

Notice of Review: 31 Newton Village, Dalkeith

Determination Report

Report by Chief Officer Place

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 rear extension and front porch to flatted dwelling at 31 Newton Village, Dalkeith.

2 Background

- 2.1 Planning application 23/00485/DPP for the erection of rear extension and front porch to flatted dwelling at 31 Newton Village, Dalkeith was refused planning permission on 1 September 2023; 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, excluding the standard advisory notes, issued on 1 September 2023 (Appendix D); and
 - A copy of the key plans/drawings (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 agreed procedures, the LRB:

- Have determined to undertake a site visit (only elected members attending the site visit can participate in the determination of the review); and
 - Have determined to progress the review by written submissions.
- 4.2 The case officer's report identified that there were no consultations and no representations received.
- 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 back to the 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 20 June 2022, and without prejudice to the determination of the review, the following conditions have been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.

1. The development to which this permission relates shall commence no later than the expiration of three years beginning with the date of this permission.

Reason: *To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning (Scotland) Act 2019).*

2. The use of concrete roof tiles on the roof of the porch is not approved: the roof of the porch shall be covered in natural slate to match the colour, size, texture and profile of the slate on the roof of the existing building.

Reason: To safeguard the character of the building as extended and the visual amenity of the surrounding area.

3. Within 3 months of the rear extension being completed or brought into use whichever is the earlier date the existing garage in the back garden as indicated on the approved 1:200 existing block plan on drawing no. 23/McPhee/PP/001(-) shall be removed in its entirety.

Reason: To ensure adequate private amenity space associated with the application property.

