 112 and 113 Woodlands Drive	Checked by	22/04/21		
Architect	Helethorns	Project No.	10217(P1) 204		

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**Type E**  
2 Bed 4 person  
cottage flats  
proposed external materials

external walls:  
3 course red brick base course  
white dry dash render

feature panels  
marley eternit natura - blue grey  
cladding to entrance porch

roof  
concrete interlocking tiles  
photovoltaics on main roof

windows  
white UPVC windows

Doors  
Composite white doors



block D7 front elevation stepped block



block D5 rear elevation



block D5 gable elevation



block D5 front elevation

**Not to Scale**

**Harbor Design**  
111 Woodville Road  
Melbourne VIC 3048  
Australia  
Tel: +61 (0)3 9593 1111  
www.harbor.design

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**Type C1**  
 1 Bed 2 person  
 cottage flats

- proposed external materials
- external walls:  
 3 course red brick base course  
 white dry dash render
- feature panels  
 marley elemit natura - blue grey  
 cladding to entrance porch
- roof  
 concrete interlocking tiles  
 photovoltaics on main roof
- windows  
 white UPVC windows
- doors  
 Composite white doors



block 06 rear elevation



blocks 14 and 19 stepped gable



block 06 front elevation



blocks 14 and 19 stepped

Not to Scale

**Hullham** **Direct**  
 10 Commercial Street  
 Hullam, York YO21 2JF  
 Telephone: 01904 884 712  
 Fax: 01904 884 713  
 www.hullhamdirect.com

rev A drawing reference amended to 208		18-02-14
Drawn and checked by: [Name]	Scale: Type C1 - 1BDF cottage flats - blocks 06, 14 and 19 - floor and roof plans (1:4 and 1:8 approx)	Date: 18/02/14
Approved by: [Name]	Project No: 1017(PL) 208 A	

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Type J  
 3 Bed 5 person house

proposed external materials

external walls:  
 3 course red brick base course  
 white dry dash render

roof  
 concrete interlocking tiles  
 photovoltaics on main roof

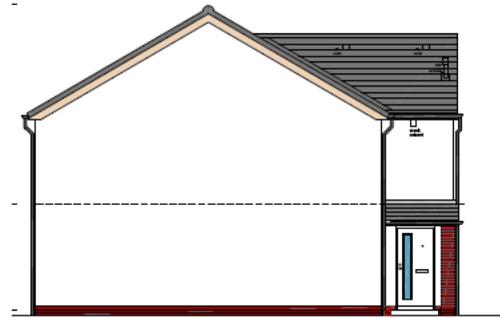
windows  
 white UPVC windows

Doors  
 Composite white doors

red brick piers to entrance canopies



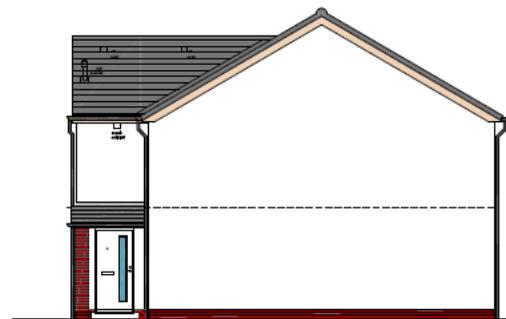
block 08 rear elevation



block 08 gable elevation



block 08 front elevation



block 08 gable elevation

Not to Scale



rev A additional dimensions added in line with planning officer report: 18-02-14

Prepared and Issued by: Heldthorns Council	Project Name: Type J 3 Bed 5 person house	Drawn by: J. Taylor	Scale: 1:50
Checked by: J. Taylor	Project Ref: 18-02-14	Issue No: 1	Scale: 1:50
Approved by: J. Taylor	Project Ref: 18-02-14	Issue No: 1	Scale: 1:50
Issue Date: 18-02-14	Project Ref: 18-02-14	Issue No: 1	Scale: 1:50

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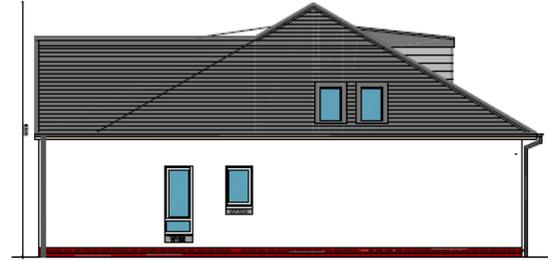
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**Type N**  
**4 Bed 6 person house**  
**wheelchair accessible**

