

Notice of Review: 10 Broomhill Avenue, Penicuik

Determination Report

Report by Ian Johnson, Head of Communities and Economy

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 two storey and single storey extension at 10 Broomhill Avenue, Penicuik.

2 Background

- 2.1 Planning application 17/00801/DPP for the erection of two storey and single storey extension at 10 Broomhill Avenue, Penicuik was refused planning permission on 31 January 2018; 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, issued on 31 January 2018 (Appendix D); and
 - A copy of the relevant drawings/plans (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 procedures agreed by the LRB, the LRB by agreement of the Chair:
- Have scheduled an unaccompanied site visit for Monday 9 April 2018; and
 - Have determined to progress the review by way of written submissions.

- 4.2 The case officer's report identified that no consultations were required and one representation was received. As part of the review process the interested party was notified of the review. In response the representor advised that they wish their objection remain and be considered as part of the review. All the 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 to the next 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 condition has been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.
1. A revised set of elevations of the proposed extensions to accurately show the height and size of the roof of the single storey hipped roof extension on the north side of the house shall be submitted to the Planning Authority and no work shall start on the extensions until these details have been approved in writing by the Planning Authority.

Reason: *For the avoidance of doubt as to what is approved; there is a discrepancy between the height of the hipped roof extension as shown on the rear elevation as compared to the front and side elevations.*

