

Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body
Monday 14 June 2021
Item No 5.2

Local Review Body: Review of Planning Application Reg. No. 20/00521/DPP

Bengt Ericsson
2 The Stables
Newbattle Road
Eskbank
Dalkeith
EH22 3LJ

Midlothian Council, as Planning Authority, having considered the review of the application by Ms Kirsty Greve, 25 Park Road, Dalkeith, EH22 3DH, which was registered on 25 January 2021 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Extension to dwellinghouse; alterations to window opening to form door; formation of driveway and erection of associated retaining walls; alterations to boundary walls and erection of gates, at 25 Park Road, Dalkeith, EH22 3DH in accordance with the application and the following plans:

<u>Drawing Description</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Site Plan	A(PL/BW)02 1:1250 1:500 1:250 1:100	19.08.2020
Elevations, Floor Plan And Cross Section	A(PL/BW)03 1:100	19.08.2020
Existing Elevations	A(PL/BW)04 1:100	19.08.2020
Elevations, Floor Plan And Cross Section	A(PL/BW)05 1:100	19.08.2020
Proposed Elevations	A(PL/BW)06 1:100	19.08.2020
Elevations, Floor Plan And Cross Section	A(PL/BW)07 1:100	19.08.2020

Subject to the following conditions:

1. The proposed width of the enlarged opening in the front boundary wall as shown on drawing nos A(PL/BW)02 and A(PL/BW)07 is not approved: the width of the proposed enlarged opening in the front boundary wall shall not exceed 3.4m.

Reason: To retain as much of the front boundary wall as possible which

contributes to the character and appearance of this part of the Eskbank and Ironmills Conservation Area.

2. Details of the material and colour of the gates to be installed at the enlarged opening in the front boundary wall shall be submitted to the Planning Authority and the gates shall not be installed until these details have been approved in writing by the Planning Authority.

Reason: *To safeguard the character of this part of the Eskbank and Ironmills Conservation Area.*

3. Any gates to the vehicular access shall be so designed and installed as to only open inwards.

Reason: *To ensure gates do not open over the pavement: to ensure no hazard is caused to pedestrians using the footway.*

4. Details of the surface material of the parking area proposed at the front of the house shall be submitted to the Planning Authority and this shall not be installed until this detail has been approved in writing by the Planning Authority.

Reason: *To safeguard the character of the application property and this part of the Eskbank and Ironmills Conservation Area.*

5. The following details shall be submitted to the Planning Authority and no work shall start on the extension until these details have been approved in writing by the Planning Authority:
 - a) The colour and texture of the render proposed on the external walls of, the extension;
 - b) The material and colour finish of the sections of wall on the gable on the north west elevation of the proposed extension;
 - c) The colour of the timber cladding proposed on the external walls of the extension; and,
 - d) The colour of the window and door frames on the proposed extension.

Reason: *To safeguard the character of the application property.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 17 May 2021.

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

Midlothian Local Development Plan 2017 Policies:

1. Policy DEV2 – Protecting amenity within the built-up area;
2. Policy ENV19 - Conservation Areas; and
3. Policy ENV22 - Listed Buildings

Material considerations:

1. The individual circumstances of the proposal; and
2. The proposed developments impact on the Eskbank and Ironmills Conservation Area.

In determining the review the LRB concluded:

The proposals will not detract from the character of the existing building or the character and appearance of this part of the Eskbank and Ironmills Conservation Area or have a significant impact on the setting of no. 27 Park Road of the amenity of the occupiers of no. 23 Park Road and comply with the aims of policies DEV2, ENV19 and ENV22 in these respects.

The proposed extension will not have a significant impact on the amenity of the occupiers of no. 29 Park Road as compared to that arising from what could ordinarily be erected as permitted development.

Dated: 17/05/2021

A handwritten signature in black ink, appearing to read 'Peter', with a large, sweeping flourish underneath.

Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Place
Midlothian Council

On behalf of:
Councillor R Imrie
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, Planning Manager via peter.arnsdorf@midlothian.gov.uk