

Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

Local Review Body: Review of Planning Application Reg. No. 11/00748/DPP

James Clydesdale
The Studio
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EH9 2HS

Midlothian Council, as Planning Authority, having considered the review of the application by Mr Les Porteous, 5 Station Road, Gorebridge, EH23 4JX, was registered on 12 March 2012 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

Installation of rooflights and installation of window to replace existing door (part retrospective) at 16 Temple, Gorebridge, EH23 4SQ

in accordance with the application and the following plans:

<u>Drawing Description.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1082-03 1:1250	02.11.2011
Existing floor plan	1082-01 1:50	02.11.2011
Proposed floor plan	1082-02 Rev F 1:50	02.11.2011
Elevations	1082-06 Rev F 1:50	02.11.2011

The reason for the Council's decision is set out below:

The installation of the proposed rooflights and full height window on the front elevation of the property would have a detrimental impact on the character and appearance of the surrounding Conservation Area and as such the proposal is contrary to policies RP20 and RP22 of the adopted Midlothian Local Plan.

The Local Review Body (LRB) considered the review of the planning application at its meeting of 31 July 2012. The LRB carried out an unaccompanied 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 of the Midlothian Local Plan – Development within the built-up area.

2. RP22 of the Midlothian Local Plan – Conservation Areas.

Material Considerations:

1. Other alterations/developments in Temple.

Dated: 31/07/2012

Councillor J Bryant
Chair of the Local Review Body
Midlothian Council

IMPORTANT

As the application (11/00748/DPP) subject to this review was retrospective it is important that you secure the removal of the unauthorised works. The Council will contact you separately under its planning enforcement powers to agree an appropriate time scale to carry out the required works.

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