

15/00580 1P

157



East Lothian Council

John Muir House Haddington EH41 3HA

Tel: 01620 827 216

Email: planning@eastlothian.gov.uk

Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000125747-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- Application for Planning Permission (including changes of use and surface mineral working)
- Application for Planning Permission in Principle
- Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

The development of a single plot 2 storey residential family property

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * Yes No

Have the works already been started or completed? *
 No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="psas"/>
Ref. Number:	<input type="text"/>
First Name: *	<input type="text" value="Peter"/>
Last Name: *	<input type="text" value="Stanton"/>
Telephone Number: *	<input type="text" value=""/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address: *	<input type="text" value=""/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="105"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="105"/>
Address 2:	<input type="text" value="newhalls crescent"/>
Town/City: *	<input type="text" value="musselburgh"/>
Country: *	<input type="text" value="UK"/>
Postcode: *	<input type="text" value="eh21 6ef"/>

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title: *	<input type="text" value="Mr"/>
Other Title:	<input type="text"/>
First Name: *	<input type="text" value="D"/>
Last Name: *	<input type="text" value="Higgins"/>
Company/Organisation:	<input type="text"/>
Telephone Number:	<input type="text"/>
Extension Number:	<input type="text"/>
Mobile Number:	<input type="text"/>
Fax Number:	<input type="text"/>
Email Address:	<input type="text"/>

You must enter a Building Name or Number, or both:*

Building Name:	<input type="text" value="50d"/>
Building Number:	<input type="text"/>
Address 1 (Street): *	<input type="text" value="Hercus Loan"/>
Address 2:	<input type="text" value="Hercus Loan"/>
Town/City: *	<input type="text" value="Musselburgh"/>
Country: *	<input type="text" value="Scotland"/>
Postcode: *	<input type="text" value="eh21 6az"/>

Site Address Details

Planning Authority:

East Lothian Council

Full postal address of the site (including postcode where available):

Address 1:

Address 5:

Address 2:

Town/City/Settlement:

Address 3:

Post Code:

Address 4:

Please identify/describe the location of the site or sites.

Northing

672024

Easting

340000

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement (note 1) is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

A previous proposal was submitted for planning in principal and was refused stating certain planning policy criteria

Title:

Ms

Other title:

Planning Officer

First Name:

Kirsty

Last Name:

Slater

Correspondence Reference Number:

DEV53944

Date (dd/mm/yyyy):

25/02/15

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

1166.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: (Max 500 characters)

Over grown landscaped area within a residential housing estate.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

Yes No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details:(Max 500 characters)

Area will be allocated on the development

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

One Certificate must be completed and submitted along with this application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land ? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding.

Signed: Peter Stanton

On behalf of: Mr D Higgins

Date: 10/07/2015

Please tick here to certify this Certificate. *

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan. *

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare - For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are provided as a part of this application .

Declaration Name: Peter Stanton

Declaration Date: 10/07/2015

Submission Date: 10/07/2015

Payment Details



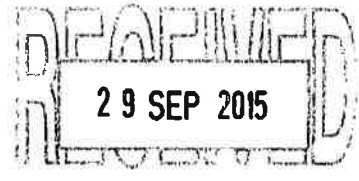
Created: 10/07/2015 01:57

INV

15 / 00580 / 12



John Muir House Haddington EH41 3HA
Tel: 01620 627 216
Email: planning@eastlothian.gov.uk



Applications cannot be validated until all necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 000125747-001

The online ref number is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the Planning Authority about this application.

Type of Application

What is this application for? Please select one of the following: *

We strongly recommend that you refer to the help text before you complete this section.

- Application for Planning Permission (including changes of use and surface mineral working)
- Application for Planning Permission in Principle
- Further Application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

The development of a single plot 2 storey residential family property

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place? (Answer 'No' if there is no change of use.) * Yes No

Have the works already been started or completed? *
 No Yes - Started Yes - Completed

Applicant or Agent Details

Are you an applicant, or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application) Applicant Agent

Agent Details

15 / 00580 / 10

Please enter Agent details

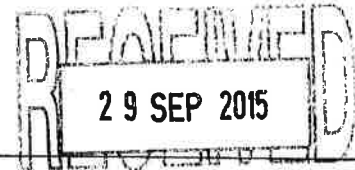
Company/Organisation:	peas
Ref. Number:	
First Name: *	Peter
Last Name: *	Stanton
Telephone Number: *	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address: *	

You must enter a Building Name or Number, or both:*

Building Name:	105
Building Number:	
Address 1 (Street): *	105
Address 2:	newhalls crescent
Town/City: *	musseburgh
Country: *	UK
Postcode: *	eh21 6ef

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity



Applicant Details

Please enter Applicant details

Title: *	Mr
Other Title:	
First Name: *	D
Last Name: *	Higgins
Company/Organisation:	
Telephone Number:	
Extension Number:	
Mobile Number:	
Fax Number:	
Email Address:	

You must enter a Building Name or Number, or both:*

Building Name:	50d
Building Number:	
Address 1 (Street): *	Hercus Loan
Address 2:	Hercus Loan
Town/City: *	Musseburgh
Country: *	Scotland
Postcode: *	eh21 6az

Site Address Details

Planning Authority:

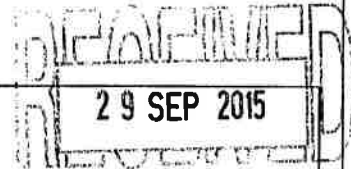
Full postal address of the site (including postcode where available):

Address 1:
 Address 2:
 Address 3:
 Address 4:

Address 5:
 Town/City/Settlement:
 Post Code:

Please identify/describe the location of the site or sites.

Northing Easting

**Pre-Application Discussion**

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (Max 500 characters)

A previous proposal was submitted for planning in principal and was refused stating certain planning policy criteria

Title: Other title:
 First Name: Last Name:
 Correspondence Reference Number: Date (dd/mm/yyyy):

Note 1. A processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

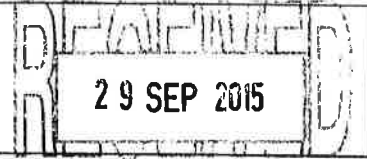
Please state the measurement type used: Hectares (ha) Square Metres (sq.m)

Existing Use

15 / 00580 / No

Please describe the current or most recent use: (Max 500 characters)

Over grown landscaped area within a residential housing estate.



Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? *

Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

3

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water? (e.g. SUDS arrangements) *

Yes No

Note: -

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

15 / 00580 / NR

Is the site within an area of known risk of flooding? *

Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? *

Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? *

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

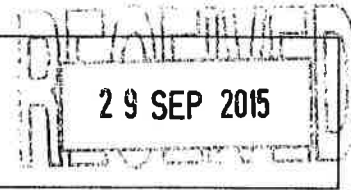
Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

If Yes or No, please provide further details:(Max 500 characters)

Area will be allocated on the development



Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

1

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development - Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Trees

Are there any trees on or adjacent to the application site? *

15 / 00580 / 12

Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that -

(1) - I am/The applicant is unable to issue a certificate in accordance with Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and in respect of the accompanying application;

(2) - No person other than myself/the applicant was an owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

or -

(3) - I have/the applicant has been unable to serve notice on any person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner [Note 2] of any part of the land to which the application relates.

or -

(2) - ~~I have~~ The applicant has served notice on each of the following persons other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application, was owner [Note 2] of any part of the land to which the application/ appeal was owner [Note 2] of any part of the land to which the application relates.

Name:

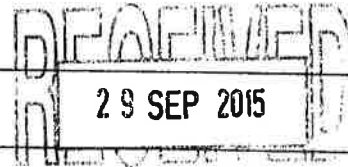
MR NICOLA LEE STEPHENSON & M^S NADINE HIGGINS

Address:

54 FORREST PLACE ARMAJALE
EH48 2GY

Date of Service of Notice: *

05/09/15



(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or -

(3) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding but I have/the applicant has been unable to serve notice on any person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant;

or -

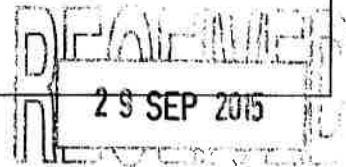
(3) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding I have/the applicant has served notice on each of the following persons other than myself/himself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

(4) - I have/The applicant has taken reasonable steps, as listed below, to ascertain the names and addresses of the other owners or agricultural tenants and *have/has been unable to do so -



Signed:

On behalf of:

Date:

Checklist - Application for Planning Permission

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major developments (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and County Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

15 / 00580 / 12

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (Including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan. *

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement *

Yes N/A

Other Statements (please specify). (Max 500 characters)

.15 / 00580 / 10

Declare - For Application to Planning Authority

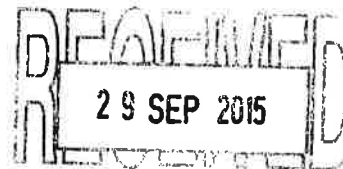
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying plans/drawings and additional information are submitted as part of this application.

Declaration Name:



Declaration Date:

28 SEPT 2015



NEIGHBOURS NOTIFIED LIST

APPLICATION No: 15/00580/P
DEVELOPMENT PROPOSED: Erection of 1 house and associated works
LOCATION: Millers Court Elphinstone Road Tranent
DATE LETTER PRINTED 7/10/15.

**2 West Windygoul Gardens
Tranent
East Lothian
EH33 2LA**

**1 West Windygoul Gardens
Tranent
East Lothian
EH33 2LB**

**7 Somers Park
Tranent
East Lothian
EH33 2AF**

**9 Castle Road
Tranent
East Lothian
EH33 2LD**

**3 Castle Road
Tranent
East Lothian
EH33 2LD**

**1 Castle Road
Tranent
East Lothian**

EH33 2LD

**4 Somers Park
Tranent
East Lothian
EH33 2AF**

**5 Castle Road
Tranent
East Lothian
EH33 2LD**

**7 Castle Road
Tranent
East Lothian
EH33 2LD**

**2 Millers Court
Tranent
East Lothian
EH33 2AG**

**5 Somers Park
Tranent
East Lothian
EH33 2AF**

**6 Somers Park
Tranent
East Lothian
EH33 2AF**

**1 Millers Court
Tranent
East Lothian
EH33 2AG**

1 Somers Park
Tranent
East Lothian
EH33 2AF

2 Somers Park
Tranent
East Lothian
EH33 2AF

3 Somers Park
Tranent
East Lothian
EH33 2AF

granl

**EAST LoTHIAN
COUNCIL**

**TOWN AND
COUNTRY
PLANNING**

**NOTICE IS HEREBY
GIVEN** that
application for
Planning
Permission/Listed
Building
Consent/Conservatio
n Area Consent has
been made to East
Lothian Council, as
Planning Authority,
as detailed in the
schedule hereto.

