



---

**APPLICATION FOR PLANNING PERMISSION (24/00131/DPP) AND LISTED BUILDING CONSENT (24/00132/LBC) FOR CONVERSION WORKS INCLUDING ALTERATIONS TO INTERNAL LAYOUT, REMOVAL OF EXISTING GARAGE AND ERECTION OF EXTENSION OF STAFF ACCOMMODATION TO PROVIDE TOURIST ACCOMMODATION IN CONNECTION WITH MELVILLE CASTLE HOTEL AT EAST LODGE, MELVILLE CASTLE, LASSWADE**

Report by Chief Officer Place

---

**1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION**

- 1.1 The applications are for the conversion works including alterations to internal layout, removal of existing garage and erection of extension of staff accommodation to provide tourist accommodation in connection with Melville Castle Hotel at East Lodge, Melville Castle, Lasswade.**
- 1.2 There have been three representations received in response to the listed building consent application and no representations in response to the planning application. There have been consultation responses from The Coal Authority, Historic Environment Scotland and the Council's Ecological Advisor.**
- 1.3 The relevant development plan policies are policies 1, 2, 3, 6, 7, 8, 13,14, 29 and 30 of National Planning Framework 4 (NPF4) and policies VIS2, ENV1, ENV6, ENV7, ENV11, ENV14, ENV15, ENV20 and ENV22 of the Midlothian Local Development Plan 2017 (MLDP).**
- 1.4 Also material to the assessment of the applications is Historic Environment Policy for Scotland (HEPS), Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and Historic Environment Scotland's – Managing Change in the Historic Environment Guidance Notes on Extensions.**
- 1.5 The recommendation is to grant planning permission and listed building consent subject to conditions.**

## **2 LOCATION AND SITE DESCRIPTION**

- 2.1 The application site relates to a single storey, detached, historic lodge house located at the entrance of Melville Castle Hotel, where access is taken from the B6392 road. The application site is located within the greenbelt, special landscape area and garden and designed landscape as defined by the Midlothian Local Development Plan. The historic lodge is category B listed and is currently used as staff accommodation associated with Melville Castle Hotel.
- 2.2 The original footprint of the historic lodge is a 'L' shape plan. The lodge has a hood-moulded porch to the front and later additions to the rear and side elevations. The main lodge is finished in natural stone with crowstepped gable ends, slate pitched roof and painted white timber framed, sash and case windows. The single storey flat roof garage attached to the northern side elevation is finished in a painted brown timber cladding with a profiled metal roof. The single storey, flat roofed extension located to the rear eastern elevation is finished in concrete blockwork. There are parking spaces located immediately to the front of the house and across the access drive with space for up to five cars.

## **3 PROPOSAL**

- 3.1 Planning permission and listed building consent are sought for alterations and an extension to the existing single storey lodge that is currently used as staff accommodation so that it can be used as self-catering accommodation, or overflow accommodation, associated with Melville Castle Hotel.
- 3.2 Planning permission and listed building consent are sought for the erection of a single storey extension to the north-east rear/side elevation of the application property, which seeks to replace the existing extensions. The proposed extension is set back from the front elevation and is located to the side and wraps around the rear. The proposed extension projects approximately 3.1 metres from the side elevation and 5 metres from the rear elevation and includes a flat roof which measures 3.1 metres in height. The proposed extension is to be finished in a horizontal timber cladding and will contain dark grey aluminium framed windows and doors.
- 3.3 The proposed internal alterations include the removal of an internal partitioned cupboard and gas stove and the formation of an additional single bedroom within the rear elevation of the lodge.
- 3.5 The application is accompanied by:
- Design Statement;
  - Supporting Statement;
  - Bat Survey; and
  - Coal Mining Risk Assessment.

## 4 BACKGROUND

- 4.1 There is no relevant planning history in relation to the application property.
- 4.2 The planning application has been 'called-in' for determination by the Committee by Councillor Smaill. Councillor Smaill has called the planning application in as the application is subject to a number of constraints including being a listed building, being within the curtilage of Melville Castle and garden and within a designed landscape - as such the application should be considered by the Committee. It is considered appropriate that the listed building application also be considered by the Committee, given that the listed building consent application is for the same development as the planning application.

## 5 CONSULTATIONS

- 5.1 The **Coal Authority** does not object to the application subject to conditions being attached to any grant of planning permission in relation to addressing coal mining legacy.
- 5.2 **Historic Environment Scotland** does not object to the application but advised that the applications should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.
- 5.3 The **Councils Ecological Advisor - The Wildlife Information Centre (TWIC)** does not object to the application – initially TWIC advised that due to the scale of the works planned to a stone and slate roofed pre-1914 property, and the sites location immediately adjacent to ancient woodland habitat, a bat survey should be carried out and submitted by a suitably qualified Ecologist. In response the applicant arranged for a bat survey to be carried out and submitted and in response TWIC advised that the survey identifies that there will be no effects on protected species or habitats.

