

## **Notice of Review: 28 – 30 Buccleuch Street, Dalkeith**

### **Determination Report**

Report by Dr Mary Smith Director of Education, 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 change of use from flatted dwelling to house in multiple occupancy (HMO); formation of dormer window and new window opening and installation of rooflights at The Royal British Legion, 28 – 30 Buccleuch Street, Dalkeith.

#### **2 Background**

- 2.1 Planning application 18/00643/DPP for the change of use from flatted dwelling to house in multiple occupancy (HMO); formation of dormer window and new window opening and installation of rooflights at The Royal British Legion, 28 – 30 Buccleuch Street, Dalkeith was refused planning permission on 5 November 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 5 November 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](http://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 14 January 2019; and
  - Have determined to progress the review by way of written submissions.
- 4.2 The case officer's report identified that two consultation responses and one representation were received. As part of the review process the interested parties were notified of the review. No additional comments have been received. All the comments can be viewed online on the electronic planning application/review 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. The layout of the rooflights on the proposed north elevation is not approved. Prior to development commencing a scaled plan showing a revised layout of the rooflights shall be submitted to and approved in writing by the planning authority. Development thereafter shall comply with the approved revised plan.

**Reason:** *To safeguard the character of the conservation area.*

## **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

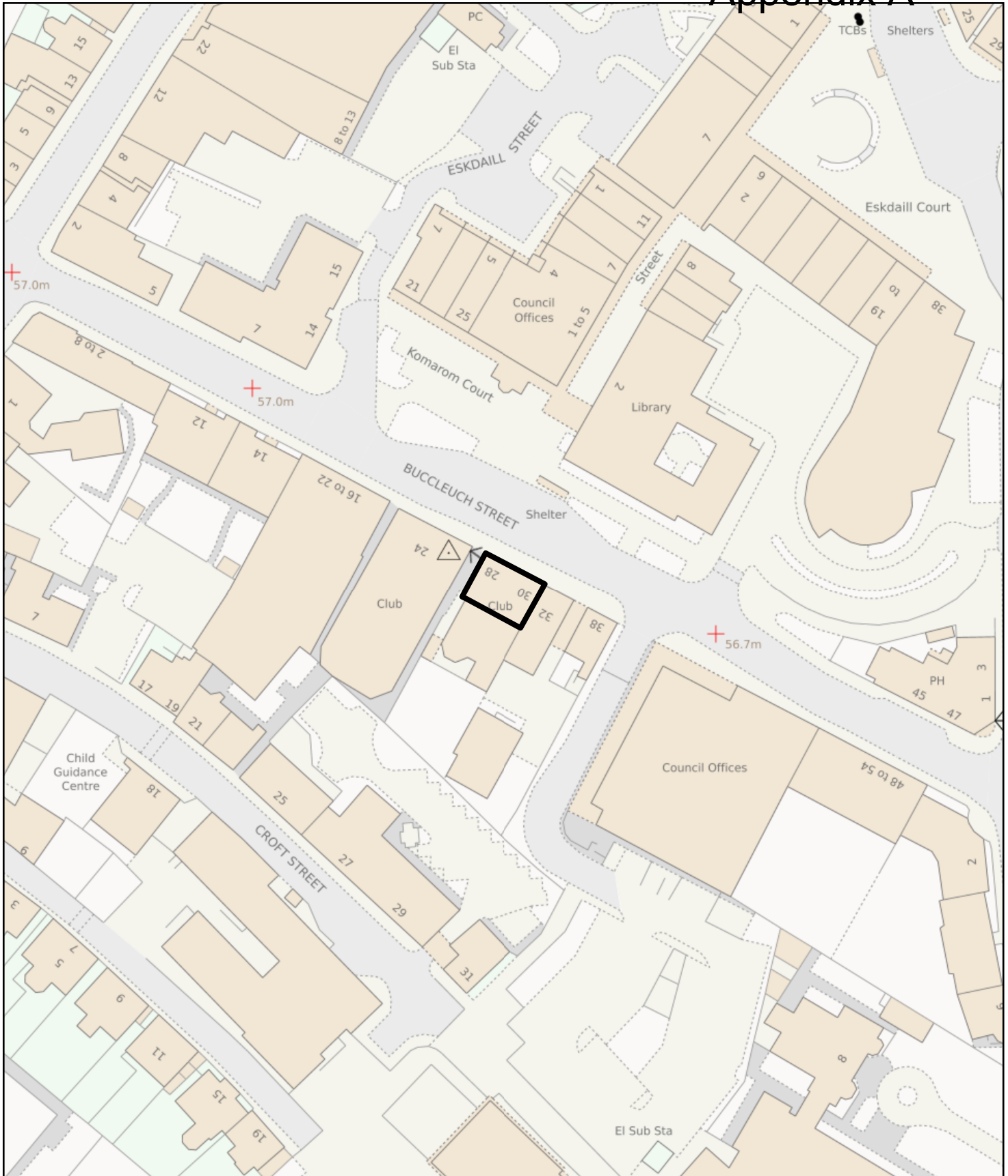
**Date:** 21 December 2018

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

**Tel No:** 0131 271 3310

**Background Papers:**

# Appendix A



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

Change of use from flatted dwelling to house in multiple occupancy; formation of dormer window and new window opening and installation of rooflights at The Royal British Legion, 28 - 30 Buccleuch Street, Dalkeith