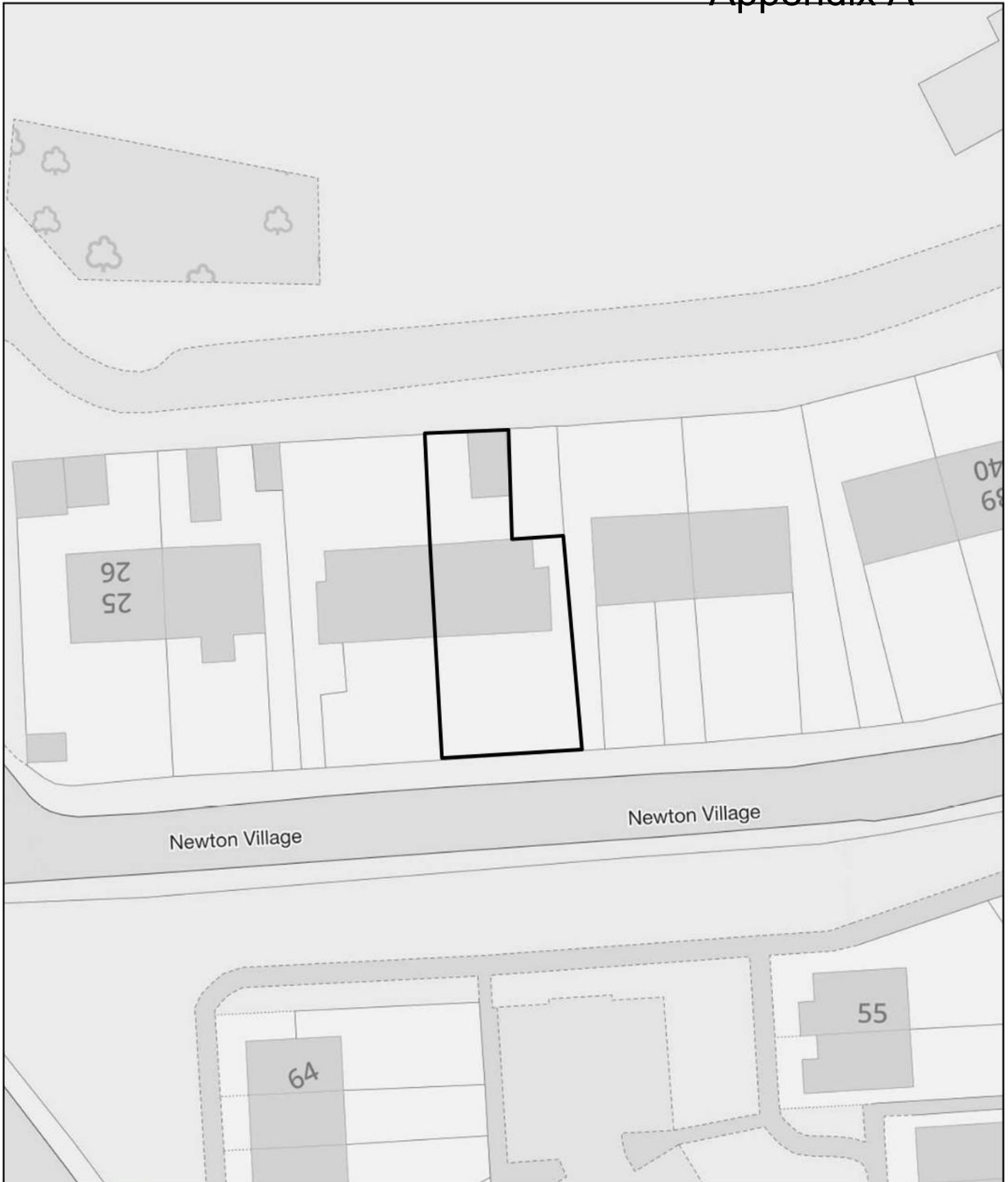
6 Recommendations

- 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

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 1 December 2023
Report Contact: Ingrid Forteath, Planning Officer
Ingrid.Forteath@midlothian.gov.uk

Background Papers: Planning application 23/00485/DPP available for inspection online.



**Planning Service
Place Directorate**
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3AA

Extension to flatted dwelling and erection of porch at 31
Newton Village, Dalkeith, EH22 1SN

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File No: 23/00485/DPP

Scale: 1:500





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 100584547-003

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 **T** Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="F.E.M Building Design"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Douglas"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Mack"/>	Building Number:	<input type="text" value="8"/>
Telephone Number: *	<input type="text" value="07966201299"/>	Address 1 (Street): *	<input type="text" value="Plantain Grove"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Lenzie"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="G66 3NE"/>
Email Address: *	<input type="text" value="douglas@femdesign.co.uk"/>		

Is the applicant an individual or an organisation/corporate entity? *

T Individual ≤ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Ross"/>	Building Number: <input type="text" value="31"/>
Last Name: *	<input type="text" value="McPhee"/>	Address 1 (Street): * <input type="text" value="Newton Village"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Danderhall"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH22 1SN"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="[REDACTED]"/>	

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="31 NEWTON VILLAGE"/>
Address 2:	<input type="text" value="NEWTON"/>
Address 3:	<input type="text" value="DANDERHALL"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="DALKEITH"/>
Post Code:	<input type="text" value="EH22 1SN"/>

Please identify/describe the location of the site or sites

Northing

Easting

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)

Extension to flatted dwelling and erection of porch at 31 Newton Village, Dalkeith, EH22 1SN

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.

We seek a review of the Planning Authority's decision as in this particular instance we feel that the reasons provided for refusal are, in our opinion unjustified and that the proposals should be approved Planning Permission.

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)

Planning Appeal Statement historic drawings

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

23/00485/DPP

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

25/07/2023

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

01/09/2023

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

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 Douglas Mack

Declaration Date: 05/11/2023



APPEAL TO THE LOCAL REVIEW BODY IN RESPONSE TO REFUSAL OF PLANNING APPLICATION 23/00485/DPP AT 31 NEWTON VILLAGE, DANDERHALL

We are seeking a review of the refusal of Planning Permission by Midlothian Council for the rear extension and erection of porch to the above property. We will outline as part of this appeal that, in this particular instance we feel that the reasons provided for refusal are, in our opinion unjustified and that the proposals should be approved Planning Permission.