## 6 REPRESENTATIONS

- 6.1 There have been three representations received in relation to the listed building consent application, which can be viewed in full on the online listed building consent application case file. The representations object to the application. A summary of the main points raised are as follows:
- Concerns regarding the impact upon the natural habitat of protected trees, bats and other wildlife; and
  - Concerns regarding walks that public will not be able to access.
- 6.2 The above matters will be addressed within the planning issues section of the report.

## 7 PLANNING POLICY

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

### National Planning Framework 4 (NPF4)

- 7.2 Policy **1 Tackling the climate and nature crisis**; sets out to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.
- 7.3 Policy **2 Climate mitigation and adaptation**; sets out to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
- 7.4 Policy **3 Biodiversity**; sets out to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.
- 7.5 Policy **6 Forestry, woodland and trees**; sets out to protect and expand forests, woodland and trees.
- 7.6 Policy **7 Historic assets and places**; sets out to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places.
- 7.7 Policy **8 Green belts**; sets out to encourage, promote and facilitate compact urban growth and use the land around our towns and cities sustainably.
- 7.8 Policy **13 Sustainable transport**; sets out to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.
- 7.9 Policy **14 Design, quality and place**; sets out to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.
- 7.10 Policy **29 Rural development**; sets out to encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.
- 7.11 Policy **30 Tourism**; sets out to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland

Midlothian Local Development Plan 2017 (MLDP)

- 7.12 Policy **VIS2: Tourist Accommodation** supports the development of hotels or self-catering tourist accommodation provided the proposal is:
- A. is in scale and in keeping with the character of the local area;
  - B. is sited and designed to respect its setting and is located in an unobtrusive manner within the rural landscape (where applicable);
  - C. is well located in terms of the strategic road network and maximises public transport access; and
  - D. is in accordance with one of the sections below.

Policy VIS2 also sets out that proposals for self-catering tourist accommodation will be permitted in the Green Belt where it is linked to a related existing development. The development must be of a character and scale in keeping with the rural setting and located in an unobtrusive manner. The proposal must also be for the furtherance of a viable long-term business.

- 7.13 Policy **ENV1: Protection of the Green Belt** states that development will not be permitted in the Green Belt except for proposals that;
- A. are necessary to agriculture, horticulture or forestry; or
  - B. provide opportunities for access to the open countryside, outdoor sport or outdoor recreation which reduce the need to travel further afield; or
  - C. are related to other uses appropriate to the rural character of the area; or
  - D. provide for essential infrastructure; or
  - E. form development that meets a national requirement or established need of no other site is available.

Any development proposal will be required to show that it does not conflict with the overall objectives of the Green Belt which is to maintain the identity and landscape setting of Edinburgh and Midlothian towns by clearly identifying their physical boundaries and preventing coalescence.

- 7.14 Policy **ENV6: Special Landscape Areas** states that development proposals will only be permitted where they incorporate high standards of siting and design and where they will not have significant adverse effect on the special landscape qualities of the area.
- 7.15 Policy **ENV7: Landscape Character** states that development will not be permitted where it may have an unacceptable effect on local landscape character.
- 7.16 Policy **ENV11: Woodland, Trees and Hedges** states that development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees

(including trees covered by a Tree Preservation Order, areas defined as ancient or semi-natural woodland, veteran trees or areas forming part of any designated landscape) and hedges which have a particular amenity, nature conservation, biodiversity, recreation, landscape, shelter, cultural, or historical value or are of other importance.

- 7.17 Policy **ENV14: Regionally and Locally Important Nature Conservation Sites** states that development will not be permitted where it could adversely affect the nature conservation interest of such sites, unless it can be demonstrated that appropriate mitigation measures are in place.
- 7.18 Policy **ENV15: Species and Habitat Protection and Enhancement** presumes against development that would affect a species protected by European or UK law.
- 7.19 Policy **ENV20: Nationally Important Gardens and Designed Landscapes** states development should protect, and where appropriate enhance, gardens and designed landscapes. Development will not be permitted which would harm the character, appearance and/or setting of a garden or designed landscape as identified in the Inventory of historic Gardens and Designed Landscapes.
- 7.20 Policy **ENV22: Listed Buildings** does not permit development which would adversely affect the character or appearance of a listed building, its setting or any feature of special architectural or historic interest.

#### Other national policy and guidance

- 7.21 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 Section 59(1) places a duty on Planning Authorities when dealing with planning applications to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 Section 14(2) places a duty on Planning Authorities when dealing with listed building applications to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.22 Historic Environment Policy for Scotland seeks wherever possible to protect conserve or enhance the special characteristics and qualities of the historic environment.
- 7.23 **Historic Environment Scotland Managing - Change in the Historic Environment Guidance Notes – Extensions** states: that extensions: must protect the character and appearance of the building; should be subordinate in scale and form; should be located on a secondary elevation; and must be designed in a high quality manner using appropriate materials. The guidance allows for different design

approaches including complementary and contrasting design. An addition or extension should play a subordinate role. It should not dominate the original building as a result of its scale, materials or location, and should not overlay principal elevations.

## **8 PLANNING ISSUES**

- 8.1 The main planning issues to be considered in determining these applications is whether the proposal complies with development plan policies and Historic Environment Scotland policy and guidance unless material planning considerations indicate otherwise. The representations and consultations responses received are material considerations.