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File No. 18/00643/DPP

Scale: 1:1,000



## NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect  
of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)  
Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS  
ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Miss	Ref No.	
Forename	Abidha	Forename	Stuart
Surname	Khan	Surname	Hannah
Company Name		Company Name	Stuart Hannah Arch. Services
Building No./Name	4	Building No./Name	9
Address Line 1	St. Davids Avenue	Address Line 1	Bonaly Brae
Address Line 2		Address Line 2	
Town/City	Dalkeith	Town/City	Edinburgh
Postcode	EH22 3FF	Postcode	EH13 0QF
Telephone		Telephone	
Mobile		Mobile	07960 407 712
Fax		Fax	
Email		Email	stuarthannah12@yahoo.com
<b>3. Application Details</b>			
Planning authority		Midlothian Council	
Planning authority's application reference number		18/00643/DPP	
Site address			
28 - 30 Buccleuch Street Dalkeith EH22 1HA		<div style="border: 1px solid black; padding: 5px; display: inline-block;">             COUNCIL RESOURCES              FILE 18/00643 DPP              RECEIVED 15 NOV 2018              CLK           </div>	
Description of proposed development			
Change of use from flatted dwelling to house in multiple occupancy; formation of dormer window and new window opening and installation of rooflights.			

Date of application

4 September 2018

Date of decision (if any)

5 November 2018

**Note.** This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

#### 4. Nature of Application

Application for planning permission (including householder application)

☒

Application for planning permission in principle

☐

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

#### 5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

#### 6. 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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

Further written submissions

☐

One or more hearing sessions

☐

Site inspection

☐

Assessment of review documents only, with no further procedure

☒

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

#### 7. Site Inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

Can the site be viewed entirely from public land?

☒

Is it possible for the site to be accessed safely, and without barriers to entry?

☐

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

None

## 8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see covering letter.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

## 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Covering letter dated 13/11/2018.  
Copy of agents' letter dated 5/10/2018.  
Copy of drawings submitted with Planning Application.

**Note.** The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

## 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form ☒

Statement of your reasons for requesting a review ☒

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☒

**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 from that earlier consent.

## DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name: Stuart Hannah Date: 13/11/2018

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

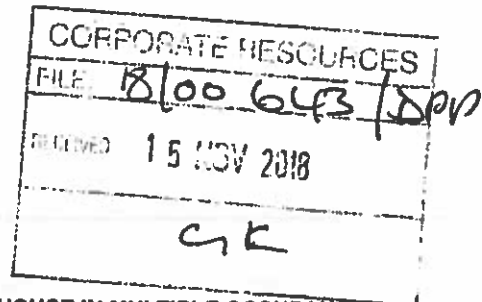


STUART HANNAH Architectural Services  
9 Bonaly Brae, Edinburgh. EH13 0QF

Telephone : 07960 407 712

13 November 2018

The Planning Manager  
Planning  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
Midlothian  
EH22 3ZN



Dear Sirs,

**PROPOSED CHANGE OF USE FROM FLATTED DWELLING TO HOUSE IN MULTIPLE OCCUPANCY;  
FORMATION OF DORMER WINDOW AND NEW WINDOW OPENING AND INSTALLATION OF  
ROOFLIGHTS AT 28 - 30 BUCCLEUCH STREET, DALKEITH, MIDLOTHIAN. EH22 1HA.**

**REVIEW OF REFUSAL OF PLANNING APPLICATION No. 18/00643/DPP**

Please find enclosed notice of review for the above.

We would like the following to be reviewed:

That the above application for Planning Permission was refused as road safety is a material consideration in the assessment of the proposal. Use of the flat as a house in multiple occupation for between 8 and 10 residents will put additional pressure on the limited number of on-street parking space and could lead to inconsiderate or illegal parking the surrounding area.

The reasons that we would like the decision to be reviewed is as follows:

The above application was refused for the above reason, that the proposal may put additional pressure on car parking. It is noted that the use of the property as a house in multiple occupation and the proposed attic conversion were not considered as unacceptable.

For clarity and to prevent repetition, the drawings and information held on the planning application form part of the review, specifically, we would like the points raised in our letter of 5 October 2018 to be considered as part of this submission.

Further, as previously stated, the use of a property as an HMO in this location is not only an acceptable use but a desirable provision in the location.

The guide for young people preparing for a new tenancy, provide by Midlothian Council, specifically provides guidance for young people who are on a low income, with limited budgets, who may require housing benefit, to seek accommodation that provides the amenities that they need to be located around their accommodation. To be close to these amenities, the accommodation should be located within easy walking distance of the town centres, negating the need to travel.

To have this accommodation located where car parking spaces are available, would result in the accommodation being outwith the town centre, where there the amenity is not available. This situation would, not only isolate the tenants, but lead to the need to travel to the town centre and is totally contrary to the Council and National transport policies.

The proposed use of the property, by the applicant, is to provide a much needed and desirable usage within the Dalkeith town centre. The proposal provides a pathway for the young people of Midlothian to have suitable affordable accommodation to start out with and to allow them to develop.

It has to be appreciated that it is necessary for Midlothian Council to provide a shelter for everyone and B&B accommodation is often a necessary short term solution. This is not a situation which benefits either the individuals or the local authority and the provision of this type of accommodation with the town centres of Midlothian should be encouraged.