We would initially point out that in the street of Newton Village in which this property is located only one other Planning application for a single storey rear extension has been submitted to Midlothian Council. This was for a rear flat roof extension to 65 Newton Village approved under the Planning reference 17/00333/DPP which we will reference as part of this appeal.

The first reason for refusal, that '*The design of the proposed extension is out of character with and unsympathetic to the character and form of the original building and will detract from the character and appearance of the host building*' we would suggest is not correct in this particular case. The street of Newton Village is formed of '4 in a block' flatted properties which we would suggest aren't of any significant architectural interest. To use the terms in the above statement would suggest that we are proposing to harm the architectural integrity of a building of high design and interest, which we of course, are not. We will refer to the rear flat roof extension at 65 Newton Village, previously approved by Midlothian Council which is similar in terms of it's size to the proposal to which this appeal relates. We cannot agree with the reasoning that the proposed extension at 31 Newton Village is out of character and unsympathetic to the original building. The applicant specifically wanted the proposed extension to be in keeping with the original building hence the specification of render to match existing and white Upvc windows and doors, also to match existing. During the Planning application process, the Planning Officer Ms Forteath requested a change in the design of the extension to introduce a more contemporary look. While we understand that in some cases it may enhance the design to contrast a contemporary looking extension with the original building my client did not feel that a contemporary design complimented the original building. We would argue that the design of the proposed extension would in no way detract from the character and appearance of the host building and to suggest so would appear to be more Ms Forteaths personal opinion than any Council policy. We did offer to consider changing the roof of the proposed extension to pitched construction but Ms Forteath didn't feel that this enhanced the application.

The second reason for refusal, that '*The proposed rear extension will have an overbearing impact on the outlook of the garden of the neighbouring property at 29 Newton Village with a detrimental impact on the amenity of the occupiers*' would appear to be unsubstantiated in

that the form of the approved extension at 65 Newton Village which was previously approved is very similar to that proposed in this application.

The application previously approved at no. 65 Newton Village includes a new external extension wall approximately 7100mm long running along the line of the garden boundary. We would suggest that this sets a precedence of a wall adjacent to the neighbouring garden which would have the same impact on the amenity of the neighbouring property. As part of the original design we provided a proposed rear elevation drawing which showed compliance with the '45 degree rule' in that the proposed extension would not impact on the daylight to the property at no. 29 Newton Village. The property at no. 29 Newton Village has a substantial rear garden. It should also be noted that there were no objections to the proposal during the Planning process.

Reason 3 for the refusal decision which is '*For the above reasons the proposals are contrary to the aims of policies 14 and 16 of NPF4 which presume against poorly designed development and development which has a detrimental effect on neighbouring properties and DEV 2 of the adopted Midlothian Development Plan 2017 which seeks to protect the character and amenity of the built up area*' is, in our opinion unjustified in this particular case due both to the precedence set of the rear extension at no. 65 Newton Village and also that the area in which the extension is proposed is not of any particular architectural value. NPF4 Policy 14 refers to 6 'qualities' those being, Healthy, Pleasant, Connected, Distinctive, Sustainable, Adaptable. To try and adapt these 'qualities' to a small rear extension to a property of the nature at 31 Newton Village is somewhat.

In summary, we feel that what we initially viewed as a reasonably straightforward Planning approval (suggestion reinforced by the previous approval at 65 Newton Village and numerous similar rear extensions throughout Midlothian) has been refused following a subjective view of the Case Officer rather than a council or national policy.

The proposed extension would in no way have any detrimental impact upon the property itself, it's immediate neighbours or the surrounding neighbourhood. We would request that that the information contained in this statement be carefully considered to allow a satisfactory outcome for my clients.