The applications and
plans are open to
inspection at
Environment
Reception, John Muir
House, Brewery
Park, Haddington
during office hours
or at
[http://pa.eastlothian
.gov.uk/online-
applications/](http://pa.eastlothian.gov.uk/online-applications/)

Any representations
should be made in
writing or by e-mail
to the undersigned
within 21 days of
this date.

21/08/15

Iain McFarlane
Service Manager -
Planning
John Muir House
Brewery Park
HADDINGTON

E-mail:
[environment@eastlo
thian.gov.uk](mailto:environment@eastlothian.gov.uk)

SCHEDULE

15/00622/P
Development in
Conservation Area
24 High Street
Tranent East Lothian
EH33 1HQ
Alterations to flat,
formation of 1st
floor balcony,
erection of garage,
garden room, gates,
fencing, walls,
heightening of wall
and formation of
steps and
hardstanding areas

15/00622/CAC
Conservation Area
Consent
24 High Street
Tranent East Lothian
EH33 1HQ
Demolition of gates

15/00618/P
Development in
Conservation Area
44 Limekilns
Pencaltland Tranent
East Lothian EH34
SHF
Alterations to house

**EAST LoTHIAN
COUNCIL**

**TOWN AND
COUNTRY
PLANNING
(DEVELOPMENT
MANAGEMENT
PROCEDURE)
(SCOTLAND)
REGULATIONS 2013**

**Neighbour
Notification
Where There Is
Neighbouring
Land With No
Premises**

The application the
subject of this
notice together with
the plans and other
documents
submitted with it
may be examined
at Environment
Reception, John
Muir House,
Brewery Park,
Haddington during
office hours or at
[http://pa.eastlothia
n.gov.uk/online-
applications/](http://pa.eastlothian.gov.uk/online-applications/)

Representations
may be made in
writing to the
undersigned within
21 days of this
date:

Date: **21/08/15**

Iain McFarlane
Service Manager -
Planning
John Muir House
Brewery Park
Haddington
EH41 3HA

Email:
[environment@eastl
othian.gov.uk](mailto:environment@eastlothian.gov.uk)

15/00580/P
Millers Court
Elphinstone Road
Tranent East
Lothian
Erection of 1 house
and associated
works

ELMAN
20/08/15

NEIGHBOURS NOTIFIED LIST

APPLICATION No: 15/00580/P
DEVELOPMENT PROPOSED: Erection of 1 house and associated works
LOCATION: Millers Court Elphinstone Road Tranent
DATE LETTER PRINTED 12.08.2015

2 West Windygoul Gardens
Tranent
East Lothian
EH33 2LA

1 West Windygoul Gardens
Tranent
East Lothian
EH33 2LB

7 Somers Park
Tranent
East Lothian
EH33 2AF

9 Castle Road
Tranent
East Lothian
EH33 2LD

3 Castle Road
Tranent
East Lothian
EH33 2LD

1 Castle Road
Tranent
East Lothian
EH33 2LD

4 Somers Park
Tranent
East Lothian
EH33 2AF

5 Castle Road
Tranent
East Lothian
EH33 2LD

7 Castle Road
Tranent
East Lothian
EH33 2LD

2 Millers Court
Tranent
East Lothian
EH33 2AG

5 Somers Park
Tranent
East Lothian
EH33 2AF

6 Somers Park
Tranent
East Lothian
EH33 2AF

1 Millers Court
Tranent
East Lothian
EH33 2AG

1 Somers Park

Tranent
East Lothian
EH33 2AF

2 Somers Park
Tranent
East Lothian
EH33 2AF

3 Somers Park
Tranent
East Lothian
EH33 2AF

granl

EAST LOTHIAN COUNCIL

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Neighbour Notification Where There is Neighbouring Land With No Premises

The application the subject of this notice together with the plans and other documents submitted with it may be examined at Environment Reception, John Muir House, Brewery Park, Haddington during office hours or at <http://pa.eastlothian.gov.uk/online-applications/>

Representations may be made in writing to the undersigned within 21 days of this date:

Date: 16/10/15

Iain McFarlane
Service Manager - Planning
John Muir House
Brewery Park
Haddington
EH41 3HA

Email:
environment@eastlothian.gov.uk

15/00789/P
Carberry Mains
Carberry
Musselburgh East
Lothian EH21 8PX
Alterations as design changes to the scheme of development the subject of planning permission
13/00547/P

EAST LOTHIAN COUNCIL

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Neighbour Notification Where There is Neighbouring Land With No Premises

The application the subject of this notice together with the plans and other documents submitted with it may be examined at Environment Reception, John Muir House, Brewery Park, Haddington during office hours or at <http://pa.eastlothian.gov.uk/online-applications/>

Representations may be made in writing to the undersigned within 21 days of this date:

Date: 16/10/15

Iain McFarlane
Service Manager - Planning
John Muir House
Brewery Park
Haddington
EH41 3HA

Email:
environment@eastlothian.gov.uk

15/00580/P
Millers Court
Elphinstone Road
Tranent East
Lothian
Erection of 1 house and associated works

EAST LOTHIAN COUNCIL

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Bad Neighbour Development

The application the subject of this notice together with the plans and other documents submitted with it may be examined at Environment Reception, John Muir House, Brewery Park, Haddington during office hours or at <http://pa.eastlothian.gov.uk/online-applications/>

Representations may be made in writing to the undersigned within 21 days of this date:

Date: 16/10/15

Iain McFarlane
Service Manager - Planning
John Muir House
Brewery Park
Haddington
EH41 3HA

Email:
environment@eastlothian.gov.uk

15/00738/P
Unit 9 Newhalls
Business Park
Newhalls Road
Musselburgh East
Lothian
Change of use from business (class 4), general industrial (class 5) and storage and distribution (class 6) uses to assembly and leisure (class 11) for gymnasium use

EAST LOTHIAN COUNCIL

TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013

Bad Neighbour Development

The application the subject of this notice together with the plans and other documents submitted with it may be examined at Environment Reception, John Muir House, Brewery Park, Haddington during office hours or at <http://pa.eastlothian.gov.uk/online-applications/>

Representations may be made in writing to the undersigned within 21 days of this date:

Date: 16/10/15

Iain McFarlane
Service Manager - Planning
John Muir House
Brewery Park
Haddington
EH41 3HA

Email:
environment@eastlothian.gov.uk

15/00812/P
Macmerry Industrial Estate
Macmerry
East Lothian
Siting of mobile snack bar

EAST LOTHIAN COUNCIL

TOWN AND COUNTRY PLANNING

NOTICE IS HEREBY GIVEN that application for Planning Permission/Listed Building Consent/Conservation Area Consent has been made to East Lothian Council, as Planning Authority, as detailed in the schedule hereto.

The applications and plans are open to inspection at Environment Reception, John Muir House, Brewery Park, Haddington during office hours or at <http://pa.eastlothian.gov.uk/online-applications/>

Any representations should be made in writing or by e-mail to the undersigned within 21 days of this date.

16/10/15

Iain McFarlane
Service Manager - Planning
John Muir House
Brewery Park
HADDINGTON

E-mail:
environment@eastlothian.gov.uk

SCHEDULE

15/00773/LBC
Listed Building Consent
Chalkieside Farm
Whitcraig East
Lothian
Erection of walls, demolition of gate, gate piers and part of wall

15/00826/P
Development in Conservation Area
Listed Building Affected by Development
Loretto School
Pinkie Campus
Linkfield Road
Musselburgh East
Lothian
Erection of 2 biomass buildings



Scale of Metres - 1:1250

PROJECT
Mr & Mrs Higgins
Single Plot House

DRAWING
LOCATION PLAN
Millers Court

ASSET
No. 0080

DRG NO
HG0715

SCALE
1:1250

DATE
07/15

DRAWN
ps

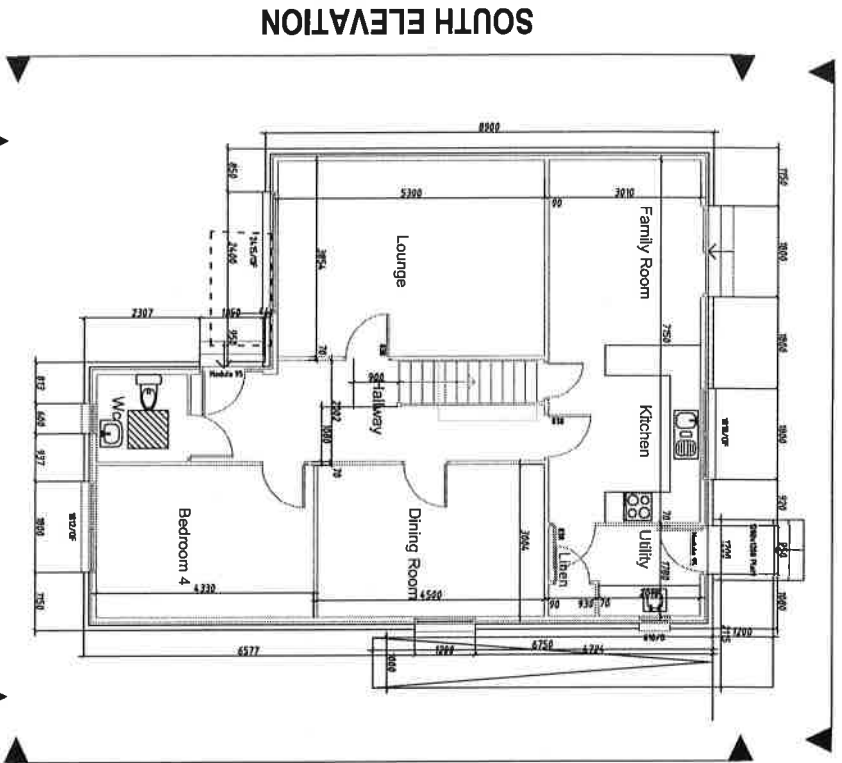
STAGE
PL

AMEND

PL001

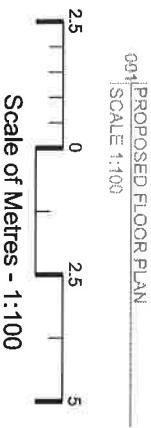
105 NEWHAILES CRESCENT, MUSSELBURGH, EAST LOTHIAN EH21 6EF 0131-653-2388

FRONT ELEVATION (WEST)