Indeed, the applicant has noted that Midlothian Council are progressing with their proposed use of Jamac Court for use as temporary accommodation of 22 units for homeless families, primarily to reduce the outlay on B&B accommodation, where there does not appear to be any issues on how this may put additional pressure on the limited number of on-street parking space and could lead to inconsiderate or illegal parking the surrounding area.

To consider that the proposed tenants, who are in a situation where they have to live within such tight budgets, would be in a position to afford and run vehicles is erroneous. Indeed it would be anticipated, by the applicant, that any young person who found themselves to be in a position where they were to become more financially viable, that their first consideration would be seeking their own private accommodation and not to remain in a house in multiple occupation. This would further free up rooms for future young people requiring this type of accommodation

In conclusion, we would submit the following:-

We consider that it is erroneous, in the first place, to consider that the proposals would lead to an increase in the need for parking provision that may put additional pressure on existing car parking spaces. However, should it still be considered that parking standards suggest that there may be an increase, there are significant and substantial considerations that the benefits far outweigh any minor contravention of a single specific standard to lead to anyone to consider that the proposal should be refused.

Should you require any further information or have any queries, please do not hesitate to contact me.

Yours Faithfully



Stuart Hannah  
for Stuart Hannah Architectural Services.

Enc.

STUART HANNAH Architectural Services  
9 Bonaly Brae, Edinburgh. EH13 0QF

Telephone : 07960 407 712

5 October 2018

Attn. Mr. Graeme King

Planning  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
Midlothian  
EH22 3ZN

Dear Mr. King,

**PROPOSED CONVERT ATTIC TO FORM MAISONETTE AND CHANGE OF USE TO HMO FROM FLAT  
AT 28 BUCCLEUCH STREET, DALKEITH, MIDLOTHIAN. EH22 1HA.**

**PLANNING APPLICATION No. 18/00643/DPP**

We note that Transportation Policy and Road Safety has raised concerns regarding an increase in the requirement for parking spaces that may be generated by this proposal. We would like to take the opportunity to clarify what the applicant, Miss Khan, is proposing for this development.

Miss Khan has noted, from various reports, that there is currently a general shortage of affordable housing within the Dalkeith area and specifically a need for affordable housing for the single young adults of Dalkeith, with a great many being accommodated in Bed and Breakfast accommodation every night.

She has, therefore, identified a viable and sustainable business opportunity to reduce this shortfall and provide affordable accommodation for young single people within the area. You will note from the proposals that the Bedrooms and Accommodation provided are designed for this purpose and not for larger family groups. The building itself will also benefit from being in use and improving the energy and pollution levels from the property, to comply with current Building Standards, which will also lead to a long term sustainable use for the building.

The Midlothian Council Parking Standards sets out a level of Provision for Car Parking. It seeks to, by limiting accessible car parking, encourage walking, cycling and public transport usage, although a balance has to be struck with road safety. The specific example given is for a town centre development with a high frequency bus service within short walking distance (consider a reduction in the parking provision required). This proposal is an exact example of this situation where the proposed occupants would be for less likely to be owners of vehicles, with the town centre within easy walking distance and access to public transport on the door step.

stuarthannah12@yahoo.com

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FILED	18/00643/DPP
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C.K.	

Whilst it is not anticipated that the proposals would generate any significant parking requirements, should an assessment of parking be required, Table 1 of The Midlothian Council Parking Standards provides guidance. For the existing usage of a Private House of 3 or more bedrooms, a provision of a minimum of 2 car parking space for residents and 0.50 spaces for visitors is suggested. Although lapsed, Planning Permission has already be granted to convert the attic and provide the same 3 No. additional Bedrooms within the attic space (06/00902/FUL). The proposed use does not create any further accommodation and a provision of 1.50 car parking space for residents and 0.00 spaces for visitors is suggested for Social Housing.

Midlothian Council have also spent a considerable amount of time and effort to produce a Need for Parking Management. It is noted that it is necessary to promote and support: Lifestyles that are less car-dependant, Transport systems that is more socially inclusive, Development that is more sustainable in terms of energy and pollution, and Settlements which are more attractive and user-friendly. We would submit that by changing the use from a large family maisonette to an HMO, the proposed usage is more in keeping with these objectives than the existing usage.

On a more general matter, it is a key aim of the MLDP that there is a sufficient range and choice of housing to meet all needs and help achieve sustainable communities. Further, it identifies an affordable housing need of 1,053 homes in Midlothian between 2009 and 2032. Finally, the MLDP, seeks to increase the number of HMOs in Midlothian due to the impact of welfare reform on single person households and also to support the growth of housing options in the private rented sector, to a level of 8% of the total number of domestic properties in any single locality.

In conclusion, we would submit the following:-

Given the nature and location of the proposals, we would submit that the policy and practical demands for car parking is less than the current use, and encourages the use of public transport and walking.

The general proposal is in line with and encouraged by the MLDP and is in fact a viable, sustainable and desirable use of the property, which also encourages walking and the use of public transport and a lifestyle that reduces car dependency.

The proposals provides a much needed type of accommodation with Dalkeith Town Centre which should be supported by Midlothian Council.

Should you require any further information or have any queries, please do not hesitate to contact me.

Yours Faithfully

Stuart Hannah  
for Stuart Hannah Architectural Services.