Reg. No. 23/00485/DPP

F.E.M Building Design
8 Plantain Grove
Lenzie
Glasgow
G66 3NE

Midlothian Council, as Planning Authority, having considered the application by Mr and Mrs Ross and Lisa McPhee, 31 Newton Village, Danderhall, EH22 1SN, which was registered on 25 July 2023 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Extension to flatted dwelling and erection of porch at 31 Newton Village, Dalkeith, EH22 1SN


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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location plan and existing floor plans and elevations	23/McPhee/PP/001(-) 1:1250 1:200 1:50	25.07.2023
Location plan and proposed floor plans and elevations	23/McPhee/PP/002(-) 1:1250 1:50	25.07.2023

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

- 1. The design of the proposed rear extension is out of character with and unsympathetic to the character and form of the existing building and will detract from the character and appearance of the host building.*
- 2. The proposed rear extension will have an overbearing impact on the outlook of the garden of the neighbouring property at 29 Newton Village with a detrimental impact on the amenity of the occupiers.*
- 3. For the above reasons the proposals are contrary to the aims of policies 14 and 16 of NPF4 which presume against poorly designed development and development which has a detrimental effect on neighbouring properties and DEV 2 of the adopted Midlothian Local Development Plan 2017 which seeks to protect the character and amenity of the built-up area.*

Dated 1 / 9 / 2023

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

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



**The Coal
Authority**

Any Planning Enquiries should be directed to:

Planning and Local Authority Liaison

Direct Telephone: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Website: www.gov.uk/coalauthority

INFORMATIVE NOTE

The proposed development lies within an area that has been defined by the Coal Authority as containing coal mining features at surface or shallow depth. These features may include: mine entries (shafts and adits); shallow coal workings; geological features (fissures and break lines); mine gas and former surface mining sites. Although such features are seldom readily visible, they can often be present and problems can occur, particularly as a result of new development taking place.

Any form of development over or within the influencing distance of a mine entry can be dangerous and raises significant land stability and public safety risks. As a general precautionary principle, the Coal Authority considers that the building over or within the influencing distance of a mine entry should be avoided. In exceptional circumstance where this is unavoidable, expert advice must be sought to ensure that a suitable engineering design which takes into account all the relevant safety and environmental risk factors, including mine gas and mine-water. Your attention is drawn to the Coal Authority Policy in relation to new development and mine entries available at:

www.gov.uk/government/publications/building-on-or-within-the-influencing-distance-of-mine-entries

Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires a Coal Authority Permit. Such activities could include site investigation boreholes, excavations for foundations, piling activities, other ground works and any subsequent treatment of coal mine workings and coal mine entries for ground stability purposes. Failure to obtain a Coal Authority Permit for such activities is trespass, with the potential for court action.

If any coal mining features are unexpectedly encountered during development, this should be reported immediately to the Coal Authority on 0345 762 6848. Further information is available on the Coal Authority website at:

www.gov.uk/government/organisations/the-coal-authority

Informative Note valid from 1st January 2023 until 31st December 2024

MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Planning Application Reference: 23/00485/dpp

Site Address: 31 Newton Village, Dalkeith

Site Description:

The application property comprises a ground floor flat within a four in a block building, and its associated garden, located within a residential area. The building is finished externally in drydash render with a painted blockwork base course and has white upvc window frames at the application property and a slate hipped roof. There is a flat roof garage within the back garden of the application property with a footprint measuring 6.1m by 3.8m.

Proposed Development:

Extension to flatted dwelling and erection of porch

Proposed Development Details:

It is proposed to erect a porch extension at the front of the property measuring 2m deep and 3m wide with a monopitch roof. It is also proposed to erect a single storey flat roof extension at the rear of the property measuring a maximum of 6.3m deep and a maximum of 5.4m wide. External materials are to match existing. The submitted plans indicate the removal of the existing garage from the back garden.

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

History sheet checked.

22/00553/dpp - Extension to flatted dwelling and erection of porch at 31 Newton Village – refused 05.09.22 on grounds of design, overdevelopment, and impact on neighbour and as being contrary to development plan policy.

Further to refusal of planning permission the agent contacted the Planning Authority and was advised that an alternative scheme would need to address the reasons for refusal.

In relation to policy 1 of NPF4 the agent has advised: where possible materials will be sustainable and sourced locally; consideration will be given to the use of bee and nest bricks and where required local trades will be used.