### Principle of development

- 8.2 The application site comprises an existing property, already used in association with the Melville Castle Hotel business, within the green belt, special landscape area and Melville Castle Designed Landscape. The property has been occupied as staff accommodation associated with Melville Castle Hotel and it is proposed to be used as tourist accommodation that supports a well-established hotel – both uses are ancillary to the hotel use and does not trigger a change of use, but the change triggers physical works which need planning permission and listed building consent. While MLDP policies ENV1 and VIS2 restrict development within the countryside and green belt in some cases, as the building is existing and supports a well-established tourist business within the green belt the principle of extending and/or altering the building is not contrary to development plan policies, provided the physical development does not have an adverse impact on the local landscape or the host building.

### Layout, Form, Design and Materials

- 8.3 When extending a historic/listed building there are a number of design approaches that can be taken. These approaches can include restoration, replication, complementary addition, deferential contrast or assertive contrast.
- 8.4 The proposed extension is to the rear and side of the application property and does not extend beyond a main elevation so as not to dominate the application property. The proposed extension seeks to replace existing extensions which currently fail to make a positive contribution towards the character and appearance of the listed building.
- 8.5 The proposed extension is of a simple contemporary design that includes a flat roof, large vertical windows and timber cladding that ensure the proposed extension does not visually compete with the historic lodge. The extension connects to the rear and side elevations

of the lodge via a small timber link extension with glazing that is set below the eaves so as to minimise the impact upon historic fabric and roof of the original lodge.

- 8.6 The proposed extension is of a scale, form and design that does not detract from the character or appearance of the listed building. The proposal is to be finished in materials that match and reflect the contemporary design approach and setting. Therefore, the proposed extension will not result in an adverse impact upon the character or appearance of the listed building, special landscape area or designed landscape.
- 8.7 Overall, the proposed alterations and extension to the existing listed building see the removal of existing later additions that fail to make a positive contribution to the character and appearance of the historic lodge. Therefore, the proposed alterations and extension would result in a positive outcome for this historic building.

#### Landscaping and Ecology

- 8.8 The submitted plans note that two existing 'scrub' trees are to be removed from the site. However, it was concluded that the two trees are not scrub trees as had been stated and appear to be well established trees. The removal of trees is contrary to policy 6 of NPF4 and policy ENV11 of MLDP. Therefore, it is appropriate to protect the trees by a condition on a grant of planning permission, unless it is evidenced that the trees are unsafe or diseased.

#### Access and transportation

- 8.9 The development proposal does not alter the existing parking or access arrangements. There are no concerns relating to the parking or road safety.

#### Amenity

- 8.10 There are no significant adverse amenity implications as a consequence of the development proposal due to the siting, scale, design and distance from neighbouring properties.

#### Other Matters

- 8.11 It is noted that three valid representations objecting to the application were received raising concerns regarding the impact upon the natural habitat of protected trees, bats and other wildlife as well as concerns regarding walks that public will not be able to access. It is noted that the impact of the proposal on the existing trees and protected species have been taken into consideration. With regards to the concerns relating to access routes, it is noted that the proposals do not alter or restrict any public paths or routes.



## 9 RECOMMENDATION

- 9.1 That planning permission (24/00131/DPP) be granted for the following reason:

*The development will not have an adverse impact on the character or appearance of the listed building, area (including a special landscape area and designed landscape) or on the amenity of neighbouring land and buildings and therefore complies with policies ENV1, ENV6, ENV11, ENV14, ENV20 and ENV22 of the adopted Midlothian Local Development Plan 2017, Policy 7, 29 and 30 of the adopted NPF4 and Historic Environment Scotland's policy and guidance.*

Subject to the following conditions:

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. No development shall commence until the following details have been submitted to the planning authority for prior written approval;
  - a) a scheme of intrusive site investigations has been carried out on site to establish the risks posed to the development by past coal mining activity, and
  - b) any remediation works and/or mitigation measures to address land instability arising from coal mining legacy, as may be necessary, have been implemented on site in full in order to ensure that the site is made safe and stable for the development proposed.

The intrusive site investigations and remedial works shall be carried out in accordance with authoritative UK guidance.

3. Prior to the occupation of the development, or it being taken into beneficial use, a signed statement or declaration prepared by a suitably competent person confirming that the site is, or has been made, safe and stable for the approved development shall be submitted to the planning authority for approval in writing. This document shall confirm the methods and findings of the intrusive site investigations and the completion of any remedial works and/or mitigation necessary to address the risks posed by past coal mining activity.

**Reason for conditions 2 and 3:** *The submitted Coal Mining Risk Assessment (Mineral Stability Desktop Report) identifies that further investigation work is required to be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. The above details are required in order to ensure that the site can safely be developed.*

4. Notwithstanding the plans hereby approved, the removal of the two trees identified on approved drawing no. (01)005 Rev B 1:100, are not approved; these trees shall be retained unless otherwise agreed in writing by the planning authority.
5. Development shall not be commenced until the tree protection measures, complying with BS5837 for all trees that are to be retained within the application redline site boundary as per the approved location plan, have been implemented in full and maintained as such for the duration of construction. Evidence of the tree protection measures being in place shall be submitted to the planning authority for approval prior to development commencing.
6. During construction of the development hereby approved, the Root Protection Areas of trees to be retained shall be protected in accordance with the Arboricultural Method Statement with no plant or machinery to be used in these areas.