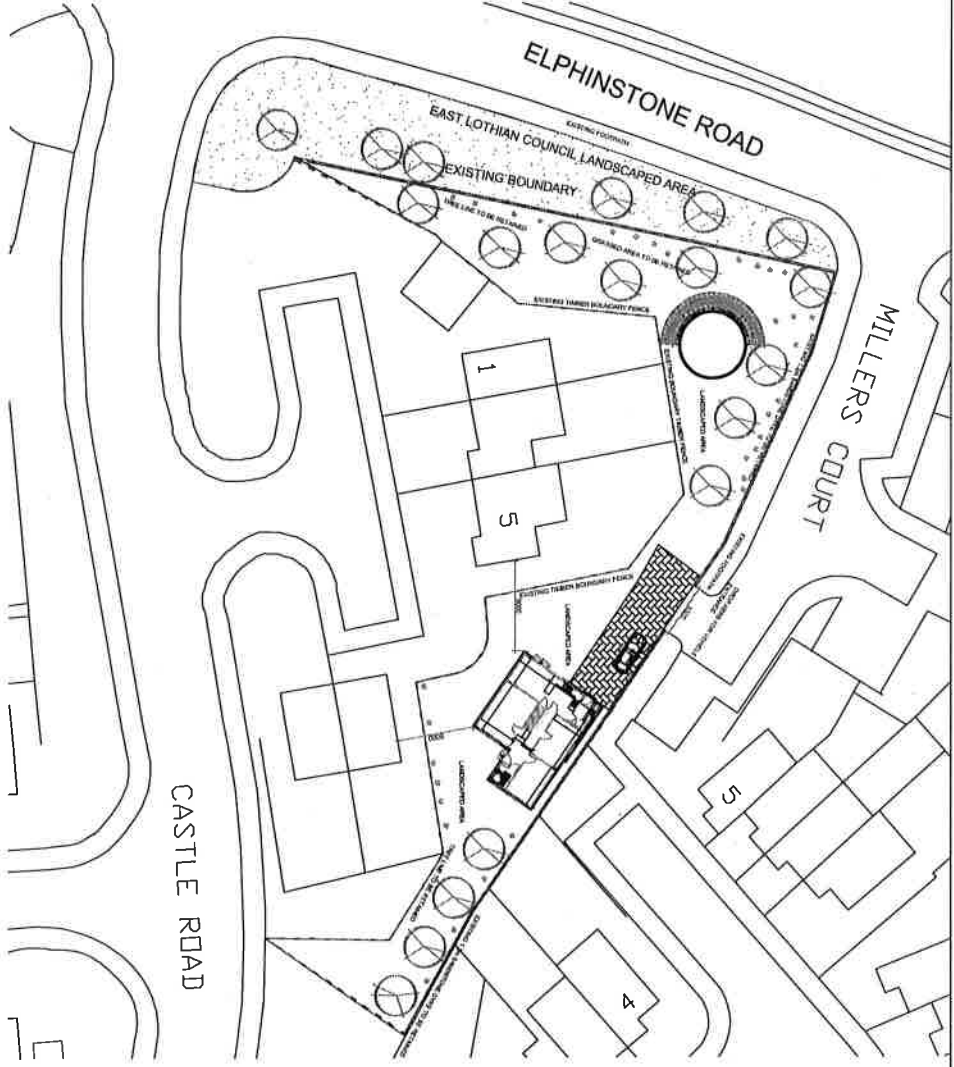
SOUTH ELEVATION

REAR ELEVATION (EAST)

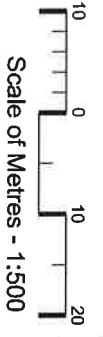


001 PROPOSED FLOOR PLAN
SCALE 1:100

NORTH ELEVATION



002 SITE PLAN
SCALE 1:500



KEY PLAN MTS

- Denotes Site Boundary
- Denotes Down Takings

KEY

PROJECT
Mr & Mrs Higgins
Millers Court
Single Plot House



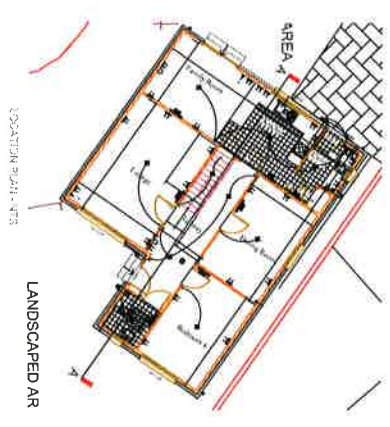
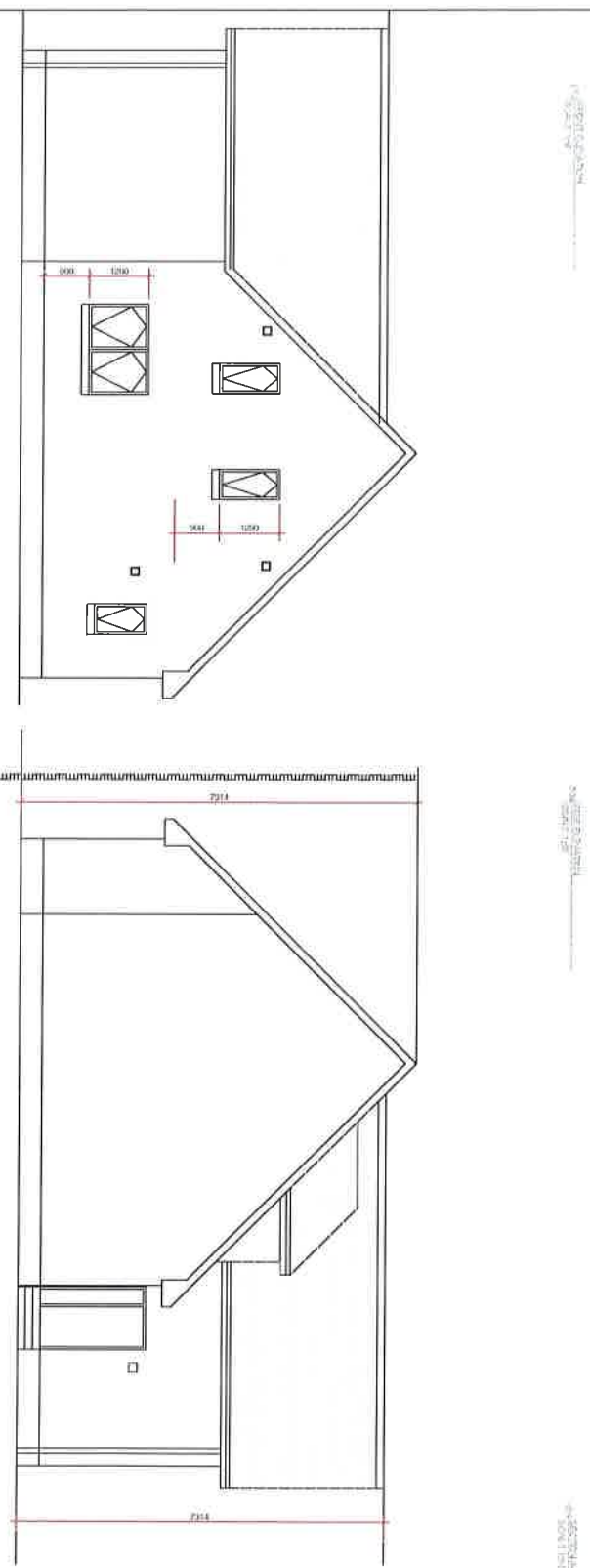
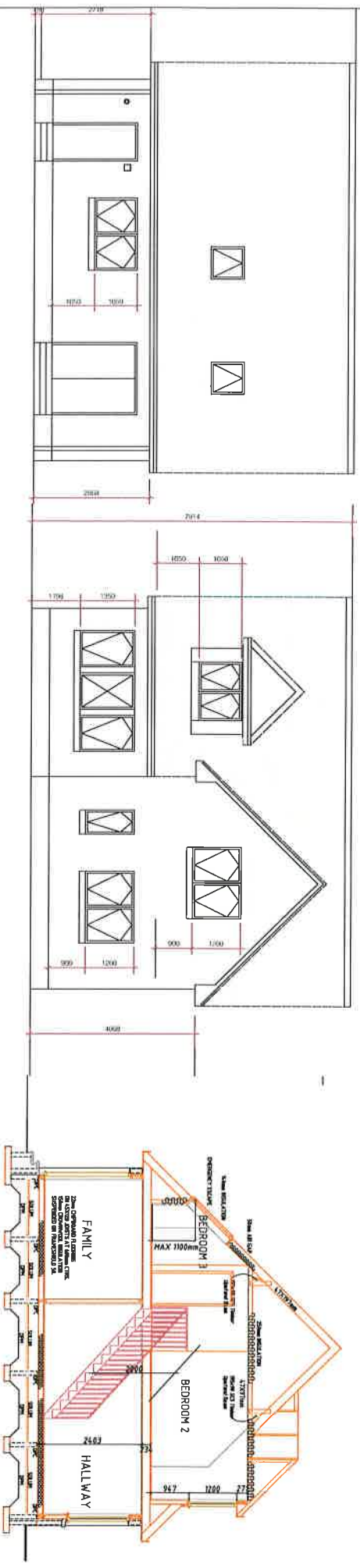
Planning

Revision	Date	By

DRAWING
SITE & PROPOSED
GROUND FLOOR PLAN

SCALE	PROJECT NO	ASSET No.
1:100 & 1:500	HG0715	
DRAWN	DRG NO	SIZE
PS	PLO02	
CHECKED	DATE	REVISION
	07/15	

PS&S
Telephone 0781549897



- SET OUTS**
- Proposed Footprint
 - Proposed Driveway
 - Proposed new excavation and/or alterations

Planning



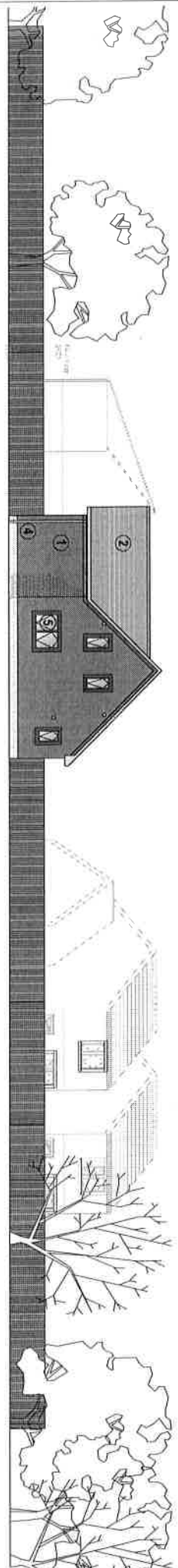
PROJECT Mr & Mrs Higgins
Higgins Court
Single Plot House

PROPOSAL PROPOSED ELEVATIONS & SECTIONS

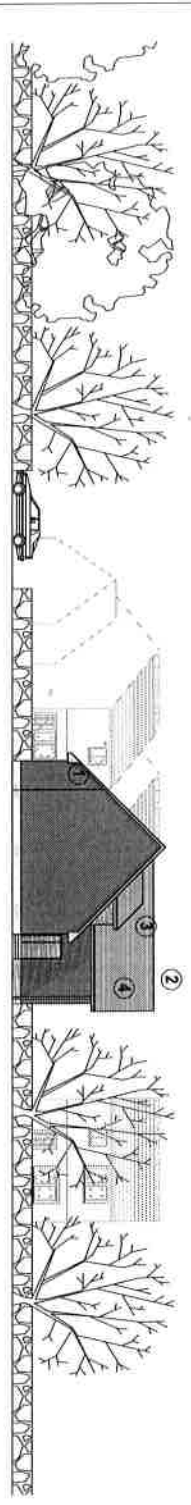
SCALE	1:50	PROJECT NO	HIG0715
DRAWN	A/A1	ISSUE NO	001
DATE	07/15	PROJECT NAME	HIGGINS COURT
DESIGNED BY	PL003	CLIENT	MR & MRS HIGGINS
CHECKED BY	REVISION	DATE	

