

Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body
Tuesday 10 October 2017
Item No 5.2

Local Review Body: Review of Planning Application Reg. No. 17/00275/DPP

John Gordon Associates Ltd
3 Dean Acres
Comrie
Dunfermline
KY12 9XS

Midlothian Council, as Planning Authority, having considered the review of the application by Mr A Matthews, 35 Temple, Gorebridge, EH23 4SQ, which was registered on 6 June 2017 in pursuance of their powers under the above Act, hereby **grant** permission to carry out the following proposed development:

Installation of replacement windows at 35 Temple, Gorebridge, 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	10.04.2017
Proposed Elevations	30184711/1 1:20	10.04.2017

Subject to the following conditions:

1. The proposed design of the windows is not approved. The design and means of opening of the replacement windows shall be approved in writing by the Planning Authority prior to their installation. The windows shall be of a traditional design and means of opening to reflect the character of the house.

Reason: *To ensure the design and means of opening of the windows reflect the character of the house and are sympathetic to its setting in a Conservation Area.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 29 August 2017. The LRB carried out a site visit on the 28 August 2017.

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. RP22 Midlothian Local Plan – Conservation areas

Material considerations:

1. The individual circumstances of the proposal
2. The window materials used elsewhere in Temple

In determining the review the LRB concluded:

The proposed replacement of timber windows with uPVC is acceptable and reflects a desire to use modern materials. However, it is considered that the design and means of opening shall reflect the character of the house and are sympathetic to its setting in a Conservation Area – the design as submitted is not acceptable.

Dated: 29/08/2017

A handwritten signature in black ink, appearing to read 'Peter Arnsdorf', with a large, stylized initial 'P'.

Peter Arnsdorf
Planning Manager (Advisor to the Local Review Body)
Communities and Economy
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 tel: 0131 2713310 or via peter.arnsdorf@midlothian.gov.uk