**Reason for conditions 4 to 6:** *To ensure the development does not result in the loss or damage of a tree which merits retention.*

7. Development shall not begin until details of a sustainability/biodiversity scheme for the site including the provision of boxes for bats and swifts adjacent to the development has been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in, accordance with the approved details, or such alternatives as may be approved in writing with the planning authority.

**Reason:** *To ensure the development accords with the requirements of policy DEV5 of the Proposed Midlothian Local Development Plan 2017.*

- 9.2 That listed building consent (24/00132/LBC) be granted for the following reason:

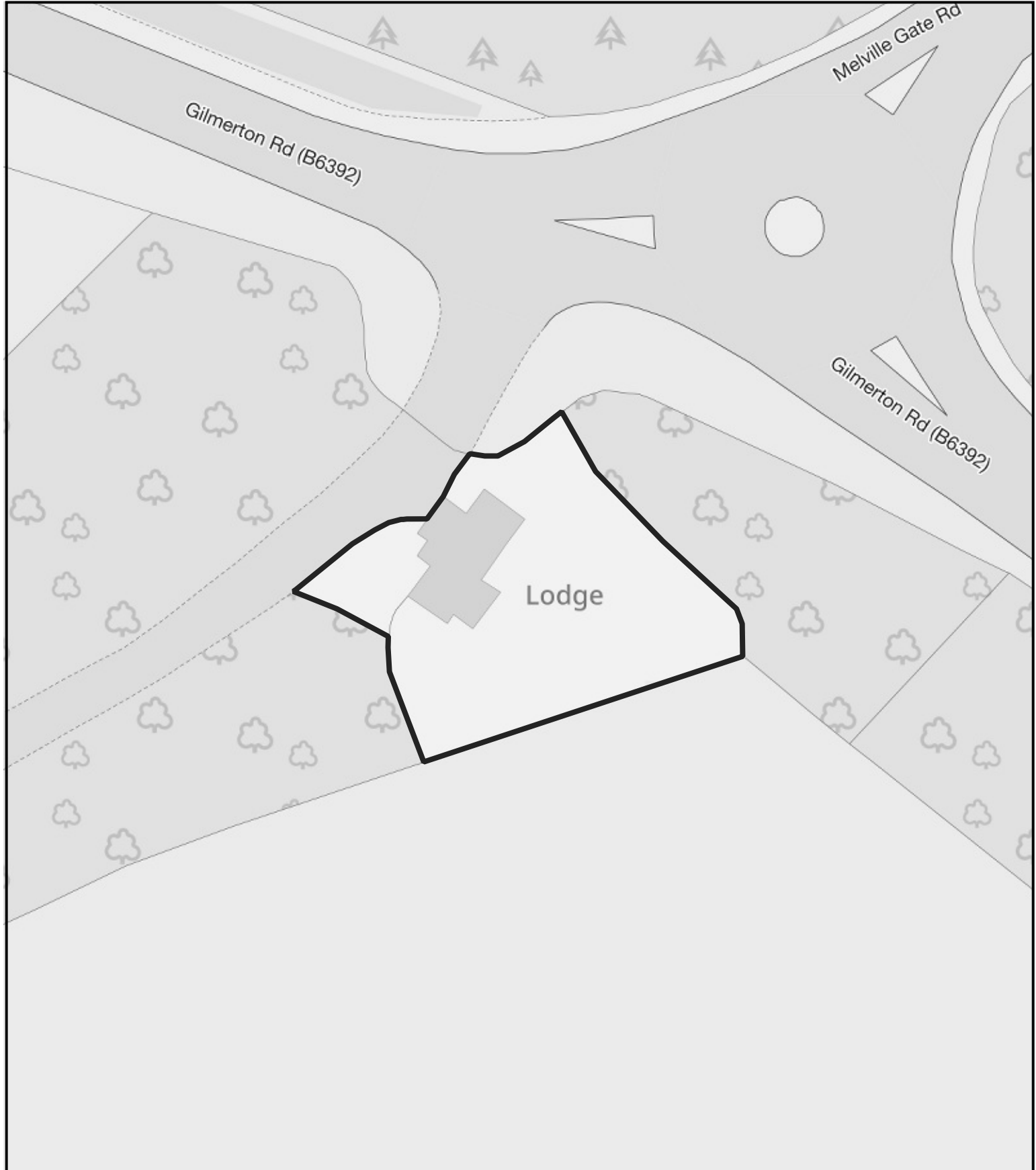
*The proposals will not detract from the character, appearance or setting of this listed building. The proposals comply with the aims of Historic Environment Scotland's Policy Statement, Historic Environment Scotland's Managing Change in the Historic Environment Guidance Notes, and policies 7 of NPF4 and ENV22 of the Midlothian Local Development Plan 2017.*