100 Waterloo Street, London, SE18 7PQ
Telephone 0111 503 2300
planning@hollands.co.uk

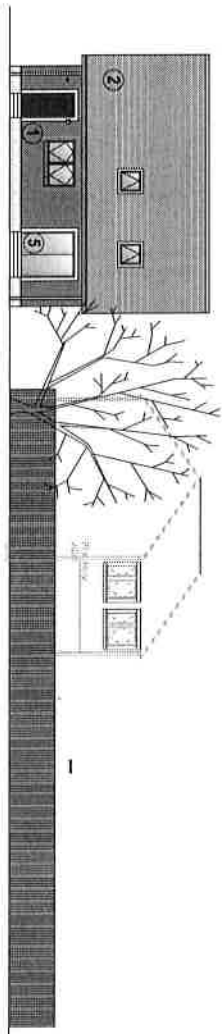
- MATERIAL SPECIFICATIONS:**
- ① EXTERIOR WALLS: Common Facing Brick
 - ② ROOF COVERINGS: Grey Concrete Roof Tiles
 - ③ Downer Covering: Shewan Timber Larch
 - ④ External Driveway: Cast Iron 2mm hair round grates system with polished chrome plates to match spirit & sink.
 - ⑤ Window Materials: Timber Sash Frame Windows & Other Glazes



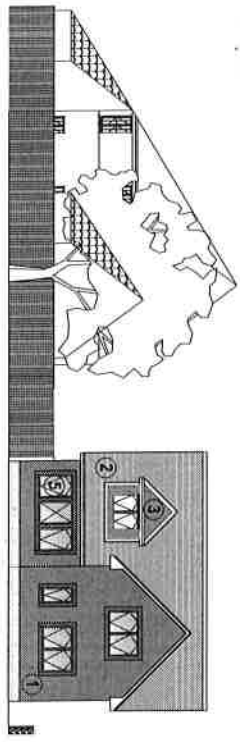
FRONT ELEVATION (NORTH)
SCALE: 1:50



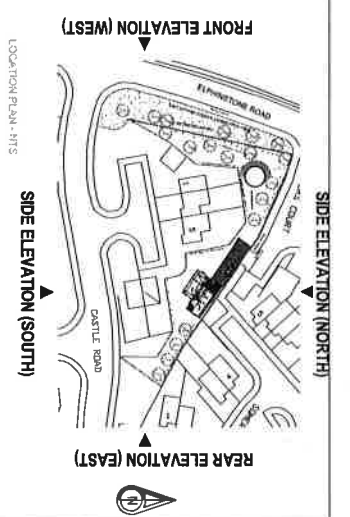
SIDE ELEVATION (WEST)
SCALE: 1:50



REAR ELEVATION (SOUTH)
SCALE: 1:50



FRONT ELEVATION (EAST)
SCALE: 1:50



LOCATION PLAN - HTS

Planning

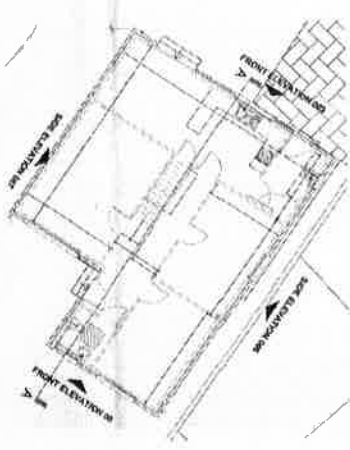
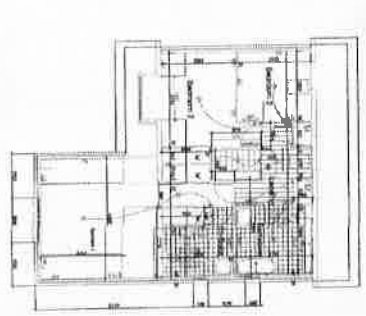
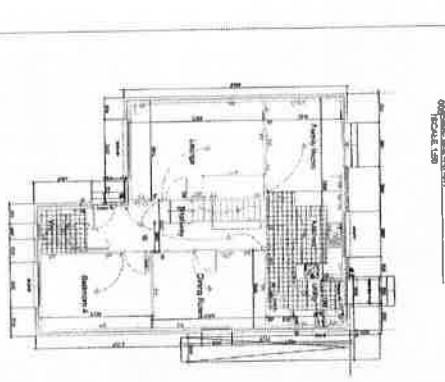
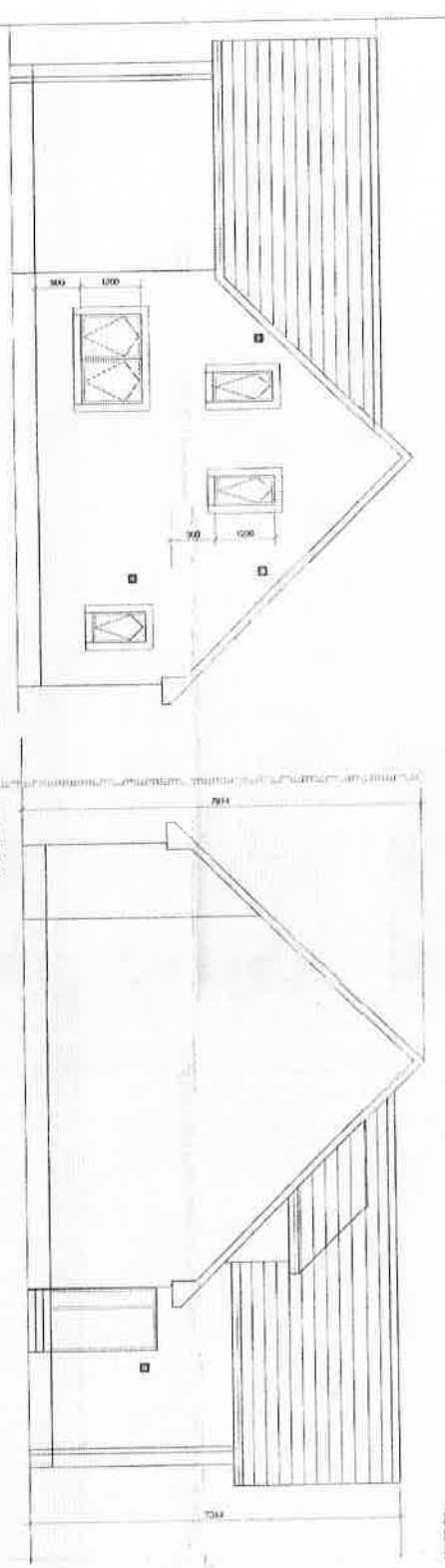
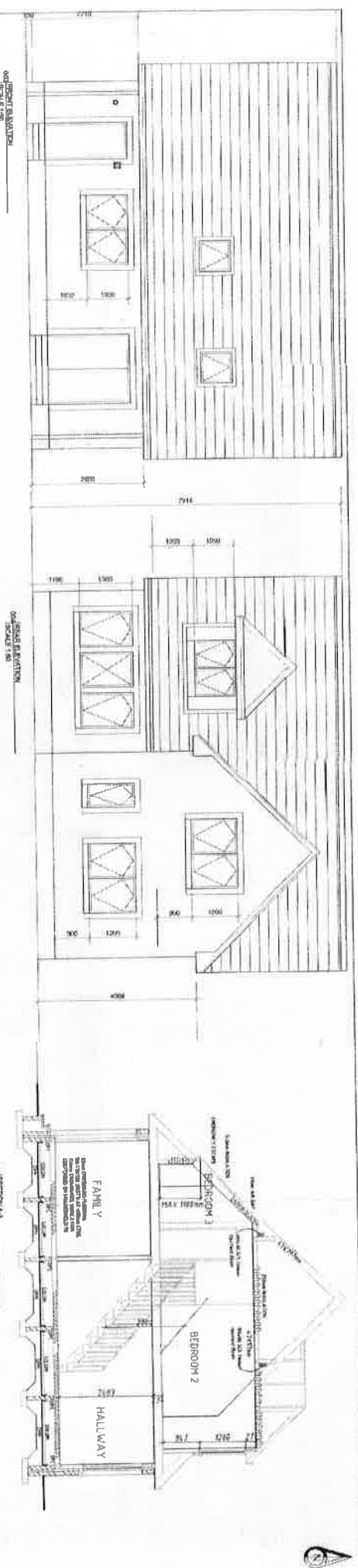
Scale of Meters - 1:100

PROJECT:
Mr & Mrs Higgins
Millers Court
Single Plot House

DRAWING:
PROPOSED ELEVATIONS
COLOURED



SCALE	1:50	PROJECT NO	HTS/7/15
DRAWN	13/05/2015	DATE NO	HTS/7/15
DATE	07/15	PLC NO	HTS/7/15
102, Nevada Circuit, Murrumbidgee, NSW 2570		pro@htrn.com.au	



Scale of meters - 1:100
 Scale of inches - 1:100
15 / 005867 / B

EAST LOTHIAN COUNCIL
 Planning
 Registered
 3 AIE 785

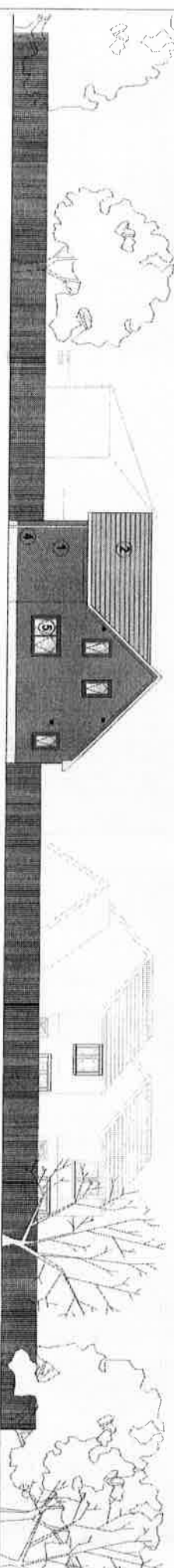
Scale of meters - 1:50
 PROJECT: Mr & Mrs Higgins
 Millers Court
 Single Plot House
 PROPOSED ELEVATIONS & SECTIONS
 DATE: 11/05/10
 DRAWN: 07/15
 CHECKED: 07/15

PROJECT NO: 15/005867/B
 DATE: 11/05/10
 DRAWN: 07/15
 CHECKED: 07/15
 (C) Architects Consultants Ltd 2008