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

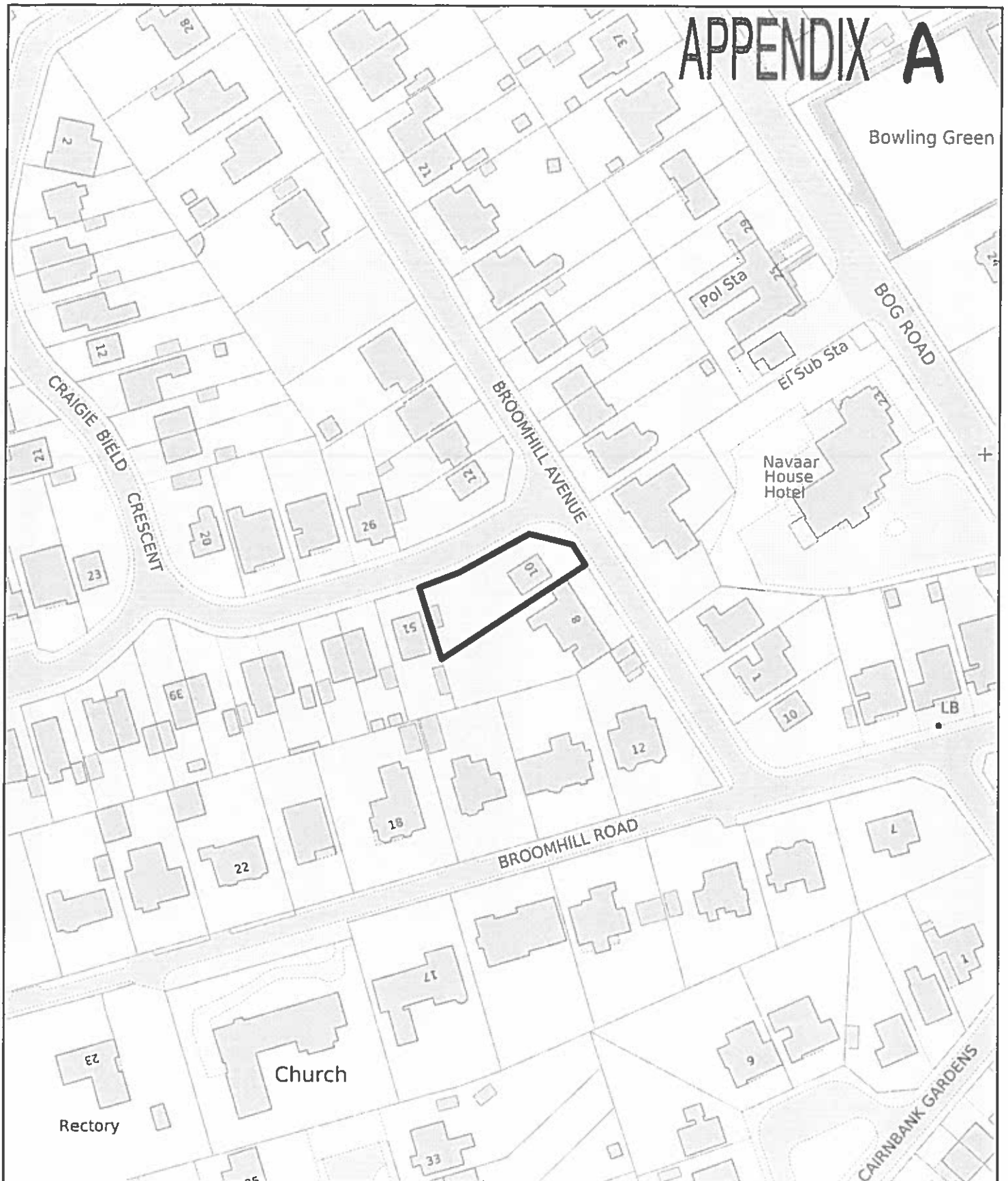
Date: 3 April 2018

Report Contact: Peter Arnsdorf, Planning Manager (LRB Advisor)
peter.arnsdorf@midlothian.gov.uk

Tel No: 0131 271 3310

Background Papers: Planning application 17/00801/DPP available for inspection online.

APPENDIX A



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

**Erection of two storey and single storey extension at
10 Broomhill Avenue, Penicuik**

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File No. 17/00801/DPP

Scale: 1:1,250



Midlothian



Fairfield House 8 Lothian Road Dalkeith EH22 3ZN Tel: 0131 271 3302 Fax: 0131 271 3537 Email: planning-applications@midlothian.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100068704-002

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="Peter Alford Architect"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Peter"/>	Building Name:	<input type="text" value="-"/>
Last Name: *	<input type="text" value="Alford"/>	Building Number:	<input type="text" value="19"/>
Telephone Number: *	<input type="text" value="01968-673911"/>	Address 1 (Street): *	<input type="text" value="Tipperwell Way"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Howgate"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Pencuik"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="EH26 8QP"/>
Email Address: *	<input type="text" value="peteralfordarchitect@gmail.com"/>		

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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Andrew"/>	Building Number:	<input type="text" value="14"/>
Last Name: *	<input type="text" value="Hogg"/>	Address 1 (Street): *	<input type="text" value="Craiglefield Crescent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Penicuik"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value=""/>	Postcode: *	<input type="text" value="EH26 9EQ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

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="10 BROOMHILL AVENUE"/>
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="PENICUIK"/>
Post Code:	<input type="text" value="EH26 9EF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="659852"/>	Easting	<input type="text" value="323261"/>
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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 two storey and single storey extension

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.

See submitted Notice of Review Statement ref 1721-NRS01

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)

Cover Letter ref 1721-LA03 Notice of Review Statement ref 1721-NRS01

Application Details

Please provide details of the application and decision.

What is the application reference number? *

17/00801/DPP

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

10/10/2017

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

31/01/2018

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)

The reasons for refusal of planning permission relate to matters concerning the impact of the proposals on a neighbouring property and the visual amenity of the surrounding area. It is, therefore, important for a site inspection to take place to appreciate the comments of the Notice of Review Statement.

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 Peter Alford

Declaration Date: 06/03/2018

NOTICE OF REVIEW STATEMENT (REF: 1721-NRS01)

APPLICATION REF: 17/00801/DPP

10 Broomhill Avenue, Penicuik, EH26 9EF
Erection of Two-Storey and Single-Storey Extension

We are appealing against the decision of the Planning Authority in relation to our application for a new extension.