**Peter Arnsdorf**  
**Planning, Sustainable Growth and Investment Manager**

**Date:** 31 August 2024

**Application No:** 24/00131/DPP & 24/00132/LBC  
**Applicant:** The Hay Trust  
**Agent:** Alan Hardie Architect  
**Validation Date:** 24/00131/DPP - 04 June 2024 and 24/00132/LBC  
- 23 February 2024

**Contact Person:** Whitney Lindsay, Planning Officer  
**Email:** Whitney.Lindsay@midlothian.gov.uk  
**Background Papers:** none  
**Attached Plans:** Location plan, site plan and elevation plans



**Planning Service  
Place Directorate**

Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith, EH22 3AA

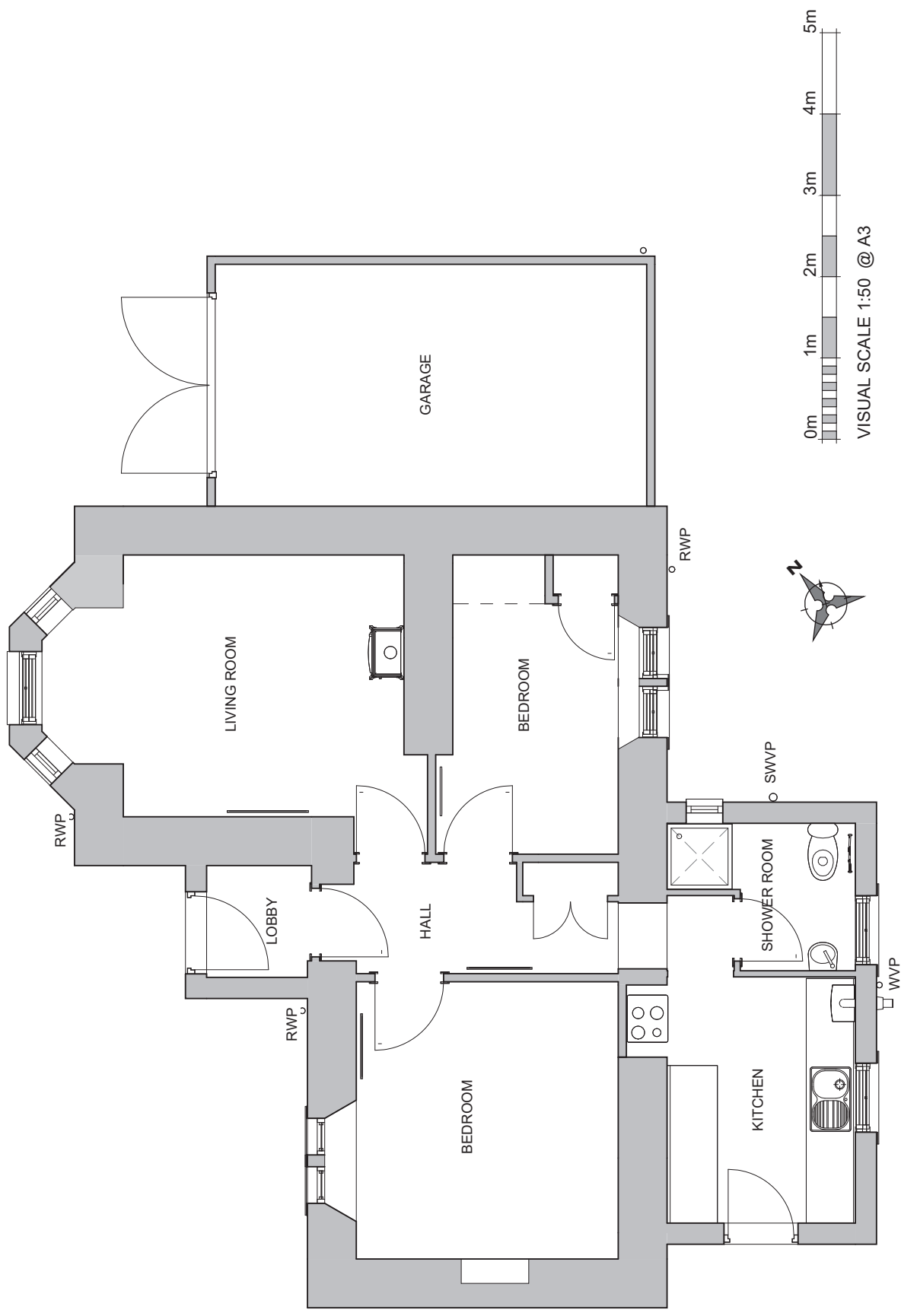
Conversion and extension of property to provide accommodation in connection with hotel; and associated works including alterations to internal layout, removal of existing garage and extension.  
East Lodge, Melville Castle, Lasswade, EH18 1AP

Reproduced from the Ordnance Survey map with the permission of the controller of Her Majesty's Stationary Office. Crown copyright reserved. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings.