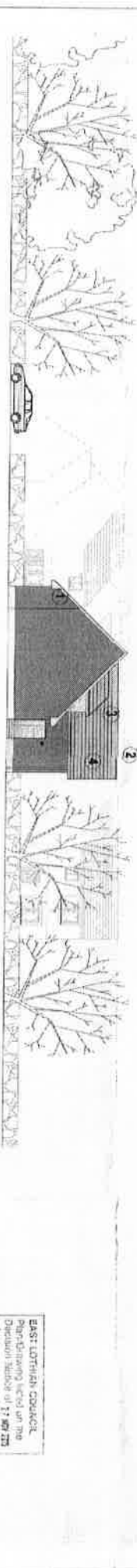
DATE: 11/05/10
 SCALE: 1:50
 DATE: 11/05/10
 SCALE: 1:50

MATERIAL SPECIFICATION:

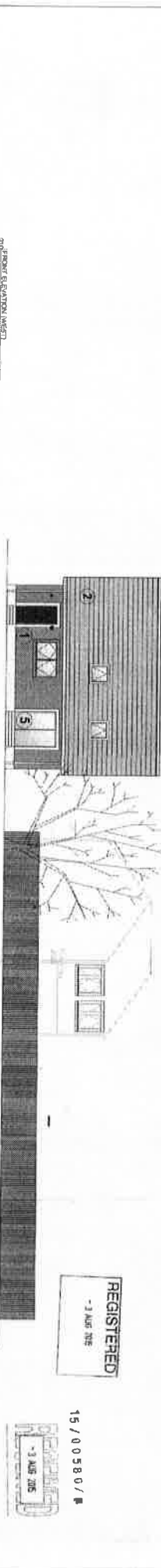
- 1 EXTERNAL WALLS
Common Facing Brick
- 2 ROOF COVERINGS
Grey Concrete Roof Tiles
- 3 Downspouts
Shower Trench 45mm
- 4 Rainwater/Gutter
Cast iron 120mm half round gutter system with painted downpipe to match with fascia
- 5 Windows/Markings
Timber Case Frame Windows
& Other Glazing



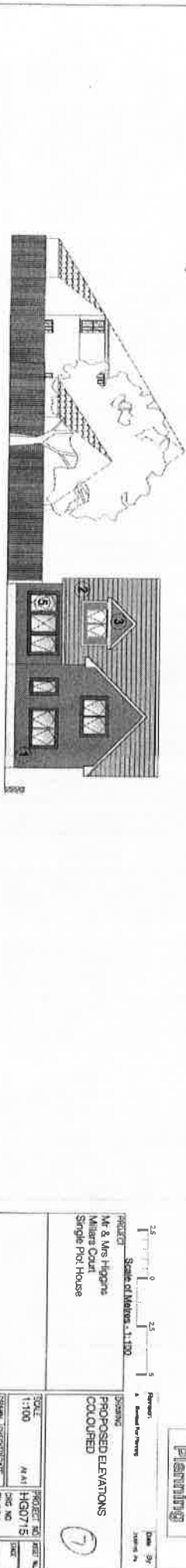
01 FRONT ELEVATION (WEST)
SCALE 1:100



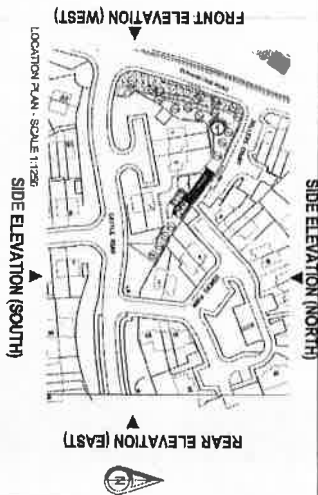
02 SIDE ELEVATION (LEFT)
SCALE 1:100



03 SIDE ELEVATION (RIGHT)
SCALE 1:100



04 REAR ELEVATION (EAST)
SCALE 1:100



EAST LOTHIAN COUNCIL
Planning
Part-Drawing issued on the
Decision Number of 13/09/2015
relating to a grant of planning
permission 15/00580/B

REGISTERED
-3 AUG 2015

REGISTERED
-3 AUG 2015

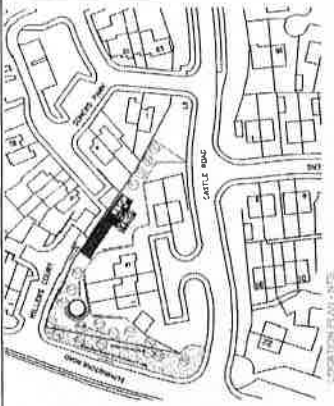
Scale of Metric - 1:100

PROJECT
Mr & Mrs Higgins
Military Court
Single Plot House

PROPOSED ELEVATIONS
COLOURED

DATE	11/10	PROJECT NO	15/00580/B
DRAWN	M.A.H.	DATE	11/10
CHECKED	M.A.H.	SCALE	1:100
DATE	07/15	FLOOR	FLOOR
DATE	07/15	NO.	00204
DATE	07/15	NO.	00204

7



EAST LOTHIAN COUNCIL
 Plan Drawing lifted on 17th
 Decision Notice of 27th 2011
 refusing a grant of planning
 permission 15/00380 P

15/00380 P

REGISTERED
 3 JUNE 2010



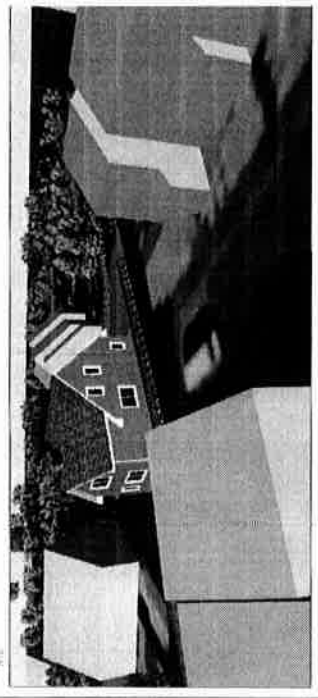
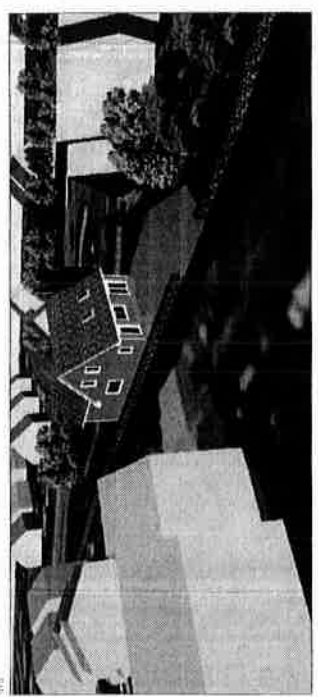
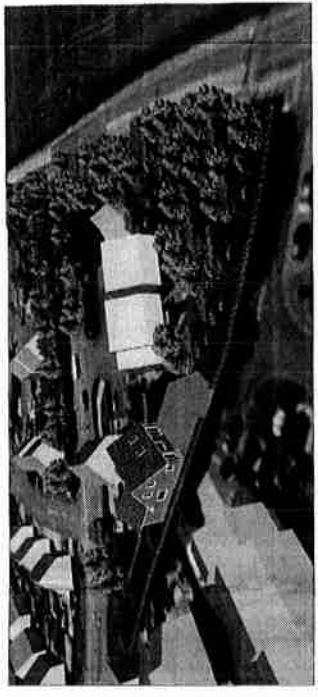
Planning

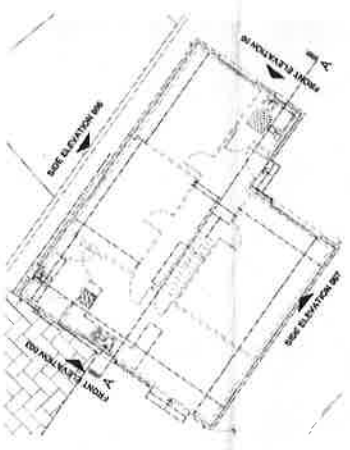
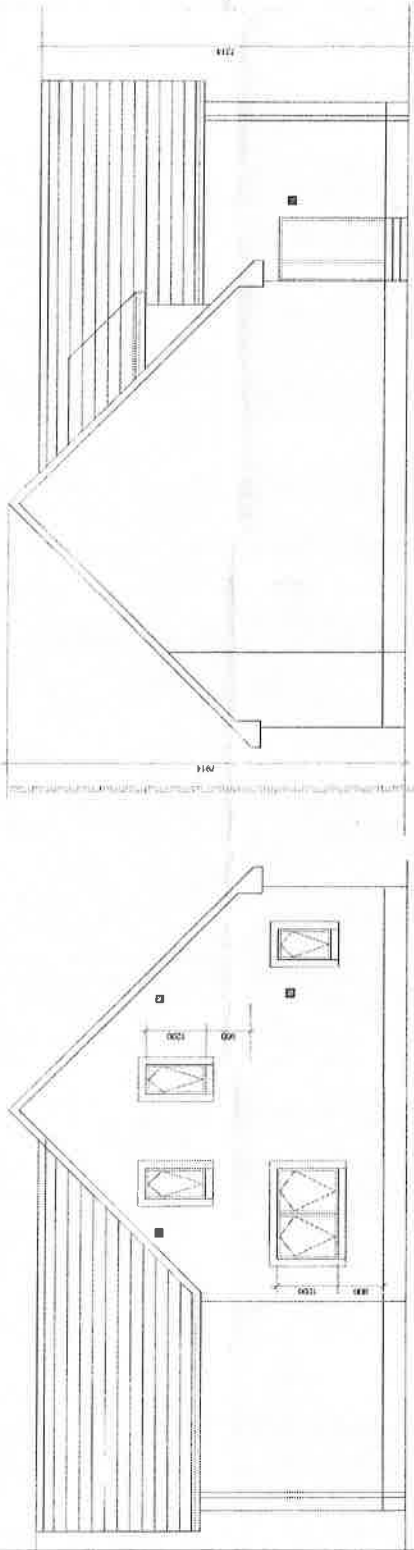
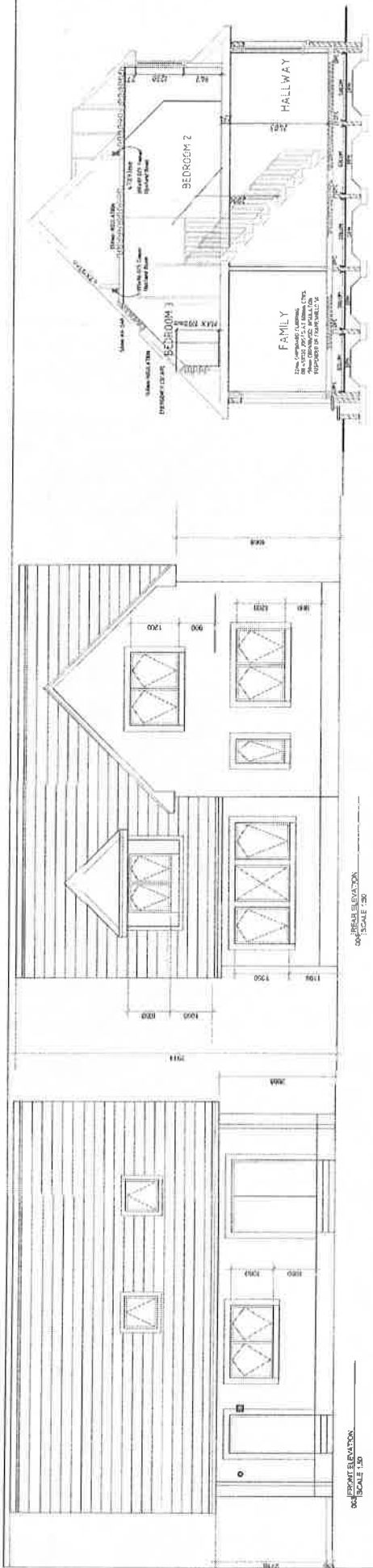
DRAWING
 SD IMAGES
 PROJECT
 Mr & Mrs Higgins
 Milburn Court
 Single Plot House