We strongly disagree with the reasons given in the Refusal of Planning Permission notice. It is our opinion that the extension has been designed to be sympathetic to the character of the original building and, therefore, would not have a detrimental effect on the visual amenity of the surrounding area. It is also considered that the extension will not have a significant impact on the outlook of the kitchen of No.8 Broomhill Avenue.

The 'Planning Application Delegated Worksheet' which accompanied the Refusal of Planning Permission indicated more specifically the concerns that resulted in the refusal and we would like to address these comments as follows:

1. It is not considered that the extension would appear as a succession of 'stuck on additions'.

On the west side (the rear), the two-storey dual-pitched part of the extension extends the simple form of the original house and, on the north side (Craigiebiel Crescent), the single-storey mono-pitched part of the extension will align with the roof slope of the existing and proposed two-storey areas to create a coherent whole. Smaller lean-to parts of the extension (the porch and living area) will appear subservient to the overall house.

It should be noted that similarly styled two-storey and single-storey extensions have been considered acceptable by Midlothian Planning Department on similar Wimpey house types nearby (see Fig.1 and Fig.2)



Fig.1 Blenheim Court, Penicuik



Fig.2 Caplaw Way, Penicuik

It is also observed that mixtures of extension roof forms on similar Wimpey house-types have also been considered acceptable and that these have not always been to the same roof pitch or roof form as the host building (see Fig.3 and Fig.4).



Fig.3 Rullion Road, Penicuik



Fig.4 Rullion Road, Penicuik

Additionally, we have also noticed that a combination of hipped roofs, flat roofs and gable ends have even been deemed acceptable on various new house-types being constructed in the Hawthornden development at Rosewell (see Fig.5 and Fig.6).



Fig 5 Hawthornden, Rosewell



Fig 6 Hawthornden, Rosewell

2. It is not considered that the extension will be prominent in the street scene on the Broomhill Avenue/Craigiefield Crescent corner.

The proposed two-storey part of the extension is no nearer Craigiefield Crescent than the existing two-storey house and the single-storey part of the extension on the north side of the house is formed with a roof sloping away from Craigiefield Crescent – the hipped roof projection also slopes back from Craigiefield Crescent.

The proposed lean-to porch complies with the recommended setting out advised through the Pre-Planning Application Enquiry stage. It would be finished in materials sympathetic to the existing house and will certainly be far more sympathetic to the street scene than the existing uPVC flat-roofed porch which is proposed for removal under the proposals.

It should be noted that, elsewhere in Penicuik, it has been considered acceptable on similar Wimpey house-types on corner plots for two-storey extensions to be built in much closer proximity to footpaths and without any form of screening.

3. It is not considered that the extended property would have a 'detrimental impact on the visual amenity of the surrounding area'.

The roof forms, materials and detailing of both the two-storey and single-storey elements of the extension would relate strictly to original Wimpey designs of the estate and, therefore, would blend well with the existing house.

In addition, the extension does not project forward of the principle elevation on Broomhill Avenue (see Fig.7) and, on the Craigiefield Crescent side, the extension would be partly shielded by the existing hedge which is to be retained (see Fig.8) – this hedge will be extended towards the garage as part of the proposals to complete the privacy screening.



Fig.7 Artist's Impression



Fig.8 Artist's Impression

4. It was considered important that the roof pitch of the proposed extension should match the existing house to respect the character of the existing house. This design decision, however, limited the reach of the single-storey part of the extension on the north side and a projection for Bedroom 4 was formed.

Rather than make the pitch of the roof shallower to cover the increased dimension, it was considered acceptable to form a hipped roof over the Bedroom 4 area only as this is a typical roof form of detached houses in Craigiefield Crescent (see Fig.9 and Fig.10).



Fig.9 Craigiefield Crescent



Fig.10 Craigiefield Crescent

It should be noted that extensions with shallower pitched roofs have been considered acceptable on similar Wimpey house-types including full-width side extensions (see Fig.11 and Fig.12) but it was understood from the Pre-Planning Application Enquiry feedback that this would not be acceptable for our proposals.