File Nos. 24/00131/DPP & 24/00132/LBC

Scale 1:500





# 01 Existing Ground Floor

1 : 50

**Alan Hardie Architect**  
 5 Mitchell Street, Dalkeith, EH22 1JQ  
 m. 07706 270072 e. alan@alanhardie.co.uk  
 w. www.alanhardie.co.uk

No dimensions for construction to be scaled from this drawing, refer to figured dimensions only. Any discrepancies to be referred to the architect. This drawing to be read in conjunction with relevant engineer's drawings and specifications. Structural & services information is indicative. Alan Hardie Architect owns the copyright for this drawing which should not be reproduced in any form without written permission.

**Client**  
 The Hay Trust  
**Project**  
 Extension & Internal Alterations  
 East Lodge, Melville Castle,  
 Edinburgh EH18 1AP

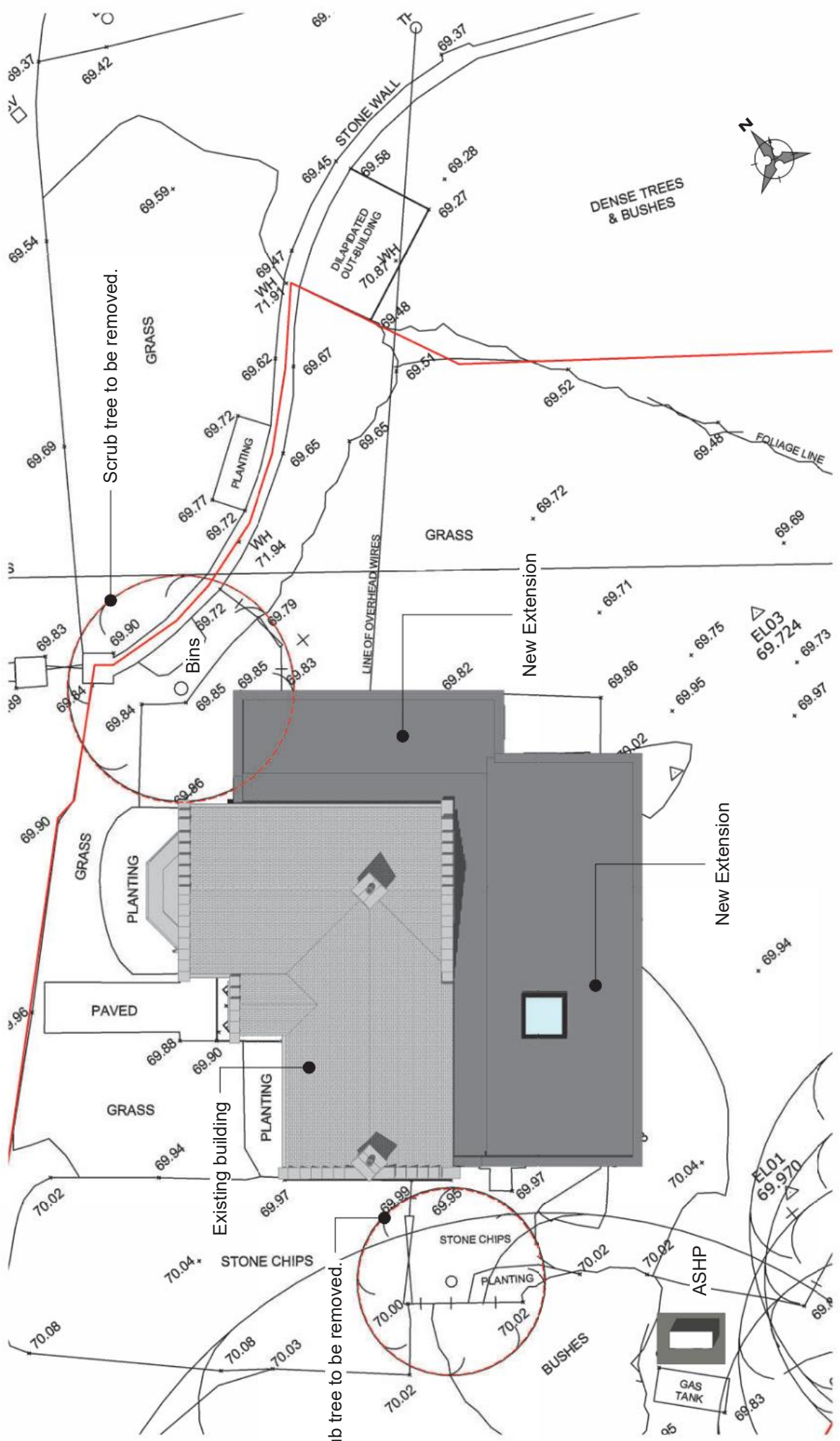
**Existing Ground Floor**

Project number	2022-039A	Drawing number	(01)002	Revision	A
Date	September 2022	Drawn by	AH	Status	PLANNING
Scale	1 : 50	Size	A3		

**Rev Description**

A	Updated to Planning status
0	Initial issue

**Date**  
 08.02.2024  
 13.09.2022



**Site**  
1 : 100

**Alan Hardie Architect**  
 5 Mitchell Street, Dalkeith, EH22 1JQ  
 m. 07706 270072 e. alan@alanhardie.co.uk  
 w. www.alanhardie.co.uk  
 No dimensions for construction to be scaled from this drawing, refer to figured dimensions only. Any discrepancies to be referred to the architect and specifications. Structural & services information is indicative. Alan Hardie Architect owns the copyright for this drawing which should not be reproduced in any form without written permission.

