



APPLICATION FOR PLANNING PERMISSION (16/00770/DPP) FOR ERECTION OF STUDIO BUILDING AT 2 VIEWBANK ROAD, BONNYRIGG

Report by Head of Communities and Economy

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 **The application is for the erection of a studio building at 2 Viewbank Road, Bonnyrigg. There have been 4 representations objecting to the proposed development. The relevant development plan policies are RP20 and DP6 of the adopted Midlothian Local Plan 2008. The recommendation is to grant planning permission.**

2 LOCATION AND SITE DESCRIPTION

- 2.1 The application site is located on the north west side of Viewbank Road.
- 2.2 The application property comprises a detached dwellinghouse with accommodation at first floor level within the roofspace. It is finished externally in painted render with white plastic framed windows and a slate roof. The house has been previously extended. There is an existing free standing garage to the west side of the house with a small outbuilding to the rear. The garage measures 3.8m deep and approximately 6m wide and is finished in render with a felt covered shallow hipped roof.

3 PROPOSAL

- 3.1 It is proposed to demolish the existing hipped roof garage on the west side of the house and replace it with a studio building. The building measures 6.4m wide by 4.5m deep. (The plans are not all to scale, however they are annotated with the dimensions and the assessment of the proposal has been made on this basis. Also the orientation of the elevations of the proposed building has been annotated incorrectly on the submitted plans.) The building is to be finished externally in white render with a felt roof incorporating a cupola. The roof will be 3.2m high with the cupola extending to 3.55m high. It is also proposed to extend the existing boundary wall to the fill the gap which will arise when the existing garage is demolished. This new section of wall will match the adjoining sections of wall.

- 3.2 There is some ambiguity on the submitted plans with regard to the existing small storage outbuilding to the rear of the garage as to whether it is to be demolished or repaired. No elevations of a replacement building have been submitted and the assessment of this application is therefore based on the store building being repaired rather than demolished and rebuilt.
- 3.3 The applicant has confirmed verbally that the use of the proposed studio building is to be as an artist studio incidental to the use of the house at the application site. It has also been confirmed in writing on an amended copy of the site plan that the building is to be for domestic use only and not for use as a separate dwelling.

4 BACKGROUND

- 4.1 Planning application 11/00221/DPP for a single storey extension on the south west side of the house was approved in May 2011.
- 4.2 Planning application 11/00643/DPP for an amended scheme for a single storey extension on the south west side of the house was approved in November 2011. This permission has been implemented.
- 4.3 Planning application 12/00721/DPP for two dormer windows was refused in November 2012.
- 4.4 Planning application 13/00015/DPP for an amended scheme for two dormer windows was approved in February 2013. This permission has been implemented.
- 4.5 The agent has submitted correspondence in support of the application. The issues raised are summarised as follows:
- The neighbours would get more light in to their garden.
 - The neighbours can overlook the building more easily.
 - The building is an artist's studio not a garage therefore the space requirements are bigger than a garage.
 - Whilst the artist works from home, similar to home workers they have one room allocated to themselves as offices but the whole building is domestic.
- 4.6 The application has been called to Planning Committee by Councillor Milligan because of concerns over the potential impact the development has on the neighbouring properties.

5 CONSULTATIONS

- 5.1 No consultations were necessary in relation to the application.

6 REPRESENTATIONS

- 6.1 Four objections have been received in relation to the application from the occupiers of nos 7, 9, 11 and 13 Golf Course Road to the rear of the application property.
- 6.2 The concerns raised are as follows:
- Query the requirement for a kitchen and shower room within the building;
 - Concern that the building will be used for commercial purposes resulting in increased noise and traffic with a negative impact on the quality of life of existing residents;
 - Concern that the building will be used as a standalone unit of accommodation;
 - Query the requirement for the building to be 3.2m high with the cupola at 3.5m high almost 1m higher than the eaves of the existing house;
 - Impact on sunlight, daylight and outlook;
 - The proposed building is larger than the existing building and out of character with surrounding buildings; and
 - The height and size of the building should be reduced and the design amended to be a like for like replacement and conditions attached to prevent its use for accommodation or commercial use.

7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) (SESplan) and the Midlothian Local Plan (MLP), adopted in December 2008. The following policies are relevant to the proposal:

Midlothian Local Plan (MLP)

- 7.2 Policy **RP20: Development within the Built-up Area** states that development will not be permitted within the built-up area where it is likely to detract materially from the existing character or amenity of the area;
- 7.3 Policy **DP6: House Extensions** requires that house extensions be well designed to maintain or enhance the appearance of the house and locality. The guidelines also relate to the size of extensions, external finishes, remaining garden area and impact on neighbouring properties.