## MIDLOTHIAN COUNCIL

### DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

**Case Officer:** Graeme King    **Site Visit Date:** 14/09/2018

**Planning Application Reference:** 18/00643/DPP

**Site Address:** The Royal British Legion, 28-30 Buccleuch Street, Dalkeith

**Site Description:** The application subjects are a 3 bed flat situated in the centre of Dalkeith. The flat occupies the first floor and roof space of a 2 storey 19thC building. The walls are stone, the roof is slate and the windows have white uPVC frames. The ground floor of the building is occupied by a social club. To the West is a former cinema building which is now occupied by a snooker club. To the East is a 2 storey block with shop units on the ground floor and flats above. The property is situated within Dalkeith House and Park conservation area.

**Proposed Development:** Change of use from flatted dwelling to house in multiple occupancy; formation of dormer window and new window opening and installation of rooflights

**Proposed Development Details:** There are 2 elements to the proposal. The change of use element relates to a change of use from the existing 3 bed flat to a House in Multiple Occupation (HMO) with 6 single bedrooms and 2 double bedrooms. The physical works element of the application relates to an attic conversion which would involve the installation of 5 rooflights on the North (street) elevation of the building; the installation of 2 rooflights and a dormer (measuring 3.3m wide, 2.1m tall and 2.6m deep) on the South (rear) elevation; and the formation of a new window opening in the West elevation.

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

06/00902/FUL – Installation of rooflights at 28 Buccleuch Street, Dalkeith. Consent with conditions

03/00945/FUL – Replacement windows to flatted dwelling at 28-30 Buccleuch Street, Dalkeith. Consent with conditions

464/91 – Formation of two dormer windows and the installation of 2 rooflights at 28 Buccleuch Street

**Consultations:** The Council's **Environmental Health** Manager has no objection to the proposal subject to any consent including conditions to ensure that the floor and windows provide adequate levels of noise insulation in order to protect residents from noise generated by the social club and from road noise.

The Council's **Policy and Road Safety** Manager notes that the proposal would result in a substantial increase in the number of residents living in the building with a

subsequent increase in the requirement for residential and visitor parking spaces. As the proposal does not include any new parking areas this will place additional pressure on the limited number of on-street parking spaces presently available and could lead to an increase in inconsiderate or illegal parking in the surrounding area. The Policy and Road Safety Manager is not supportive of the proposal.

**Representations:** One objection has been received on behalf of the club situated on the ground floor of the building. The grounds for objection are as follows:

- The application is in the name of the Royal British legion. They have not made the application. The application is in another name.
- The property is too small for 5 bedrooms. Are the floors strong enough?
- The Legion has a late licence and are concerned that they will be the subject of complaints from the occupants.
- The Legion has not received any written notification about the plans.

**Relevant Planning Policies:** The relevant policies of the 2017 Midlothian Local Development Plan are:

**Policy DEV2: Development within the Built-up Area** states that development will not be permitted within existing and future built-up areas where it is likely to detract materially from the existing character or amenity of the area.

Paragraph 3.2.10 of the MLDP states that the Council's Local Housing Strategy 2013-2017 seeks to increase the number of House in Multiple Occupation (HMOs) in Midlothian due to the impact of welfare reform on single person households. To reduce the potential for concentration of HMO properties to emerge in certain locations, the Council will restrict the number of such properties in any such locality to 8% of the total number of domestic properties.

**Planning Issues:** In dealing with a planning application the Planning Authority shall have regard to the provisions of the development plan, so far as material to the application, and to any other material considerations. Any representations and consultation responses received are material considerations.

There is no definition of a HMO in planning legislation; for the purposes of licensing, Part 5 of the Housing (Scotland) Act 2006, as amended, defines that living accommodation is a HMO within the meaning of the Act if it is:

- occupied by three or more persons from three or more families, **and**
- occupied by them as their only or main residence **or** in some other manner specified by the Scottish Ministers by order, **and**
- **either** a house, premises or a group of premises owned by the same person with shared basic amenities, or some other type of accommodation specified by the Scottish Ministers by order.

The formation of a HMO will not always require planning permission. Planning permission for a HMO is generally required only where use as a HMO is considered to be a material change of use.

The existing flat has 2 double bedrooms and 1 single bedroom; such a layout could potentially accommodate between 3 and 5 adults. The proposed floorplans show a layout with 6 single bedrooms and 2 double bedrooms. Such a layout would, subject to licensing, provide accommodation for between 8 and 10 adults. The proposed use as an HMO would result in a significant increase in the number of adults living in the flat and as adults living independently of each other they could potentially all have access to cars.

The flat has no allocated parking spaces and the proposal will create significant additional pressure on the limited number of on-street parking spaces in the area. The pressure on parking spaces would have a significant detrimental impact on the character and amenity of the surrounding area and is therefore contrary to policy DEV2 of the Midlothian Local Development Plan.

In response to the consultation response from the Policy and Road Safety Manager the applicant's agent submitted an additional supporting statement. The statement states that the applicant has identified a need for affordable housing for single young adults in Dalkeith and that the proposal represents a viable and sustainable business opportunity that will provide affordable accommodation in the area. The flat is in the town centre within easy walking distance of shops and public transport. The proposal is a viable, sustainable and desirable use of the property which encourages walking and the use of public transport, thereby reducing car dependency.