Consultations:

None required.

Representations:

None received.

Relevant Planning Policies:

Planning policy currently comprises National Planning Framework 4 and the adopted Midlothian Local Development Plan 2017. The following policies are relevant to the proposal:

NPF4

Policy 1 Tackling the climate and nature crises

When considering all development proposals significant weight will be given to the global climate and nature crises.

Policy 14 Design, quality and place

- a) Development proposals will be designed to improve the quality of an area whether in urban or rural locations and regardless of scale.
- c) Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.

Policy 16 Quality homes

- g) Householder development proposals will be supported where they:
 - i. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and
 - ii. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.
- h) Householder development proposals that provide adaptations in response to risks from a changing climate, or relating to people with health conditions that lead to particular accommodation needs will be supported.

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.

Given that recently published building regulations require increased insulation in house extensions, which helps reduce heat loss and can reduce energy consumption in the home, along with the measures outlined by the agent, the proposed development will contribute to addressing the global climate crises. The proposed development will not exacerbate the global nature crises. Therefore the proposed development complies with the aims of policy 1 of NPF4.

Extensions to the fronts of houses are generally approved if they are small and sympathetically designed; in these cases the existing character of the individual house and of the street scene is retained. The majority of such extensions are front porches, a main purpose of which is to give added protection to the entrance door to the house, and usually these do not project more than 2 metres from the front wall of the original house.

The size of the porch has been reduced since the previously refused scheme. Whilst the porch will still be quite a prominent feature at the front of the building it will not appear overly dominant on the principal elevation or in the street scene. The porch will not have a significant impact on the amenity of neighbouring properties. The submitted plans are annotated that the roof of the porch is to be covered in concrete tiles. It is the usual practice of the Planning Authority to require matching materials on extensions in order that they integrate better with the existing building rather than appearing stuck on. Should planning permission be forthcoming a condition should be attached requiring slate on the roof of the porch to match the existing roof covering on the building.

As stated above further to refusal of planning permission for the previous scheme the agent contacted the Planning Authority and was advised that an alternative scheme would need to address the reasons for refusal. The rear extension has not been amended since the previously refused scheme. The flat roof design of the rear extension is unsympathetic to the character of the existing building and neither does it constitute a high quality example of contemporary design. The extension is not well designed and will detract from the character of the original building.

Whilst the existing garage is to be removed from the back garden there will be quite a small back garden area remaining after the erection of the extension. However whilst this is a flatted property the permitted development regulations for dwellinghouses allow for extensions which cover 50% of rear gardens and the rear extension falls within this site coverage criterion.

Set off the boundary the extension will not have a significant impact on the amenity of the occupiers of the first floor flat at no. 32.

The proposed extension will be a dominant feature with an overbearing impact as viewed from the garden of the neighbour at no. 29. It will also be very prominent to the outlook of a kitchen door at the rear of no. 29 but not so prominent from the kitchen window at the rear. The extension will not have a significant impact on sunlight to the flatted dwelling at no 29. It will impact on sunlight to the rear garden of no. 29 in the morning however not to a significant extent as compared to the existing situation. The extension fails the standard 45° daylight test to the glazing on