SCALE	PROJECT NO	AREA	DATE
NTS	HG0715	A1A1	07/15
DRAWN	DESIGNER	PLANNING	REGION
APP			

105 Newlands Crescent, Musselburgh, East Lothian
 Telephone: 0131 653 2386
 email: info@sdimages.co.uk





15/00580/W

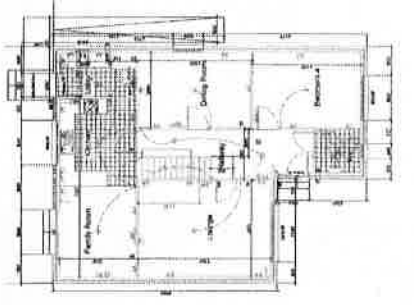
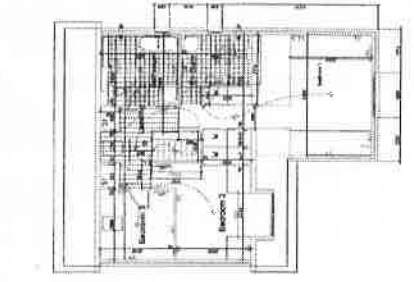


SEC-A/2014
KEY

Diagonal lines indicate area of alteration

Planning

Revision	Date	By
A	14/07/15	JHP
DRAWING		
PROPOSED ELEVATIONS & SECTIONS		
PROJECT	Scale of Metres - 1:50	
Mr & Mrs Higgins Millers Court Single Plot House		
PROJECT NO	HC00715	DATE
DATE	1:50 & 1:100	14/07/15
DRAWN	JHP	CHECKED
DATE	07/15	DATE
SCALE	A1/A1	SCALE
1:50 & 1:100		1:50
102 Macdonald Street, Melbourne VIC 3121 Telephone 03 931 6332 Fax 03 931 6333		

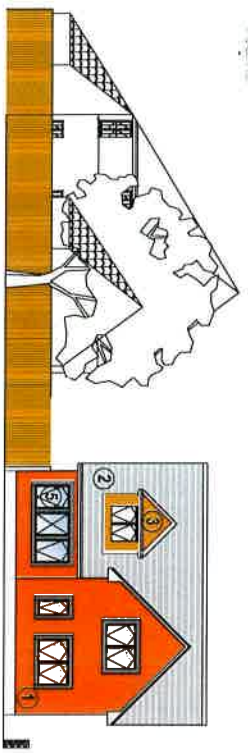
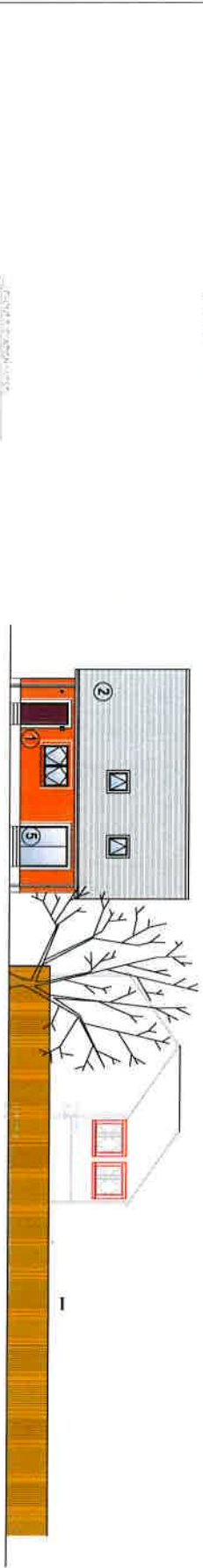
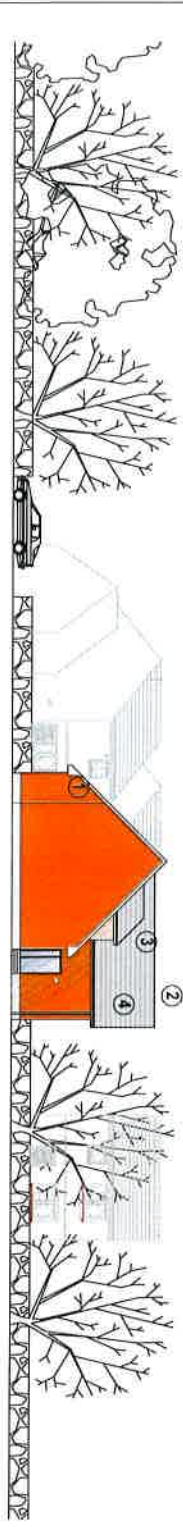
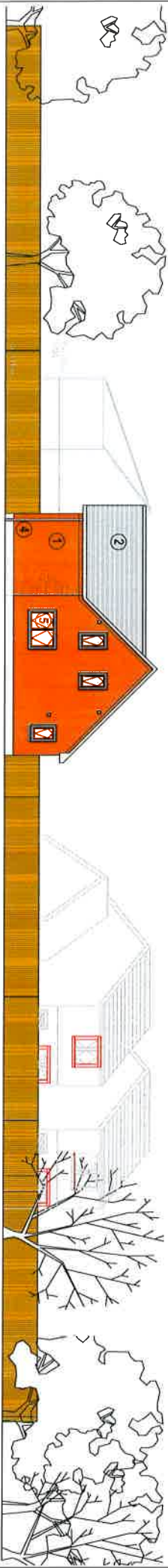
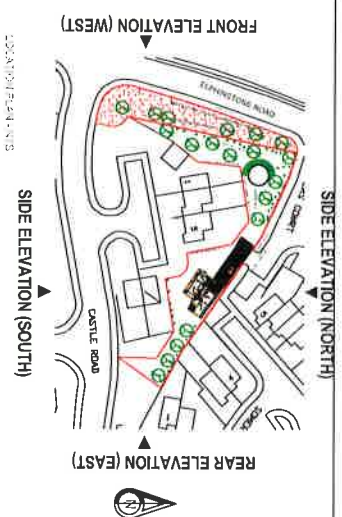


0074

0074

MATERIAL SPECIFICATION:

- ① **EXTERNAL WALLS:**
Cement Facing Brick
- ② **ROOF COVERINGS:**
Dry Concrete Roof Tiles
- ③ **Dormer Covering:**
Sheepskin Timber Larch
- ④ **Rainwater System:**
Cast iron 1/2" min half round gutter system with painted downpipes to match with a down
- ⑤ **Window Materials:**
Timber Sash Frame Windows & Clear Glass



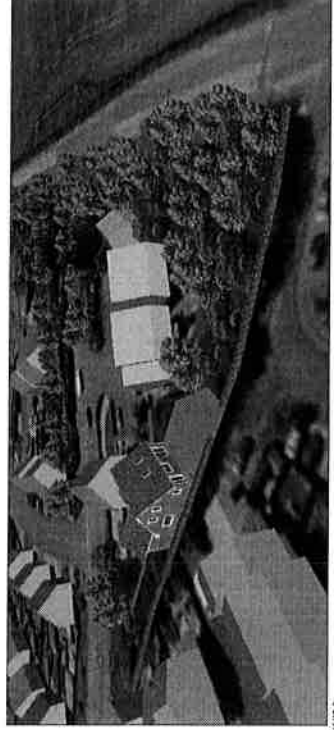
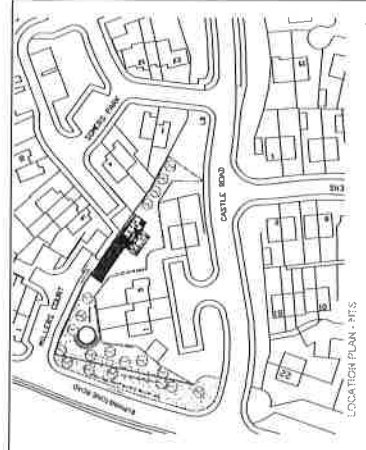
Scale of Meters = 1:100
 PROJECT: Mr & Mrs Higgins
 Millers Court
 Single Plot House