It must be acknowledged that the flat has been occupied for many years without causing significant parking issues and that consent has previously been granted (and has now lapsed) for an attic conversion; however the scale of the proposed use represents a very significant increase on current occupation levels. While the flat can accommodate the current occupancy levels without a detrimental impact on the character and amenity of the surrounding area, the scale of the proposal makes it unlikely that it could accommodate the proposed increase. The Planning Authority agrees with the conclusions of the Policy and Road Safety Manager that the surrounding area cannot accommodate the proposed level of occupancy.

Consent has previously been granted for an attic conversion with 2 dormers on the front elevation and 2 rooflights on the rear elevation (464/91) and an attic conversion with 3 rooflights on the front elevation and 4 rooflights on the rear elevation (06/00902/FUL), neither of the consents were implemented. The principle of an attic conversion is broadly acceptable, however the proposed window layout for the street elevation is unsympathetic to the character of the building. Had the Planning Authority been minded to approve the application this matter would have been addressed via negotiations with the applicant's agent.

**Recommendation: Refuse**



## Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

**Reg. No. 18/00643/DPP**

Stuart Hannah Architectural Services  
9 Bonaly Brae  
Edinburgh  
EH13 0QF

Midlothian Council, as Planning Authority, having considered the application by Miss Abidha Khan, 4 St Davids Avenue, Dalkeith, EH22 3FF, which was registered on 4 September 2018 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

**Change of use from flatted dwelling to house in multiple occupancy; formation of dormer window and new window opening and installation of rooflights at The Royal British Legion, 28 - 30 Buccleuch Street, Dalkeith, EH22 1HA**

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

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	593/01 1:1250, 1:50	04.09.2018
Proposed Floor Plan	593/02 1:50	04.09.2018
Proposed Floor Plan	593/03 1:50	04.09.2018
Proposed Cross Section	593/04 1:50	04.09.2018
Proposed Elevations	593/05 1:50	04.09.2018
Proposed Elevations	593/06 1:50	04.09.2018
Proposed Elevations	593/07 1:50	04.09.2018

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

*Road safety is a material consideration in the assessment of the proposal. Use of the flat as a house in multiple occupation for between 8 and 10 residents will put additional pressure on the limited number of on-street parking spaces and could lead to inconsiderate or illegal parking in the surrounding area.*

Dated 5 / 11 / 2018

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



## **PLEASE NOTE**

*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 require the planning authority to review the case under section 43A of the Town & Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to The Planning Manager, Planning, Midlothian Council, Fairfield House, 8 Lothian Road, Dalkeith EH22 3ZN. A notice of review form is available from the same address and will also be made available online at [www.midlothian.gov.uk](http://www.midlothian.gov.uk)*

*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 reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the 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.*

### **Prior to Commencement (Notice of Initiation of Development)**

*Prior to the development commencing the planning authority shall be notified in writing of the expected commencement of work date and once development on site has been completed the planning authority shall be notified of the completion of works date in writing. Failure to do so would be a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc (Scotland) Act 2006). A copy of the Notice of Initiation of Development is available on the Council's web site [www.midlothian.gov.uk](http://www.midlothian.gov.uk)*

## **IMPORTANT NOTE REGARDING PUBLIC ACCESS TO INFORMATION**

### **Making an application**

*Please note that when you submit a planning application, the information will appear on the Planning Register and the completed forms and any associated documentation will also be published on the Council's website.*

### **Making comment on an application**

*Please note that any information, consultation response, objection or supporting letters submitted in relation to a planning application, will be published on the Council's website.*

*The planning authority will redact personal information in accordance with its redaction policy and use its discretion to redact any comments or information it considers to be derogatory or offensive. However, it is important to note that the publishing of comments and views expressed in letters and reports submitted by applicants, consultees and representors on the Council's website, does not mean that the planning authority agrees or endorses these views, or confirms any statements of fact to be correct.*

REFUSED  
05/11/18  
18/00643/DPP



Location Plan  
1.1250

### Description of Works

- Gable Window  
Dormer Flat Roof  
Dormer Hafts  
Dormer Windows  
Dormer Gutter  
Rooflight

Double glazed white upvc to match existing  
Green Mineral Fibre Felt  
Slates to match existing.  
Double glazed white upvc to match existing  
Black upvc.  
Velux Windows

CORPORATE RESOURCES

FILE:

