

# Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body  
Tuesday 20 October 2015  
Item No 5(a)

## Local Review Body: Review of Planning Application Reg. No. 15/00034/DPP

Mr Sean Harper  
Honeysuckle Cottage  
Nine Mile Burn  
Penicuik  
EH26 9LZ

Midlothian Council, as Planning Authority, having considered the review of the application by Mr Sean Harper, Honeysuckle Cottage, Nine Mile Burn, Penicuik, EH26 9LZ, which was registered on 5 June 2015 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

**Erection of upper floor extension above existing flat roof extension and alterations to existing conservatory at Honeysuckle Cottage, Nine Mile Burn, Penicuik**, in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Existing elevations	100 LZ/002 1:50	26.01.2015
Elevations, floor plan and cross section	100 PL/001 1:50	26.01.2015
Proposed floor plan	100 PL/003A 1:50	26.01.2015
Elevations, floor plan and cross section	100 PL/004A 1:50	26.01.2015

Subject to the following conditions:

1. The windows proposed on the north east elevation of the extension shall be glazed with obscure glass which thereafter shall not be replaced with clear glass.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking and re-enacting that Order) no glazing shall be installed on the north east and south west elevations of the extension apart from that shown on the approved drawings unless planning permission is granted by the Planning Authority.

***Reason for conditions 1 and 2: In order to minimise overlooking and protect the privacy of the occupants of the neighbouring properties.***

The Local Review Body (LRB) considered the review of the planning application at its meeting of 1 September 2015. The LRB carried out an accompanied site visit on the 31 August 2015.

In reaching its decision the LRB gave consideration to the following development plan policies and material considerations:

Development Plan Policies:

1. RP1 Midlothian Local Plan – Protection of the Countryside
2. RP6 Midlothian Local Plan – Areas of Great Landscape Value
3. DP6 Midlothian Local Plan – House Extensions

Material Considerations:

1. The individual circumstances of the site.

In determining the review the LRB concluded:

The proposed extension by means of its scale, design and siting means that it can be incorporated into the host dwelling with limited visual impact on the street scene and local landscape and without detriment to adjoining and neighbouring properties and land users.

Dated: 1/09/2015

Councillor J Bryant  
Chair of the Local Review Body  
Midlothian Council

## NOTICE TO ACCOMPANY REFUSAL ETC.

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

***Notification to be sent to applicant on refusal of planning permission or on the grant of permission subject to conditions, or***

***Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under section 43A(8)***

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the town and Country Planning (Scotland) Act 1997

*Advisory note:*

*If you have any questions or enquiries regarding the Local Review Body procedures or this decision notice please do not hesitate to contact Peter Arnsdorf, Development Management Manager tel: 0131 2713310 or via [peter.arnsdorf@midlothian.gov.uk](mailto:peter.arnsdorf@midlothian.gov.uk)*