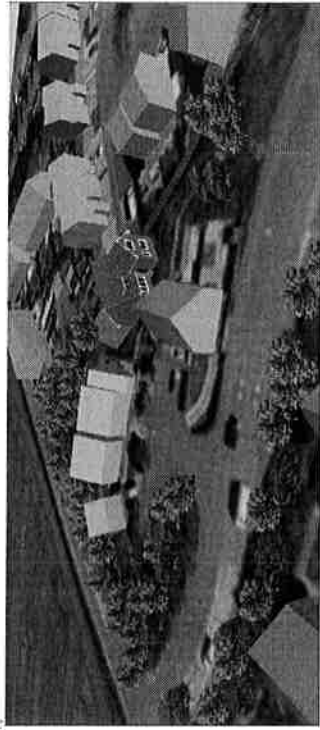
DRAWING:
 PROPOSED ELEVATIONS
 COLOURED

SCALE	1:50	PROJECT NO	HC0715
DATE	14/11	DWG NO	01
DESIGNED BY	PL004	DATE	07/15
CHECKED BY		REVISION	

125 Newcastle Street, Newcastle, NSW 1500
 Telephone 0131 633 2388
 www.planning.com.au



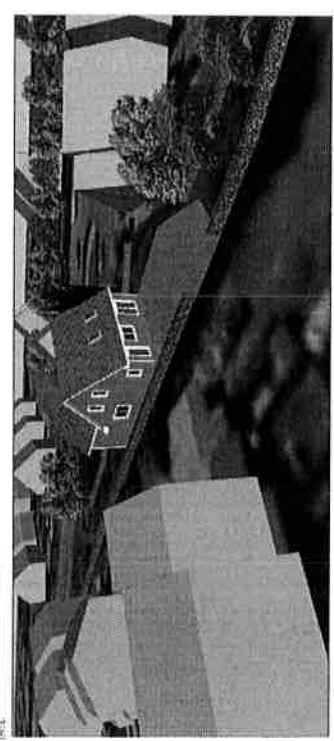
1 - HOUSE E
1/200
NITE



2 - HOUSE D
1/200
NITE



3 - HOUSE F
1/200
NITE



4 - HOUSE G
1/200
NITE



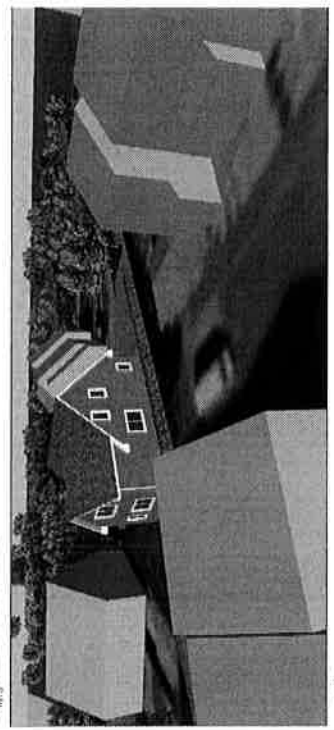
5 - HOUSE A
1/200
NITE



6 - HOUSE C
1/200
NITE



7 - HOUSE B
1/200
NITE



8 - HOUSE H
1/200
NITE



Planning

PROJECT
Mr & Mrs Higgins
Millers Court
Single Plot House

DRAWING
3D IMAGES

SCALE	PROJECT NO	HEET NO
NTS	A/1	HG0715
DRAWN	DATE	DATE
APP	07/15	PL007
		REVISION

100, Newbold, Chester, Merseyside, CH1 2BB
Telephone: 01244 653 2388
www.psaarchitect.co.uk





PETER STANTON
ARCHITECTURAL SERVICES LTD
Architectural Services Ltd

**Mr & Mrs Higgins
50d Hercus Loan
Musselburgh
EH21 6AZ**

SINGLE PLOT PLANNING APPLICATION DESIGN STATEMENT

1.0 INTRODUCTION

The site is a single plot of land with an area of approximately .1116 hectares (1166m²) which is situated North West on the outskirts of Tranent East Lothian based between Millers Court, Castle Road and the B 6414 Elphinstone Road.

Mr & Mrs Higgins have purchased the plot which currently has a 'Burden' placed on it by previous developers and which now needs to be lifted in order for the development to proceed.

1.1 Site

The site is bound by a sandstone dyke currently 1.5m high approximately to the North & West boundaries with the remainder of the site having a 2m High approx timber fence on the South & East boundary which separates the plots from all neighbouring properties. There is a landscaped strip of land on the West boundary which is owned maintained by ELC which separates the plot from the pedestrian footpath along Elphinstone Road. The plot boundary line at this location has now become overgrown with shrubbery and trees through the lack of maintenance by the previous owners which was a private factoring company. The remainder of the plot has equally been neglected and is now attracting fly tipping and vermin and may be hazardous to public health.

2 Brief

There has been a previous site proposal which had shown the plot split into two plots (A & B) with the proposal of two residential family properties with detached garages. This proposal was submitted to East Lothian Council planning department for *Planning in Principal*. However after a lengthy consultation period this development was rejected on certain planning criteria outlined in the attached report. The development has now been reconfigured with a more in-depth planning package being commissioned with the aim being that the relevant planning Policies ENV1 (*Residential Character and Amenity*), C5 (*Change of Use of Public Open Space to Garden Ground*), DP2 (*Design*), DP7 (*Infill, Backland and Garden Ground Development*), DP14 (*Trees on or Adjacent to Development Sites*), DP22 (*Private Parking*) and T2 (*General Transport Impact*) of the adopted *East Lothian Local Plan 2008* are addressed in hope that planning will have a more favourable outcome.



PETER STANTON
ARCHITECTURAL SERVICES LTD
concept to construction

3.0 Planning

3.1 Building Design

"DP2 (Design), DP7 (Infill, Backland and Garden Ground Development),"

Please refer to drawing PL002 Site & Landscape plan
PL003 Elevations

3.2 Environmental Issues

C5 (Change of Use of Public Open Space to Garden Ground),

In addressing policy C5, you will note that the revised proposals attempt to minimise the loss of any tree coverage within the site, and to this extent we consider that there would now be no 'unacceptable loss of visual or recreational amenity'.

DP14 (Trees on or Adjacent to Development Sites),

In terms of harming the integrity of the landscaping scheme, and in addressing policy DP14, we have also now received a fee proposal from professionals arboriculturalists to undertake a tree survey report for this site that will be based on our revised proposals.

We consider that any trees that would need to be removed as a consequence of the revised scheme are not of a quality such as to warrant refusal under policy DP14 or C5, as the integrity of the overall landscaping scheme would not be lost if these proposals were to be implemented.

T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008

It is worth noting that the Adopted Local Plan that these policies come from dates from 2008, and is consequently now out of date (even though we realise that it still forms part of the Development Plan). In the circumstances it predates publication of both the recent SPP and SESplan, which are respectively in favour of development that contributes to sustainable development, and of housing development within the East Coast Strategic Development Area (including Tranent). The revised site would represent a modest amount of house building within a settlement that is already well served by services and public transport and hence inherently sustainable, and where mitigation measures have been taken to ensure that there will be no unacceptable adverse impact on an existing landscaping scheme and on neighbouring residential amenity.

ENV1 (Residential Character and Amenity)

The design has strived to keep materials and form to blend into the surrounding vernacular
Please refer to PL004 Coloured elevations
PL005 3D Images



PETER STANTON
ARCHITECTURAL SERVICES LTD
concept to construction

3.3 Pedestrian and Vehicular Access

DP22 (Private Parking)

Adaquate parking provision and turning area has been incorporated into the layout design.

Please refer to PL002 Proposed site layout.

3.0 CONCLUSION

We feel the revised layout scheme enhances the present area through the minimum of tree loss and cultivated landscape and in the circumstances we would be much obliged if you could revisit your original comments in light of the revised drawings and the above, and reconsider whether you may be able to support the proposals, subject to further technical assessments.'

We would also be available for any future meetings if required in order to explain the development in more depth.

Yours sincerely

Peter Stanton



0414

DRIVE IN ALL S LANDSCAPE
SCALE 1:200



KEY
 Proposed site boundary
 Proposed new construction and/or extension

Planning

PROJECT
 Mr & Mrs Higgins
 Millers Court
 Single Plot House



15/00580/B

PROPOSAL
 PROPOSED SITE PLAN
 & LANDSCAPE

SCALE	1:200	DATE	07/15
SHEET	AL4	PROJECT NO	15/00580/B
APP	PL005	DATE	07/15
102, Wetherby, Chester, West Yorkshire CF8 3ET Telephone: 0153 661 2288 www.parrinord.co.uk			

App No. 15/00580/P

**EAST LoTHIAN COUNCIL
DECISION NOTICE**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008**

**Mr D Higgins
c/o PSAS
Per Peter Stanton
105 Newhalls Crescent
Musselburgh
EH21 6EF**

APPLICANT: Mr D Higgins

With reference to your application registered on 29th September 2015 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

Erection of 1 house and associated works

**at
Millers Court
Elphinstone Road
Tranent
East Lothian**

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **REFUSE PLANNING PERMISSION** for the said development.

The reasons for the Council's refusal of planning permission are:-

- 1 The proposed house by virtue of its orientation and positioning would be an intrusive and inharmonious form of infill development and in its position between the house of 5 and 7 Castle Road would be harmful to the pattern and character of layout of development of the streetscape of the cul-de-sac of Castle Road and the wider Miller's Court and Somner Park area. Consequently the proposed house is contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies DP2 and DP7 of the adopted East

Lothian Local Plan 2008 and the advice on designing for place given in Planning Advice Note 67: Housing Quality.

- 2 The proposed development would significantly alter the character of the area of land with the effect of taking away a distinctive area of public amenity open space to the detriment of the amenity of the locality. It would set a precedent for the use of other areas of adjacent vacant land for a similar purpose that might otherwise result in an unacceptable loss of visual or recreational amenity, harmful to the integrity of the landscaping of the area. Consequently the proposed development is contrary to Policies DP7 and C5 of the adopted East Lothian Local Plan 2008.

The report on this application is attached to this Decision Notice and its terms shall be deemed to be incorporated in full in this Decision Notice.

Details of the following are given in the application report:

- the terms on which the Planning Authority based this decision;
- details of any variations made to the application in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997.

The plans to which this decision relate are as follows:

<u>Drawing No.</u>	<u>Revision No.</u>	<u>Date Received</u>
PL007	-	10.07.2015
PL003	A	03.08.2015
PL004	A	03.08.2015
PL006	A	09.09.2015

27th November 2015



Iain McFarlane
Service Manager - Planning

NOTES

If the applicant is aggrieved by the decision to refuse permission for the proposed development, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this notice. The notice of review should be addressed to the Clerk to the Local Review Body, Committee Team, Communications and Democratic Services, John Muir House, Haddington, East Lothian EH41 3HA.

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 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 5 of the Town and Country Planning (Scotland) Act 1997.

OFFICER REPORT

19/11/15

App No. 15/00580/P

Application registered on 29th September 2015

Target Date 28th November 2015

Proposal	Erection of 1 house and associated works	SDELL CDEL	Y/ N N /N
Location	Millers Court Elphinstone Road Tranent East Lothian	Bad Neighbour Development	N /N

APPLICANT: Mr D Higgins

Is this application to be approved as a departure from structure/local plan? ~~N~~/N

c/o PSAS
Per Peter Stanton
105 Newhails Crescent
Musselburgh
EH21 6EF

DECISION TYPE: **Application Refused**

PLANNING ASSESSMENT

This application relates to an irregular shaped area of treed land that forms the northern landscape boundary of the 64 house development at Castle Road, Tranent that was developed in the mid nineties with the benefit of planning permission P/1072/91. It is bounded to the north by the residential developments at Miller's Court and Somer's Park, to the east by a landscaped area of open space, to the south by the public road and footpath of Castle Road and to the west by an area of landscaped ground with the public road and footpath of Elphinstone Road beyond.

The land the subject of this application is identified in the approved landscape plan for the housing development approved by the grant of planning permission P/1072/91.

The site is enclosed on its north boundary by a low stone wall, on its west boundary by dense bushes and a line of trees and otherwise on its south boundary by timber fencing and brick walling. The land is densely covered by trees.

The application site is within a predominantly residential area as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008.

Part of the application site is within an area identified by The Coal Authority as potentially being at risk from unrecorded mining related hazards.

Planning permission is sought in full for the erection of one house on the site including the use of the land associated with it as garden ground for the proposed house. Planning permission is also sought for the formation of a vehicular access and areas of hardstanding in the form of a driveway and patio.