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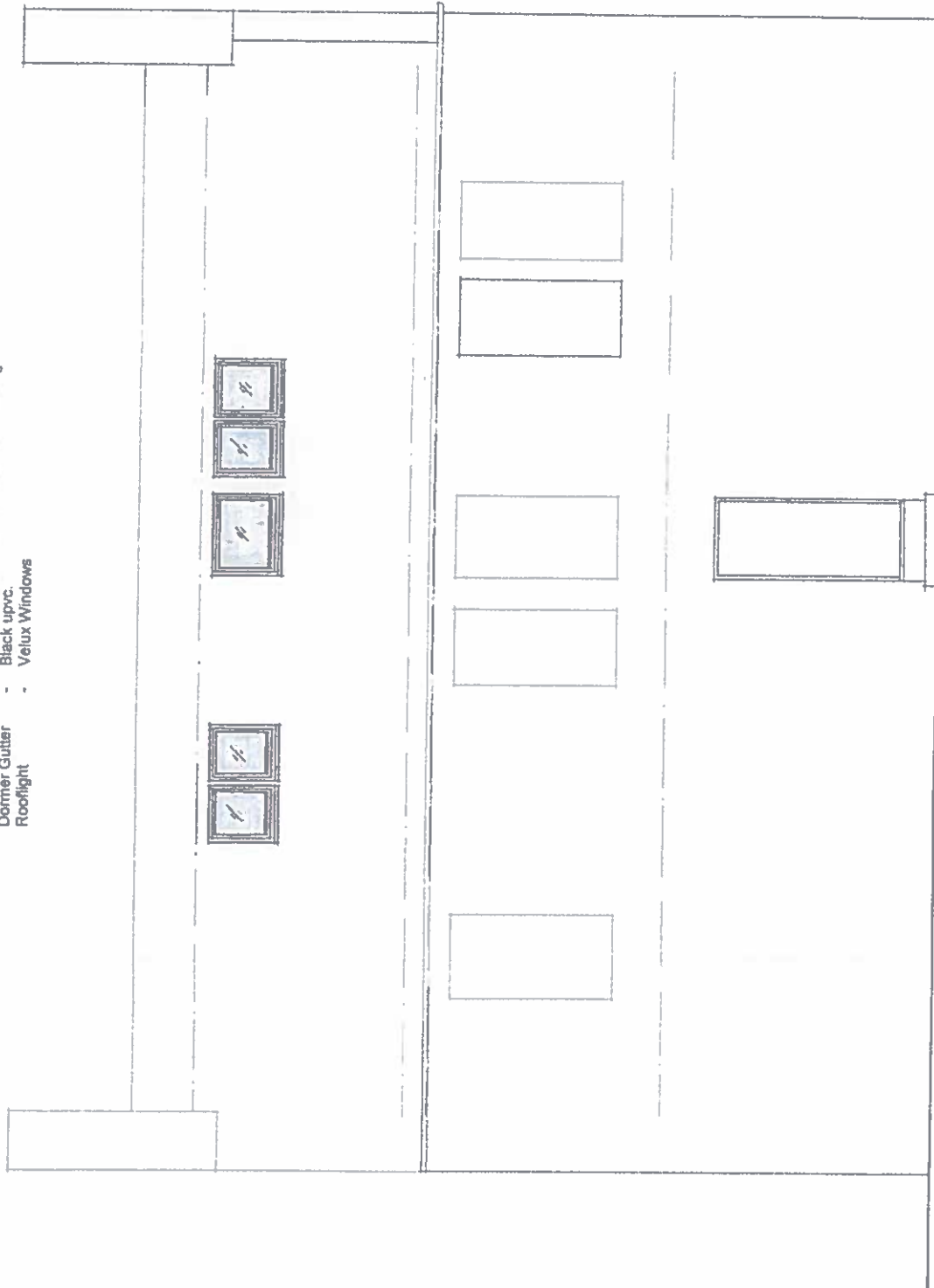
Rev.	Date	Amendment
Client Miss. A. Khan		
Address 28 Buccleuch Street, Dalkeith Midlothian. EH22 1HA.		
Project Convert Attic to form Maisonette and COU To HMO.		
Title Location Plan & West Elevation		
Scale: 1:1250 1:50 Dwg. No. 59301 Date: Aug. 2018		
STUART HANNAH Architectural Services 8 Bonaly Brae, Edinburgh. EH13 0QF		
Tel: 07960 407 712 sluarthannah12@yahoo.com		

West Elevation 1.50

REFUSED  
05/11/18  
18/00643/DPP

Description of Works

- Gable Window
- Dormer Flat Roof
- Dormer Hafts
- Dormer Windows
- Dormer Gutter
- Rooflight
- Double glazed white upvc to match existing.
- Green Mineral Fibre Felt
- Slates to match existing.
- Double glazed white upvc to match existing.
- Black upvc.
- Velux Windows



North Elevation

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FILE: 18/00643/DPP  
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Rev.	Date	Amendment
		Client Miss. A. Khan
		Address 28 Buccleuch Street, Dalkeith Midlothian. EH22 1HA.
		Project Convert Attic to form Maisonette and COU To HMO
		Title North Elevation
		Scale 1:50 Dwg. No. 59305 Date: Aug. 2018
		STUART HANNAH Architectural Services 9 Bonaly Brae, Edinburgh. EH13 0QF
		Tel 07960 407 712 stuarthannah12@yahoo.com

They could also have made it to with the  
aid of the... (text is blurry and partially cut off)

Gable Window	-	Double glazed white upvc to match existing
Dormer Flat Roof	-	Green Mineral Fibre Felt
Dormer Eaves	-	Slates to match existing.
Dormer Windows	-	Double glazed white upvc to match existing
Dormer Gutter	-	Black upvc.
Rooflight	-	Velux Windows



CORPORATE RESOURCES  
 FILE: 12/0064312  
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Rev	Date	Amendment
Client	Miss. A. Khan	
Address	28 Buccleuch Street, Dalkeith Midlothian, EH22 1HA.	
Project	Convert Attic to form Maisonette and COU To HMO.	
Title	South Elevation	
Scale: 1:50	Dwg No 59308	Date Aug 2018
STUART HANNAH Architectural Services 9 Bonaly Brae, Edinburgh. EH13 0QF		
Tel: 07950 407 712		stuarthannah12@yahoo.com