Fig.11 Marchburn Drive, Penicuik



Fig.12 Caplaw Way, Penicuik

5. It is considered that the size of the extension is appropriate to create a property that is entirely accessible for a wheelchair user.

The extension and improvements required to the property cannot be restricted to those items eligible for grant funding and it is considered inappropriate for the Planning Department to make a judgement on the extent of the alterations without understanding the requirements of the applicant. Furthermore, it is our opinion that a refusal partly based on matters relating to disability as contravening the Equality Act 2010.

6. It is not considered that the extension will have an overbearing impact on the outlook from No.8 Broomhill Avenue.

By the nature of the change in ground levels between 8 and 10 Broomhill Avenue, 10 Broomhill Avenue has always had a certain dominance over 8 Broomhill Avenue. In spite of this, 8 Broomhill Avenue has constructed extensions that infill land between the original house and the boundary or bring them within 2.8m of the boundary with No.10 (see Fig.13 & Fig.14) which in itself has exacerbated this dominance. This has left views from the kitchen and utility room windows that look directly towards a fence and the side wall of No.10 beyond or diagonally upwards to the west of the sky.



Fig.13 8 Broomhill Avenue, Penicuik



Fig.14 8 Broomhill Avenue, Penicuik

It is acknowledged that the proposed extension might impact on the skyward view to a very small extent but it should also be noted that the windows serve rooms regarded as non-habitable under the Building Standards (ie a sole-use Kitchen and Utility Room).

The application property is currently not habitable and we are living in temporary accommodation which does not have adequate facilities and access for wheelchair use. It has always been very important, therefore, for us to obtain approval for the remodelling of the house as soon as possible.

With the above in mind, we met with the planning department to discuss adjustments which could be made to secure an approval of the submitted proposals and this included the following:

- Increasing the distance from the site boundary of the south side part of the extension and reducing the overall depth of the two-storey extension to lessen the perceived impact on the outlook from the kitchen window of No.8 Broomhill Avenue.
- Remodelling the projection and hipped-roof form on the north side part of the extension to reduce the perceived piecemeal effect.

We were advised, however, that the two-storey element of the extension to the rear of the property was not acceptable and that, therefore, adjustments of this kind would not be enough to change the view that the application should be refused. Although the impact on No.8 was raised through the pre-planning application enquiry process, we were not advised that, ultimately, the two-storey rear extension would not be unacceptable. We consider this to be totally unreasonable as it was quite clear from the pre-planning application enquiry drawings that the two-storey element of the extension represented a fundamental part of the overall design.

Furthermore, we are of the opinion that refusal of the overall design was fundamentally due to the subjective and personal preferences of the case officer who had frequently expressed a bias towards a flat-roofed design approach.

We are, however, still willing to make modest revisions to our proposals and would be happy to discuss any suggestions that the Local Review Body might have to reach a mutual decision. This would help minimize the inconvenience, delay and hardship caused by the refusal.

Mr and Mrs A. Hogg

06 March 2018

MIDLOTHIAN COUNCIL**DEVELOPMENT MANAGEMENT
PLANNING APPLICATION DELEGATED WORKSHEET:****Planning Application Reference:** 17/00801/dpp**Site Address:** 10 Broomhill Avenue, Penicuik**Site Description:**

The application property comprises a detached two storey dwellinghouse. It is finished externally in a mix of brick and drydash render with aluminium windows and red contoured concrete rooftiles. There is an existing glazed lean to porch on the north side of the house.

Proposed Development:

Erection of two storey and single storey extension

Proposed Development Details:

It is proposed to take down the existing porch and erect a single storey extension on the north side of the house measuring a maximum of 4.5m wide and 12.7 m deep. A two storey extension measuring 4.9m deep and 6.2m wide, continuing the form of the existing building is proposed at the rear of the house with a single storey extension to the south side of this measuring 2.5m wide and 5.1m deep. External wall and roof materials are to match existing. White upvc windows are proposed.

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

History sheet checked.