Midlothian Local Development Plan (MLDP)

- 7.4 While the MLDP has not yet been adopted it does represent Midlothian Council's preferred strategy for the future development of the Local Authority area. As such it is a material consideration in the assessment of this application. Of particular relevance are the policies which cover Protecting Amenity within the Built-Up Area (DEV2) and Layout and

Design of New Development (DEV6). These policies are generally reflective of the policies already set out in the section on Midlothian Local Plan. The MLDP is current subject to examination by the Scottish Ministers with an anticipated adoption timetable set for late spring/early summer.

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 representations received are material considerations.
- 8.2 The central issues in the consideration of the application are the impact of the proposals on the character of the application property, on the visual amenity of the surrounding area, and the impact on the amenity of neighbouring properties.
- 8.3 The ridge of the existing garage structure is higher than the eaves of the existing house. At 3.2m high (not including the cupola) the studio building will be 0.55m higher than the eaves of the existing garage and a maximum of approx 0.2m higher than the ridge. At its highest point the solid part of the structure of the building will be 25 cm higher than the eaves of the existing house at the application property with the highest point of the cupola 0.55m higher than the eaves of the existing house, however it will be noticeably lower than the ridge of the house. The proposed studio building will not dominate or compete visually with the existing house. Apart from the glazing on the south east elevation and the cupola the proposed studio building is not dissimilar in appearance to a flat roof garage and will not detract from the appearance of the associated dwellinghouse as compared to existing. The colour of the render on the walls of the building should match the colour of the walls of the house. This can be covered by condition.
- 8.4 There are examples of single storey flat roof garages within the surrounding area including at the property on the opposite side of the road to the application property. Within this context the studio building and boundary wall will not have a significant impact on the visual amenity of the street scene as compared to existing.
- 8.5 Sufficient garden and driveway will remain after the erection of the building.
- 8.6 As regards the proposed accommodation within the studio building as stated above the applicant has confirmed verbally that the use of the proposed studio building is to be incidental to the use of the house at the application site (this has also been confirmed in writing on an amended copy of the site plan). The use of the building could include an artist's studio, similar to a home office. Accordingly it would not be necessary to restrict the use of the building by condition should

planning permission be forthcoming as the annotated plan would form part of the approved scheme restricting the use of the building. Furthermore a material change of use of the building to a use which is not incidental to the enjoyment of the dwellinghouse would require planning permission.

- 8.7 Whilst the building will be prominent to the outlook from the living room and kitchen to the rear at 7 Golf Course Road, the impact on the outlook is not sufficient to warrant refusal of planning permission. The impact is mitigated by the distance between the buildings and the presence of an existing garage and greenhouse within the back garden of no. 7 Golf Course Road. The studio building will not be overbearing to the outlook of the garden of no. 7. The building will overshadow only part of no. 7's garden, particularly in the early morning in the spring and winter months. The building will not have a significant impact on daylight to no.7.
- 8.8 The building will be visible from a glazed kitchen door at the rear of 9 Golf Course Road. This room is also served by two windows on the side. The impact on the outlook of the house and garden at no. 9 is not sufficient to warrant refusal of planning permission. The proposed building will not result in increased overshadowing of no. 9's garden and will not have a significant impact on daylight to this property.
- 8.9 The building will not have a significant impact on the amenity of the occupiers of nos. 11 and 13 Golf Course Road because of the separation between the site of the proposed new building and the these properties.
- 8.10 The proposed development will not have a significant impact on the character of the existing dwellinghouse, the visual amenity of the surrounding area or the amenity of neighbouring properties and as such the proposal is acceptable in terms of policies RP20 and DP6.

9 RECOMMENDATION

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

The proposed building by means of its form, scale and design is compatible to the host building and the street scene and accords with the aims of Midlothian Local Plan policies RP20 and DP6.

Subject to the following conditions:

1. Planning permission is hereby granted for the studio building only and not for any other outbuildings at the site.

Reason: *For the avoidance of doubt as the submitted plans refer to an outhouse being demolished however no elevations of a replacement building have been submitted.*

2. An amended copy of drawing no. 16/10/Design 003 with the elevations and floor plan drawn accurately to scale and the orientation of the elevations annotated correctly shall be submitted to the Planning Authority. The drawings shall show the height of the cupola not exceeding 3.55m and the height of the roof of the studio building not exceeding 3.2m as measured externally from ground level. No work shall start on the studio building until the amended drawing has been approved in writing by the Planning Authority.