REFUSED  
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18/00643/DPP

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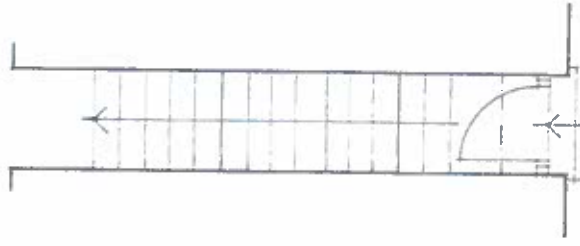


Section B-B & East Elevation of Proposed Dormer

Rev.	Date	Amendment
Client	Miss. A. Khan	
Address	28 Buccleuch Street, Dalkeith Midlothian. EH22 1HA.	
Project	Convert Attic to form Maisonette and COU To HMO.	
Title	Section B-B & East Elevation of Proposed Dormer	
Scale: 1:50	Dwg No 59307	Date: Sep 2018
STUART HANNAH Architectural Services		
9 Bonaly Brae, Edinburgh. EH13 0QF		
Tel: 07960 407 712 stuarthannah12@yahoo.com		

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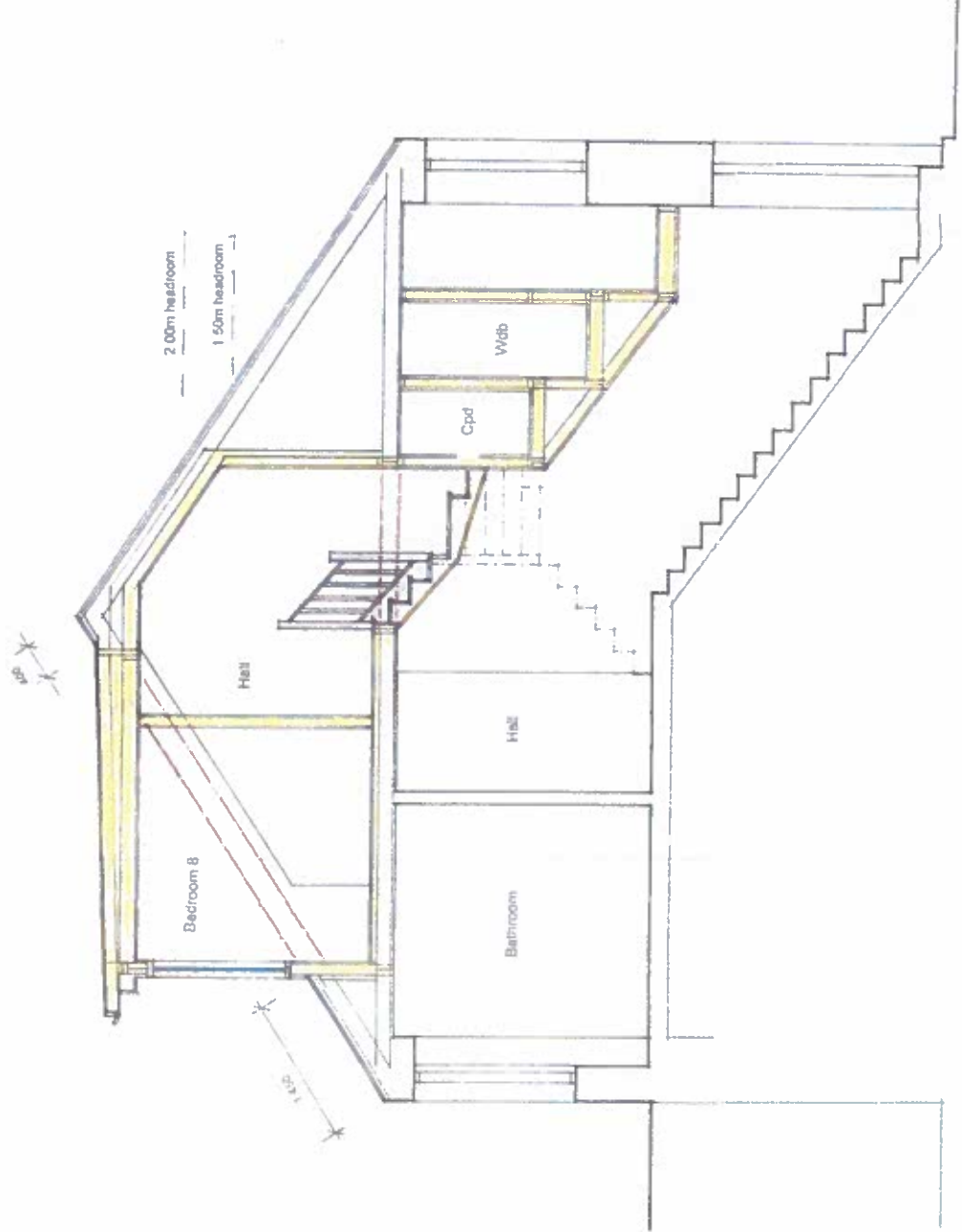


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Ground Floor Plan

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Rev	Date	Amendment
Client	Miss. A. Khan	
Address	28 Buccleuch Street, Dalkeith Midlothian, EH22 1HA	
Project	Convert Attic to form Maisonette and COU To HMO	
Title	Cross Section	
Scale	1:50	Dwg No. 59304 Date Aug 2018
STUART HANNAH Architectural Services 9 Bonaly Brae, Edinburgh. EH13 0QF		
Tel: 07960 407 712 suarthannah12@yahoo.com		



