

# Grant of Planning Permission

Town and Country Planning (Scotland) Act 1997

## Local Review Body: Review of Planning Application Reg. No. 11/00799/DPP

Houseplans  
3B Redford Gardens  
Edinburgh  
EH13 0AR

Midlothian Council, as Planning Authority, having considered the review of the application by Mr MacDaugal, 92 Burnbrae Road, Bonnyrigg, Midlothian, EH19 3FS, which was registered on 16 April 2012 in pursuance of their powers under the above Acts, hereby **grant** permission to carry out the following proposed development:

### **Extension to dwellinghouse at 92 Burnbrae Road, Bonnyrigg, Midlothian, EH19 3FS**

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	28.11.2011
Site Plan	1:500	28.11.2011
Site Plan	1:200	28.11.2011
Elevations, floor plan and cross section	1688/11 1:100, 1:50	28.11.2011

Subject to the following conditions:

1. The development hereby permitted shall be begun within three years from the date of this permission. 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.

***Reason:*** To accord with Section 58 and 27A of the Town and Country Planning (Scotland) Act 1997 (as amended by Planning etc (Scotland) Act 2006).

2. Development shall not begin until samples of materials to be used on the external surfaces of the extension have been submitted to and approved in

writing by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

***Reason:*** *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policies RP20 and DP6 of the Midlothian Local Plan and national planning guidance and advice.*

The Local Review Body (LRB) considered the review of the planning application at its meeting of 31 July 2012. The LRB carried out an accompanied site visit on the 30 July 2012.

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 in the built-up area
2. DP6 Midlothian Local Plan – House Extensions
3. DP2 Midlothian Local Plan – Development Guidelines

Material Considerations:

1. The size of the proposed extension in comparison to the size of extension that could be built under 'permitted development'.

In determining the review the LRB concluded:

The principle of the proposed extension within the built –up area of Bonnyrigg is acceptable and accords with development plan policies. Furthermore, the proposed extension would be compatible to the host building and neighbouring properties by means of its form and design.

Although the construction of the proposed extension would result in a very small garden, it would not be significantly different to the garden remaining if the applicant constructed an extension under 'permitted development rights' and as such the LRB considered it reasonable to support the proposed scheme.

Dated 31/07/2012

Councillor J Bryant  
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***

## NOTICE TO ACCOMPANY REFUSAL ETC.

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

***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, Development Management Manager tel: 0131 2713310 or via [peter.arnsdorf@midlothian.gov.uk](mailto:peter.arnsdorf@midlothian.gov.uk)*