The applicants have submitted a letter in support of the application stating that;

- The property as extended has been designed to be entirely wheelchair accessible allowing for a through floor disabled lift and hoist transfer equipment;
- The dimensions of the rooms were decided upon in consultation with one of Midlothian Council's Occupational Therapists;
- The proposals are to be part funded by Midlothian Council Disability Grant;
- No objections for neighbours have been received;
- There are no daylight or sunlight issues;
- The application property has always had a certain dominance over no 8 due to the change in garden levels however this did not stop no 8 extending closer to the boundary with no. 10;
- The extension has been designed to be low key with the single storey extensions masking the two storey extension;
- The design is more acceptable than full length 2 storey extensions on similar house types in the area;
- The single storey extension facing Craigiefield Crescent will be screened by the hedge along the boundary;
- The roof pitch of the extension was amended in line with pre-application comments however this limits the floor area and given the accessibility

requirements the footprint was extended further with a hipped roof extension which they consider preferable to a gable end; and

- The house is currently not habitable and they are in temporary accommodation which does not have adequate facilities or access for wheelchair users and therefore it is important to obtain an approval for the remodelling of the house as soon as possible.

The applicant's agent submitted a pre-application enquiry in relation to an extension at the application property in response to which comments were made in relation to its design and concern expressed regarding the impact on the amenity of the occupier of no.8 Broomhill Avenue.

Consultations:

None required.

Representations:

One representation has been received in relation to the application from the occupier of 8 Broomhill Avenue objecting to the proposed extension on the following grounds:

- Due to her property being at a lower level the existing building at the application property is already overbearing to her property;
- Proposed extensions will completely obliterate sky and daylight to her kitchen and utility room; and
- Direct overlooking from kitchen window proposed on the side of the existing house to her kitchen, dining room and lounge.

Relevant Planning Policies:

The relevant policy of the **Midlothian Local Development Plan 2017** is;

DEV2 – Protecting amenity within the built-up area - seeks to protect the character and amenity of the built-up area.

It is noted that policy DP6 House Extensions, from the now superseded 2008 Midlothian Local Plan, set out design guidance for new extensions requiring that they are well designed in order to maintain or enhance the appearance of the house and the locality. The policy guidelines contained in DP6 also relate to size of extensions, materials, impact on neighbours and remaining garden area. It also states that front porches to detached or semi-detached houses are usually acceptable provided they project less than two metres out from the front of the house. It also allowed for novel architectural solutions. The guidance set out within this policy has been successfully applied to development proposals throughout Midlothian and will be reflected within the Council's Supplementary Guidance on Quality of Place which is currently being drafted.

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 regards the design of the extension each application is considered on its own merits.

The staggered building line of the extension on the north side of the house with the mix of monopitch roofs and a hipped roof makes it appear as a succession of somewhat piecemeal stuck on additions rather than as a coherent whole. It does not appear integral to the original building and its design does not relate well to that of the existing building detracting from the character of the building. (There appears to be some discrepancy between the height of the hipped roof extension as shown on the rear elevation as compared to the front and side elevations.) The extension constitutes a large addition and will be very prominent in the street scene on the corner of Broomhill Avenue and Craigiebiel Crescent. At 1.5m high the hedge along the site boundary will not screen the extension. The unsatisfactory relationship of the extension to the original building will have a detrimental impact on the visual amenity of the surrounding area.

The form of the two storey part of the extension is sympathetic to the character of the existing building. Also the single storey extension on the south side of the extension will not have a significant impact on the character of the building.

It is acknowledged that the alteration to the roof pitch as suggested by the case officer at pre-application stage on the north side of the house restricts the footprint of the extension on this side of the house. However whilst the personal circumstances of the applicant are acknowledged it is up to the applicant/their agent to come up with an acceptable design solution both in terms of aesthetics and impact on neighbours. From the submitted plans it appears that the requirements of the applicant at ground floor level the subject of grant funding could be accommodated in an extension with a reduced footprint. This was demonstrated to some extent at pre-application stage where the proposed ground floor bedroom did not project as far out to the boundary with Craigiebiel Crescent. The through floor lift referred to by the applicant in the supporting statement is not shown on the submitted plans.