Client  
**The Hay Trust**  
 Project  
**Extension & Internal Alterations  
 East Lodge, Melville Castle,  
 Edinburgh EH18 1AP**

**Roof & Site Plan**

Project number	2022-039A	Drawing number	(01)005	Revision	B
Date	September 2022	Revision			
Drawn by	AH	Scale	1 : 100	Size	A3
Status	PLANNING				

Rev	Description
B	Revisions for Planning
A	Updated to Planning status
0	Initial issue

Date
27.05.2024
08.02.2024
13.09.2022

1. Erect new extension to form new bedroom with en-suite.
2. Create new en-suite & WC and connect to existing drains.
3. Erect new extension to create new kitchen, dining & living room. Sheet out existing external wall.
4. Create new en-suite for existing bedroom and form new utility room.
5. Form new patio decking.
6. Dotted line indicating lowered ceiling/roof line.



# 05 Proposed Ground Floor

1 : 75



VISUAL SCALE 1:75 @ A3

**Alan Hardie Architect**  
 5 Mitchell Street, Dalkeith, EH22 1JQ  
 m. 07706 270072 e. alan@alanhardie.co.uk  
 w. www.alanhardie.co.uk

No dimensions for construction to be scaled from this drawing, refer to figured dimensions only. Any discrepancies to be referred to the architect and specifications. Structural & services information is indicative. Alan Hardie Architect owns the copyright for this drawing which should not be reproduced in any form without written permission.

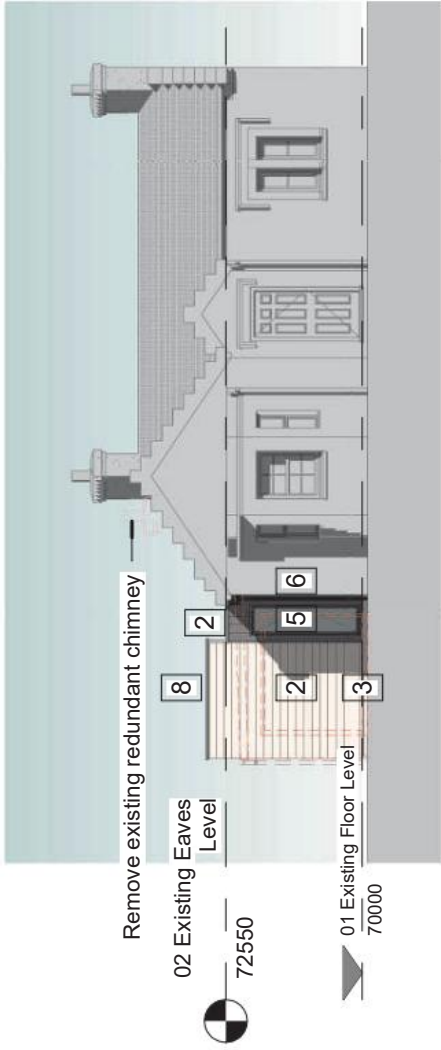
Client  
**The Hay Trust**  
 Project  
**Extension & Internal Alterations  
 East Lodge, Melville Castle,  
 Edinburgh EH18 1AP**

## Proposed Ground Floor Plan

Project number	2022-039A	Drawing number	(01)004	Revision	E	Size	A3
Date	September 2022						
Drawn by	AH						
Status	PLANNING	Scale	1 : 75				

## Rev Description

E	Revisions for Planning	27.05.2024	Date
D	Updated to Planning status	08.02.2024	
C	Client amendments	08.02.2024	
B	Client amendments	20.07.2023	
A	Client amendments	10.07.2023	
0	Initial issue	13.09.2022	