- proposed external materials
- external walls:  
3 course red brick base course  
white dry dash render
  - feature panels  
marley etemit natura - blue grey  
cladding to gable
  - roof  
concrete interlocking tiles  
photovoltaics on main roof
  - windows  
white UPVC windows
  - Doors  
Composite white doors
  - red brick piers to entrance canopies



block 09 rear elevation



block 09 gable elevation



block 09 front elevation



block 09 gable elevation

**Not to Scale**

**Hull** **Thames**  
 22 Westfield Lane  
 Birmingham B37 7YU  
 Telephone: 0121 712 2100  
 Fax: 0121 712 2101  
 www.hullthames.com

Drawn and Issued by: <b>Architectural Services</b>	Project: <b>Type N - 4 Bed 6 person wheelchair accessible - Block 09 - alternative</b>	Sheet: <b>1 of 1</b>	Date: <b>20/01/2019</b>
Checked by: <b>Architectural Services</b>	Project: <b>Type N - 4 Bed 6 person wheelchair accessible - Block 09 - alternative</b>	Sheet: <b>1 of 1</b>	Date: <b>20/01/2019</b>
Scale: <b>As Shown</b>	Project: <b>Type N - 4 Bed 6 person wheelchair accessible - Block 09 - alternative</b>	Sheet: <b>1 of 1</b>	Date: <b>20/01/2019</b>

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**Type H**  
**3 Bed 4 person house**

**proposed external materials**

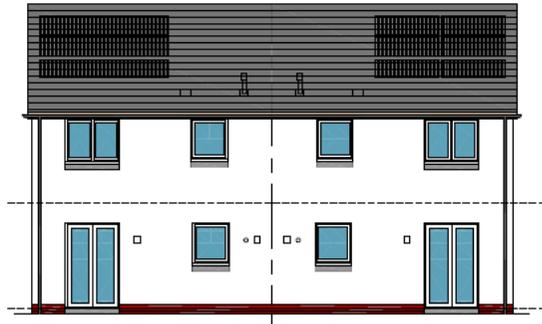
external walls:  
 3 course red brick base course  
 white dry dash render

feature panels  
 manley eternit natura - blue grey  
 cladding to porches

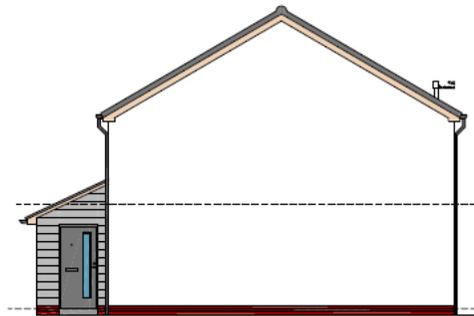
roof  
 concrete interlocking tiles  
 photovoltaics on main roof

windows  
 white UPVC windows

Doors  
 Composite grey doors



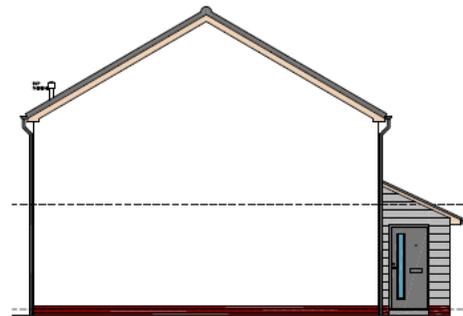
block 10 rear elevation



block 10 gable elevation



block 10 front elevation



block 10 gable elevation

**Not to Scale**

**Hubbald Duns**  
 11 Arundell Street  
 Edinburgh EH2 1AE  
 Tel: 0131 225 7172  
 Fax: 0131 225 7173  
 info@hubbald-duns.com

Hubbald Duns Ltd 11 Arundell Street Edinburgh EH2 1AE Tel: 0131 225 7172 Fax: 0131 225 7173 info@hubbald-duns.com	House Type H - 3 bed 4 person semi detached House - Blocks 10, 11 and 12 - floor and roof plans PLANNING	Date: 09.08.17 Drawn by: J. DUNN 1017/PL1/110
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**DO NOT SCALE. IF IN DOUBT, ASK.**  
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Type C2 1bed 2 person  
and  
Type E 2bed 4 person  
cottage flats  
proposed external materials  
external walls:  
3 course red brick base course  
white dry dash render  
feature panels  
marley atermil natura - blue grey  
cladding to type C porch and bay  
window type E  
roof  
concrete interlocking tiles  
photovoltaics on main roof  
windows  
white UPVC windows  
Doors  
Composite grey and white doors  
brick pliers to entrance type C2



**Not to Scale**



<p>Drawings and specifications are the property of Hull City Council. They are not to be used for any other purpose without the written consent of Hull City Council.</p> <p>Not to be used for any other purpose without the written consent of Hull City Council.</p>	<p>Type C2 and E - 1 bed 2 person and 2 bed 4 person cottage flats - Block 15 elevation</p>	<p>10/2024</p>	<p>10/2024</p>
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