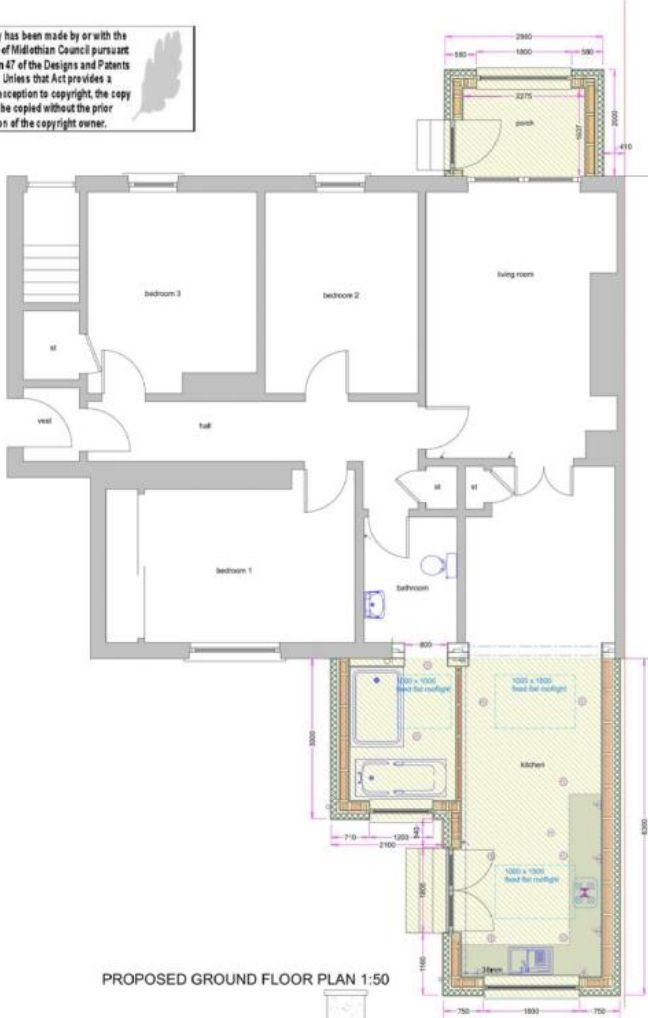
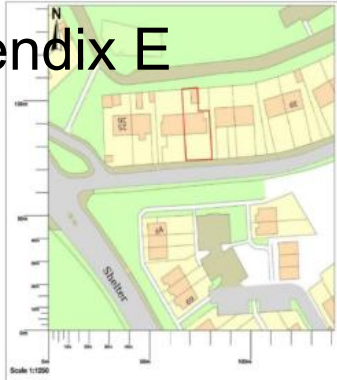
the kitchen door at no 29 however satisfies the same test to the larger kitchen window.

Recommendation:

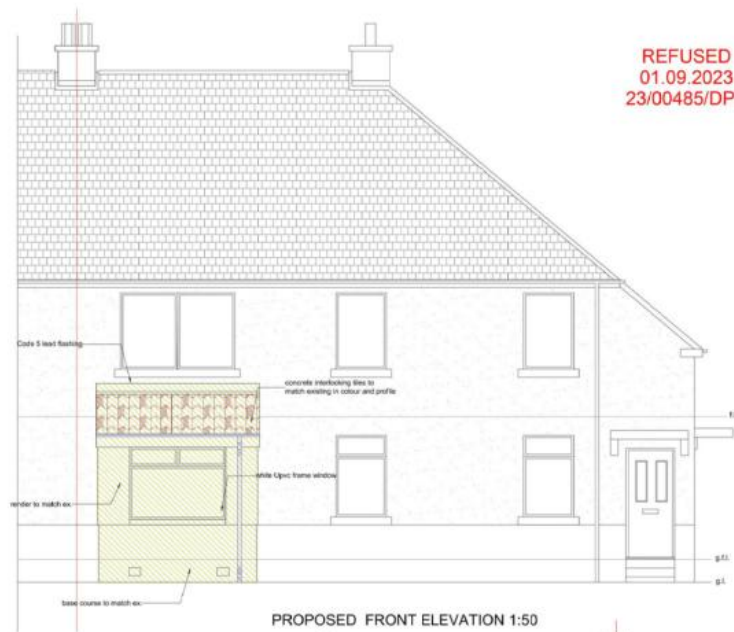
Refuse planning permission

This copy has been made by or with the authority of Midtshire Council pursuant to Section 47 of the Designs and Patents Act 1988. Unless that Act provides a relevant exception to copyright, the copy must not be copied without the prior permission of the copyright owner.