Reason: *The plan is not to scale: for the avoidance of doubt as to what is approved.*

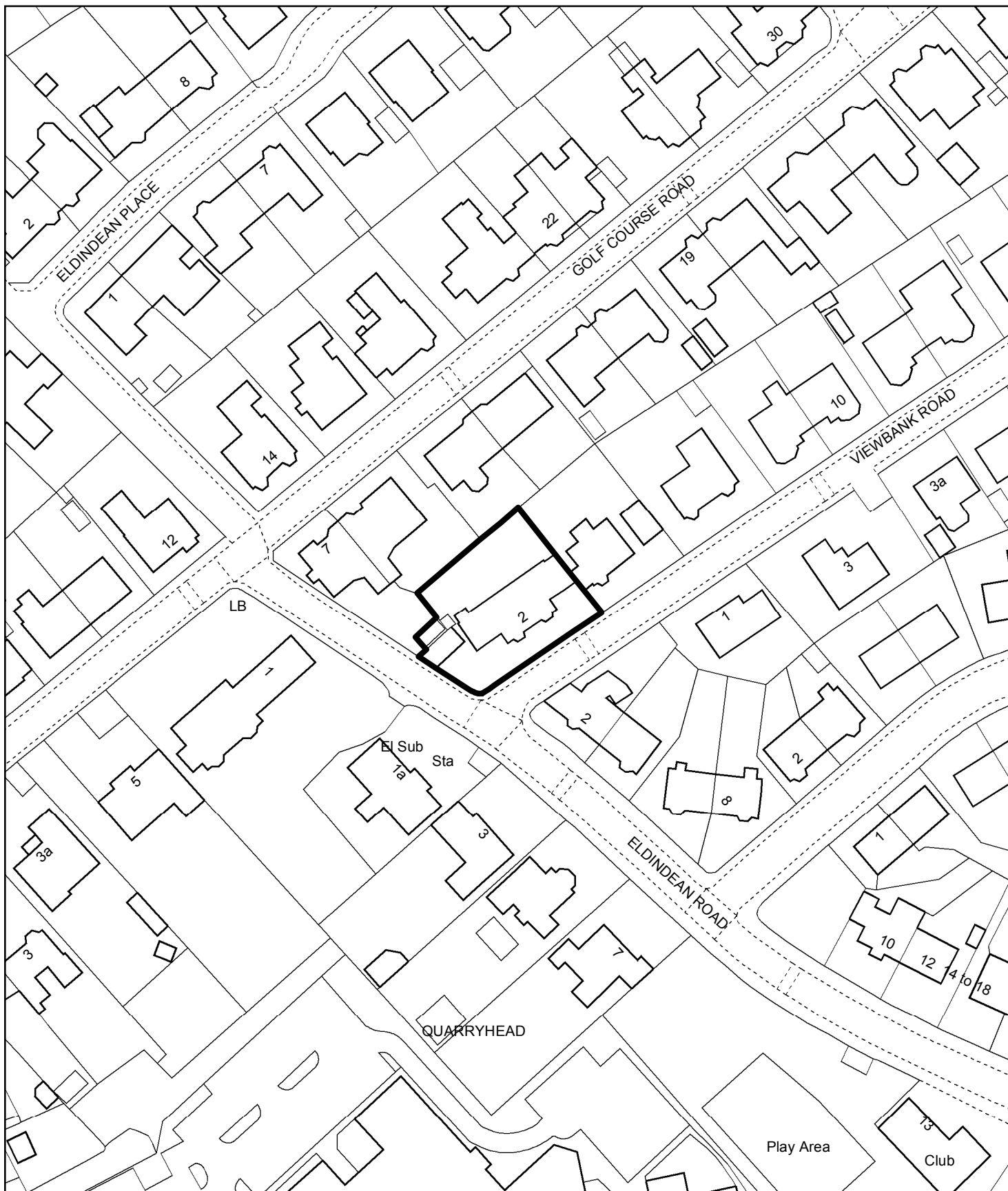
3. The colour of the render on the studio outbuilding shall match the colour of the render on the house at the application site.
4. Details of the material and colour finish of the frames of the windows and patio doors on the studio building shall be submitted to the Planning Authority and the patio doors and windows shall not be installed until these details have been approved in writing by the Planning Authority.

Reason for conditions 3 and 4: *To safeguard the character of the existing building at the application site and the visual quality of the area.*

Ian Johnson
Head of Communities and Economy

Date: 14 February 2017

Application No: 16/00770/DPP (Available online)
Applicant: Mr & Mrs Taylor, 2 Viewbank Road, Bonnyrigg
Agent: Project Managemnet and Architectural Services Limited
Validation Date: 7 November 2016
Contact Person: Ingrid Forteath
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Background Papers: 11/00221/DPP, 11/00643/DPP, 12/00721/DPP, 13/00015/DPP (Available online)



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Erection of studio buildings at 2 Viewbank Road, Bonnyrigg

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