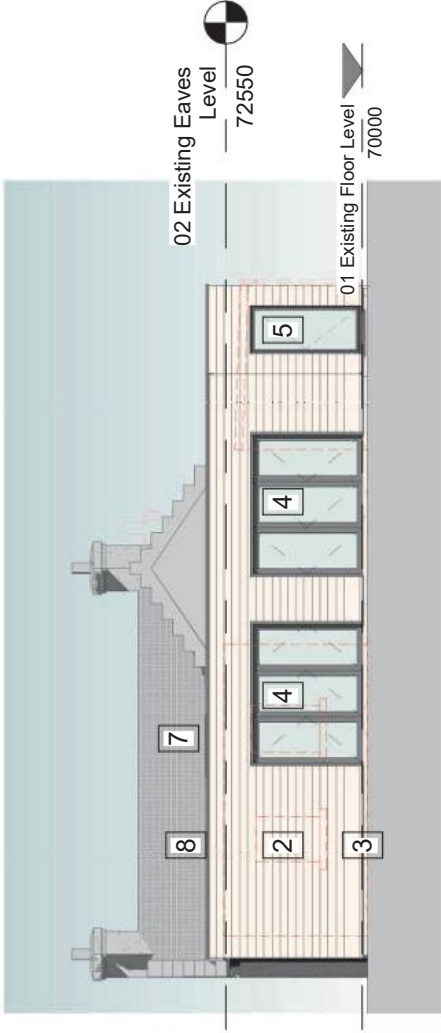


## Proposed West

1 : 100

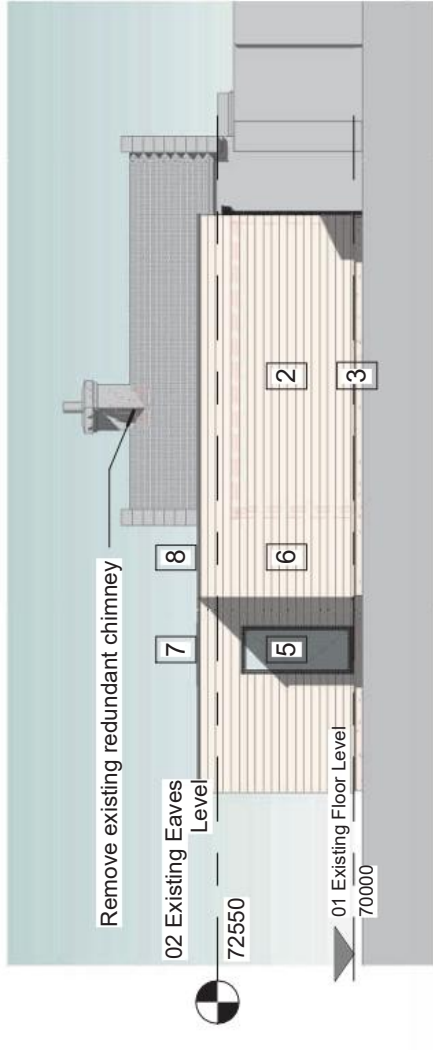
### Materials Index:

1. Single Ply Membrane Roof (slate grey)
2. Larch cladding (horizontal natural & vertical stained RAL 7016)
3. Smooth Render (Jub or equal 025G)
4. Door/Bi-fold Door in RAL 7016 (dark anthracite)
5. Aluminium Window in RAL 7016 (dark anthracite)
6. Aluminium RWP
7. Rooflight
8. PPC Aluminium Cope in RAL 7016 (dark anthracite)



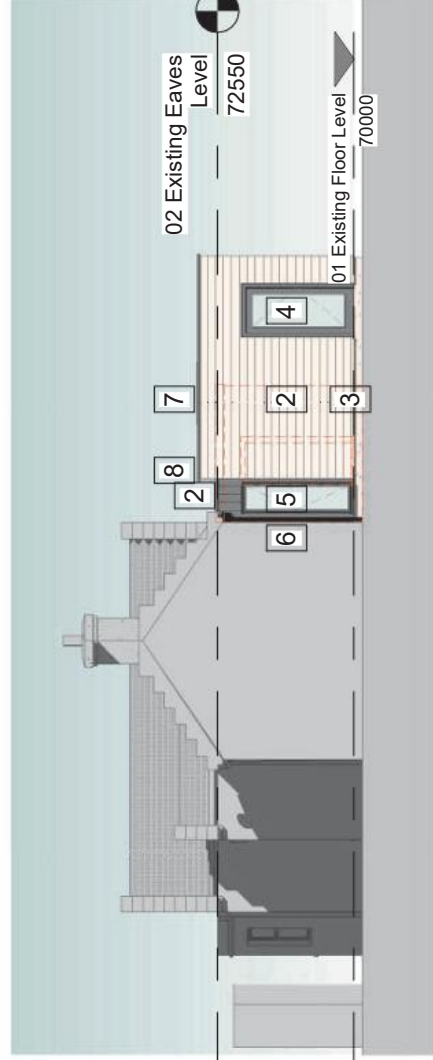
## Proposed East

1 : 100



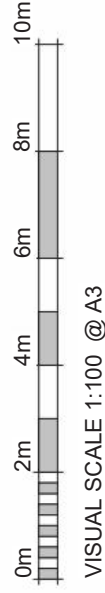
## Proposed North

1 : 100



## Proposed South

1 : 100



**Alan Hardie Architect**

5 Mitchell Street, Dalkeith, EH22 1JQ  
 t. 07706 270072 e. alan@alanhardie.co.uk  
 w. www.alanhardie.co.uk

No dimensions for construction to be scaled from this drawing, refer to figured dimensions only. Any discrepancies to be referred to the architect and specifications. Structural & services information is indicative. Alan Hardie Architect owns the copyright for this drawing which should not be reproduced in any form without written permission.

Client

The Hay Trust

Project

Extension & Internal Alterations  
 East Lodge, Melville Castle,  
 Edinburgh EH18 1AP

### Proposed Elevations

Project number	2022-039A	Drawing number	Revision
Date	September 2022	(03)002	E
Drawn by	AH		
Status	PLANNING	Scale 1 : 100	Size A3

### Rev Description

Rev	Description
E	Revisions for Planning
D	Updated to Planning status
C	Client amendments
B	Client amendments
A	Client amendments
0	Initial issue

### Date

27.05.2024
08.02.2024
08.02.2024
20.07.2023
10.07.2023
13.09.2022