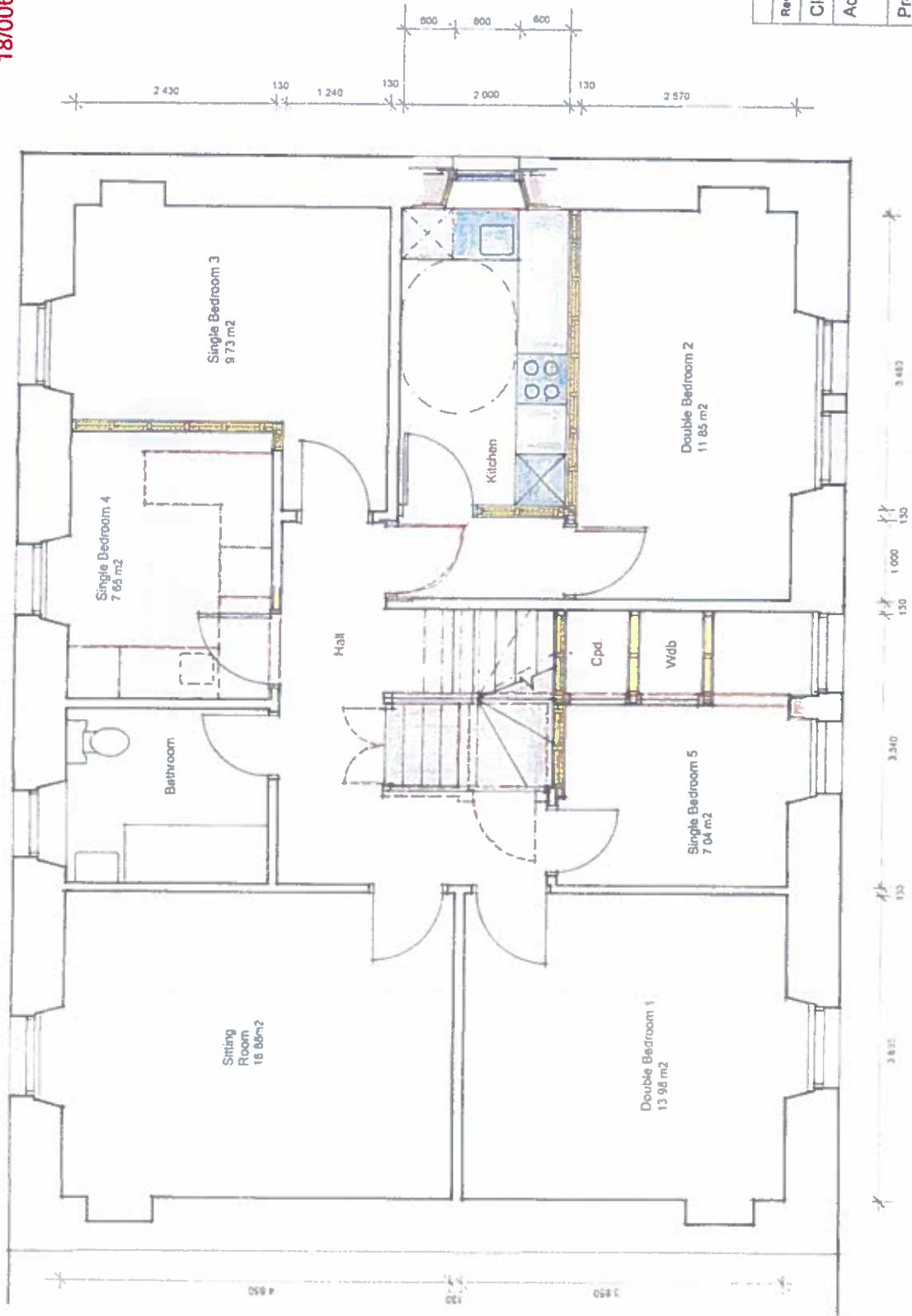
Cross Section



REFUSED  
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18/00643/DPP

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First Floor Plan

Rev.	Date	Amendment
		Client Miss. A. Khan
		Address 28 Buccleuch Street, Dalkeith Midlothian. EH22 1HA.
		Project Convert Attic to form Maisonette and COU To HMO.
		Title First Floor Plan
		Scale: 1:50 Dwg. No. 59302 Date: Aug 2018
		STUART HANNAH Architectural Services
		9 Bonaly Brae, Edinburgh EH13 0QF
		Tel: 07960 407 712 stuart.hannah12@yahoo.com

1. **Identify the problem.** The first step is to identify the problem. This involves understanding the symptoms and the context in which they are occurring.

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 FILE: 12 00603  
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Rev.	Date	Amendment
Client	Miss. A. Khan	
Address	28 Buccleuch Street, Dalkeith Midlothian. EH22 1HA.	
Project	Convert Attic to form Maisonette and COU To HMO.	
Title	Second Floor Plan	
Scale : 1:50	Dwg No. 503/03	Date Aug 2018
STUART HANNAH Architectural Services		
9 Bonaly Brae, Edinburgh. EH13 0QF		
Tel: 07950 407 712		stuarthannah12@yahoo.com



## Second Floor Plan