

# Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body  
Tuesday 21 October 2014  
Item No 5(b)

## Local Review Body: Review of Planning Application Reg. No. 14/00064/DPP

Douglas Mack  
8 Plantain Grove  
Lenzie  
Glasgow  
G66 3NE

Midlothian Council, as Planning Authority, having considered the review of the application by Mr And Mrs Rorrison, 18 Ninth Street, Newtongrange, EH22 4JL, which was registered on 20 May 2014 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

**Extension to dwellinghouse and erection of timber decking at 18 Ninth Street, Newtongrange, EH22 4JL**, in accordance with the application and the following plans:

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

Subject to the following conditions:

1. Unless otherwise approved in writing by the Planning Authority a 1.6m high screen shall be erected on top of the deck platform along the west edge, details of which shall be submitted to the Planning Authority and no work shall begin on the extension or deck until this detail has been approved in writing by the Planning Authority.
2. Unless otherwise approved in writing by the Planning Authority the screen approved in terms of condition 1 shall be erected within three months of the extension or deck being completed or brought in to use whichever is the earlier date.

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

The Local Review Body (LRB) considered the review of the planning application at its meeting of 2 September 2014. The LRB carried out an unaccompanied site visit on the 1 September 2014.

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

Development Plan Policies:

1. RP20 Midlothian Local Plan – Development within the built-up area
2. DP6 Midlothian Local Plan – House Extensions

Material Considerations:

1. The individual circumstances of the site; and
2. Similar extensions in the vicinity.

In determining the review the LRB concluded:

The proposed extension by means of its scale, siting, design and relationship to the host dwellinghouse will not result in an unacceptable loss of privacy, overlooking or a sense of overbearing to the occupants of the neighbouring properties and therefore accords with policies RP20 and DP6 of the Midlothian Local Plan.

Dated: 2/09/2014

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)*