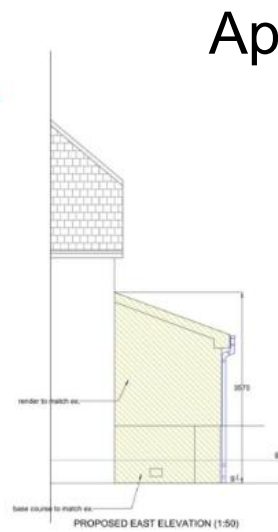
Appendix E



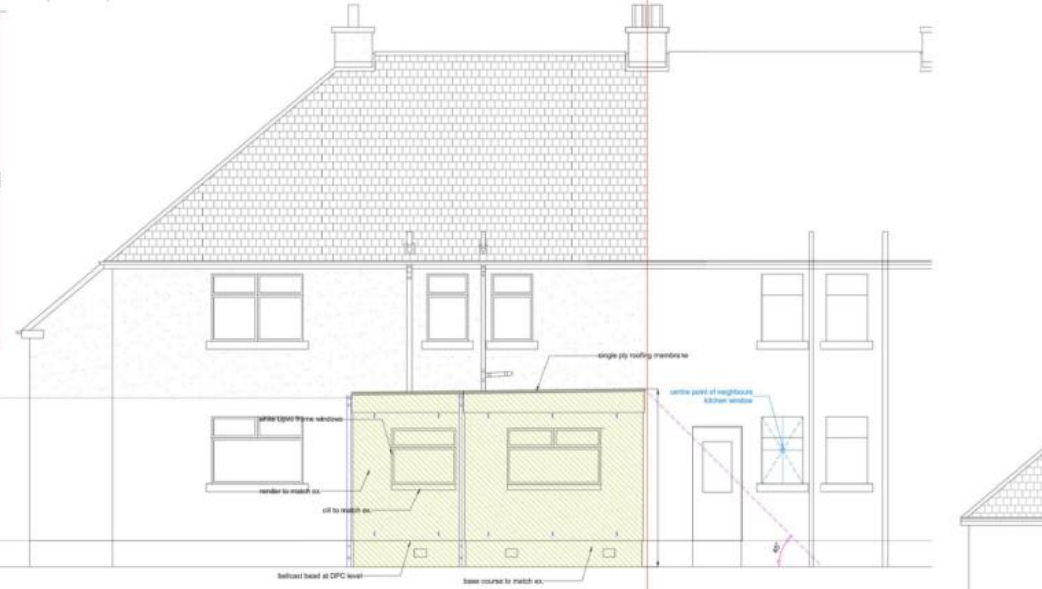
PROPOSED GROUND FLOOR PLAN 1:50



PROPOSED FRONT ELEVATION 1:50



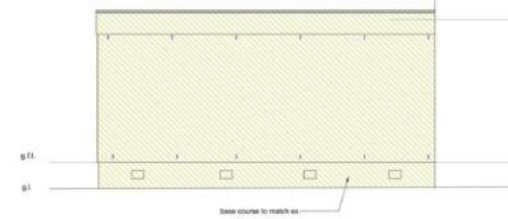
PROPOSED EAST ELEVATION 1:50



PROPOSED REAR ELEVATION 1:50



PROPOSED END (WEST) ELEVATION 1:50



PROPOSED END (WEST) ELEVATION 1:50

REFUSED
01.09.2023
23/00485/DPP

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- The Construction (Design and Management) Regulations 2015 (CDM015) requires all contractors to have the skills, knowledge and experience to identify, reduce and manage health and safety risks. Principal contractor to plan, manage and monitor construction work carried out under the supervision of its workers under the contractor's control, to ensure that, as far as is reasonably possible, is carried out without risks to health and safety. If the responsibility for carrying out the work is transferred, it is released as CDM and CDM 2015 does not apply.
- All dimensions to be checked on site prior to works commencing.
- Drawings should not be printed, all dimensions are to be checked by contractor.

Client: Mr & Mrs McPhee
31 Newton Village
Danderhall

Project: Extend dwellinghouse & erect porch

Drawing number: 23/McPhee/PP/002(L)