Sufficient garden area will remain.

One letter of objection has been received in relation to the application. In any event the impact of the proposals on the amenity of neighbouring properties is a material consideration in the assessment of the application. The impact on neighbouring properties is assessed on the basis of current circumstances.

Overshadowing of neighbouring properties will not be significant. The extension will not be overbearing to or impact on daylight to a significant degree to nos 12 Broomhill Avenue or 51 Craigiebiel Crescent.

No 8 Broomhill Avenue next door has a relatively large garden. The extension will not be overbearing to the garden of no. 8. The kitchen window at no 8 already looks on to the existing two storey building at the application site however the proposed single storey extension on the south side projecting closer to the boundary and the two storey extension proposed at the rear of the house will be very dominant to with an overbearing impact on the outlook from the kitchen window of no. 8. Also the new kitchen window proposed on the south side of the existing house at no 10 would

directly overlook this window with a detrimental impact on the privacy of the occupiers of no. 8. However this could be installed as permitted development. A new en-suite window at first floor level on the same elevation is indicated as having obscure glass. The extension will not have a significant impact on daylight to the kitchen of no. 8 as compared to existing. (Vertical sky component daylight test carried out.) Not being a main habitable room the impact on the utility room does not warrant refusal of planning permission

A meeting has been held with the applicant's agent to go over the above concerns and discuss possible alternatives. Further to this a meeting was held on site with the applicant and their agent where again some options were discussed to achieve a development which could secure a similar floor area to that which the applicants are seeking whilst also protecting the amenity of the neighbouring resident. Alternative proposal drawings have been received from the applicant's agent for comment. The revised scheme would necessitate the submission of a new planning application and as such it is appropriate that the current application is determined as originally submitted.

Recommendation:

Refuse planning permission.

Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

Reg. No. 17/00801/DPP

Peter Alford Architect
19 Tipperwell Way
Howgate
Pencuik
EH26 8QP

Midlothian Council, as Planning Authority, having considered the application by Mr And Mrs Andrew Hogg, 14 Craigiebiel Crescent, Penicuik, EH26 9EQ, which was registered on 10 October 2017 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Erection of two storey and single storey extension at 10 Broomhill Avenue, Penicuik, EH26 9EF

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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1721-LP01 1:1250	10.10.2017
Elevations, Floor Plan And Cross Section	1721-PL01 1:1250 1:200 1:100	10.10.2017

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

- 1. The design of the extension is unsympathetic to and would detract from the character of the original building and the visual amenity of the surrounding area.*
- 2. The proposed extension would be an overly dominant feature with an overbearing impact on the outlook of no.8 Broomhill Avenue, to the detriment of the amenity of the occupiers of this property.*
- 3. For the above reasons the proposal is contrary to policy DEV 2 of the adopted Midlothian Local Development Plan 2017 which seeks to protect the character and amenity of the built-up area. If the proposal were approved it would undermine the consistent implementation of this policy.*

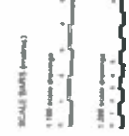
Dated 31 / 1 / 2018

A handwritten signature in black ink, consisting of a stylized 'D' and 'R' joined together.

.....
Duncan Robertson
Lead Officer – Local Developments
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN



MATERIALS - EMBROIDING HOUSSE	
Need	Produce suitable size goods - Sew on and stitching large size goods
Machine	Produce goods that need and embroidery
Materials	Interfacing fabric (good and 40% cotton 40% polyester)
4. Design	40% polyester
Embroidered design	40% polyester

[illegible]

Project	19 BROADHILL AVENUE, PONDICHERI 605 007 SIDE & REAR EXTENSIONS
Site	AS EXISTING AND AS PROPOSED FLOOR PLANS, ELEVATIONS & SITE PLANS
Drawing No.	1721-PL-01
Date	AUG 2017