This application was originally registered on 3 August 2015. It was brought to the attention of the Council as Planning Authority that the owner of the land of the application site was not that declared on the land ownership certificate submitted as part of this application. The application was invalidated pending the submission of an amended land ownership certificate.

This application was re-registered on 29 September 2015 following the submission of an amended land ownership certificate advising that the applicant had served notice on each of the known owners of the land.

Since the registration of the application a revised site and landscape plan has been submitted to show an extended area of driveway to serve the proposed house and thus an area for the off-street parking of three vehicles.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Plan 2008.

Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DP2 (Design), DP7 (Infill, Backland and Garden Ground Development), C5 (Change of Use of Public Open Space to Garden Ground), DP14 (Trees on or Adjacent to Development Sites), DP22 (Private Parking) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Material to the determination of the application is Planning Advice Note 67: Housing Quality.

Planning Advice Note 67: Housing Quality explains how Designing Places should be applied to new housing. In PAN 67 it is stated that the planning process has an essential role to play in ensuring that: (i) the design of new housing reflects a full understanding of its context - in terms of both its physical location and market conditions, (ii) the design of new housing reinforces local and Scottish identity, and (iii) new housing is integrated into the movement and settlement patterns of the wider area. The creation of good places requires careful attention to detailed aspects of layout and movement. Developers should think about the qualities and the characteristics of places and not consider sites in isolation. New housing should take account of the wider context and be integrated into its wider neighbourhood. The quality of development can be spoilt by poor attention to detail. The development of a quality place requires careful consideration, not only to setting and layout and its setting, but also to detailed design, including finishes and materials. The development should reflect its setting, reflecting

local forms of building and materials. The aim should be to have houses looking different without detracting from any sense of unity and coherence for the development or the wider neighbourhood.

18 written objections to the application have been received. They are from local residents.

The main grounds of objection raised are:

1. The Council's list of neighbours to be notified of the application is not adequate nor is the time to allow comment,
2. The land of the application site was not advertised for sale,
3. Tranent is already densely populated with new builds and there is plenty of opportunity within the Windygoul area to purchase a detached house,
4. The proposed house is too large for the house plot and is not in keeping with the density of development in the area,
5. The proposed house is too large to be in keeping with its surroundings,
6. The design of the proposed house does not match surrounding houses and would be out of scale and character with those around it,
7. The house differs from other house designs,
8. There would be a loss of privacy and daylight to neighbouring residential properties,
9. The proposed house will have a negative impact on local residents, parking and public green space,
10. The land does need to be cleared up but it is not a health hazard as the agent suggests,
11. The trees on the site offer privacy and tranquillity to the estate,
12. The proposed house would be built on an area of green space that is enjoyed by local residents for the trees, birds and privacy that it affords,
13. The proposals would kill trees and wildlife,
14. There would be a loss of trees on the site resulting in the destruction of a mature wooded area that is a habitat for bird life and other wildlife,
15. Houses in the area have been bought on the assumption that the area of land would remain a greenbelt area,
16. If trees were removed from the site this would attract vandals and thieves,
17. The removal of trees, the introduction of hard landscaping and paved drives will increase surface run off and thus flood risk,
18. The access route to the site would be taken from a route used by pedestrians and children and would make it less safe for them,
19. The land of the application site has a burden placed on it and it would be interesting to know what this is,
20. The property is burdened by a public right of access over it,
21. Occupiers of the proposed house would not have a common right of access to use Miller Court/ Somers Park,
22. The sandstone wall to be partly demolished to access the site does not form part of the application site and an alternative access route should be sought,
23. It is noted in terms of title deeds attached to the land that only one private car can be parked on it and that the ownership of the land does not relate to walls, fencing, hedges, footpaths, roads, sewers, drains or other structures,
24. The owners of the proposed house should contribute to factoring fees of the Miller's Court/ Somers Park Estate as they will benefit from the clean, smart and tidy grounds that would surround them,

25. There is limited roadway/ path space already in place and the access to the site from Miller's Court would impact on available parking spaces for residents,
26. There would be disruption and loss of residents parking areas,
27. Residents parking would be affected as a result of the development,
28. The access to the site from Miller's Court is not big enough for delivery vehicles or large lorry or vans associated with the construction of the development,
29. Construction works would make a route used by residents and children unsafe,
30. The private road of Miller's Court is heavily congested with residents having more than one car,
31. Debris and dust as a result of the development would affect people's property and vehicles,
32. Noise from construction works would affect residential amenity of neighbouring and surrounding properties,
33. The development would attract large volumes of noise and traffic,
34. The owner of the land is not the applicant therefore there is no guarantee who will live in the house and look after it and,
35. The plans do not state there would be no other houses built on the site.

One written representation to the application has been received. It is from a local resident and seeks confirmation that no trees on the site will be removed to the rear of neighbouring properties to maintain privacy between them and the proposed development.

Under Regulation 18 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 the Planning Authority gave notice to all owners, lessees or occupiers of premises on neighbouring land and thus premises on land any part of which, is conterminous with or within 20 metres of the boundary of the land for which the development is proposed. On first registering the application notice was served to neighbours on 12 August 2015 and on the re-registration of the application, on 7 October 2015.

As there is land conterminous with or within 20 metres of the boundary of the land for which the development is proposed without premises on it, the Planning Authority under Regulation 20 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 did publish a notice in a newspaper circulating in the locality in which the neighbouring land is situated. This notice was published in the 'Courier' newspaper on 16 October 2015.

Under the terms of Regulation 18 and 20 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, each notice stated that representations could be made to the planning authority and included information as to how any representations could be made and by which date they must be made (being a date not earlier than 21 days after the date on which the notice is sent).

Under Regulation 15 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 the applicant declared that he served notice on every person other than himself who at the beginning of 21 days ending with the date of the application, was owner of any part of the land to which the application relates.

Legal matters in the form of the contents of the title deeds and burdens held and other property restrictions are not a material planning consideration in the determination of a planning application.

Only one house is proposed to be erected on the land of the application site. Should any other development in the form of a new house be proposed to be built on another part of the application site, this would be subject to a separate application for planning permission and that proposal would be assessed on its own merits or otherwise.

There is no designated public right of way identified on the land of the application site.

The type of development proposed in this application is common place and there would be nothing extraordinary in the construction works to be carried out that would justify the Planning Authority exercising planning control over matters of site noise. Any matters of alleged nuisance to neighbours from the construction works that would be carried out would be for the Council's Environmental Protection team to investigate under separate environmental protection legislation.

The principal determining factors in the determination of this planning application are whether, having regard to national, strategic and local planning policy and guidance and other material considerations, the fitting of a house into the application site is acceptable, with due regard to the impact such development would have on the character and residential amenity of the area, including its impact on neighbouring residential properties and the existing trees on the site.

The application site is not allocated for residential development in the adopted East Lothian Local Plan 2008. All of it is part of a larger area covered by Local Plan Policy ENV1. The principal purpose of Policy ENV1 is to ensure that the predominantly residential use of its area of coverage is to be safeguarded against the impacts of other land uses. Policy ENV1 does not actively promote the development of land for new build residential development. Policy ENV1 does state that infill and backland development will be assessed against Policy DP7.

The site is within a predominantly residential area with residential properties to the east, south and west of it. In such circumstance the erection of one house on it would amount to urban infill housing development within this part of Tranent.

With respect to infill, backland and garden ground development Policy DP7 of the adopted East Lothian Local Plan 2008 states that, amongst other principles of development, it must, by its scale, design and density be sympathetic to its surroundings and not an overdevelopment of the site.

Whilst it is not essential to replicate existing building styles to build successfully within an area, the advice given in PAN 67 and the requirement of relevant development plan policy is that in designing proposed new buildings developers should think about the qualities and the characteristics of places. The development should reflect its setting and local forms of building and materials. The aim should be to have houses looking different without detracting from any sense of unity and coherence for the development or the wider neighbourhood. They should not detract from the character and appearance of the area.

The proposed house would be comprised of a one and a half storey pitched roofed component with a two storey pitched roofed element attached to its rear (east) elevation.

The one and a half storey component would be orientated on its plot on a northeast to southwest axis with gables forming its northeast and southwest elevations. Windows would be formed in its northeast gable wall, its rear and front elevations. Door openings would also be formed in its

front elevation. Two roof windows would be formed in its front elevation roof slope. A dormer would be formed in its rear elevation roof slope.

The proposed two storey element would have a pitched roof that would have a ridge line perpendicular to the ridge line of the roof of the one and half storey component of the proposed house. Window openings would be formed in its southeast gable wall whilst a door opening would be formed in its southwest elevation.

The roof of the proposed house would be finished in grey concrete tiles, its walls in common facing brick and its doors and the frames of its windows in timber.

Access to the proposed house plot would be taken from Miller's Court via a new vehicular access to be formed in the north roadside boundary of the site. It would measure some 5.32 metres wide. Parking would be provided within the curtilage of the proposed house for three vehicles in the form of a driveway. It would be formed to the northeast of the proposed house. No details have been provided of the finishing materials of the proposed driveway. This could be made conditional of a grant of planning permission.

There are a variety of architectural styles of housing and flatted buildings within the locality of the application site. Although the proposed house would be seen in relation to the existing houses of 4 and 5 Somer Park, in its position to the south of Miller's Court and Somer Park and in between the houses of 5 and 7 Castle Road the proposed house would mostly be viewed in relation to the existing houses of 5 and 7 Castle Road and the other houses of 1, 3 and 9 Castle Road that together form the cul-de-sac on the north side of Castle Road.

The houses of 1, 3, 5, 7 and 9 Castle Road comprising the cul-de-sac are all two storeys in height with roofs finished in either red or grey tiles and walls finished in either facing brick or a combination of facing brick and render. They form part of the modern housing development constructed at Windygoul with the benefit of planning permission P/1072/91 by Wimpey Homes Holdings Ltd.

The houses are aligned such that they present their frontage with the road that serves them. This all gives a defined pattern and character of layout and built form to this part of Castle Road.

Although the proposed house, with its tiled roof and brick finished walls would be in keeping with the material finishes of the houses at Castle Road and beyond at Somers Park, it would, in its position between the houses of 5 and 7 Castle Road, set back from Castle Road with its southwest side gable facing towards it, be incongruously juxtaposed with the houses of 5 and 7 Castle Road, out of keeping with the positioning of the houses of 5 and 7 Castle Road and the other houses of the cul-de-sac. Due to its positioning the proposed house would be an intrusive and inharmonious feature disruptive of the pattern of the urban built form of the streetscape of the cul-de-sac on the north side of Castle Road. The proposed house would be harmful infill development that would compromise the pattern and character of layout of this part Castle Road and as such would not be in keeping with its surroundings but would instead be harmful to the character and appearance of the area.

Policy DP7 states that the principle of new development within infill and backland locations will be supported where there will be no material loss of greenfield land or open space important to the character or recreation and amenity requirements of the area, and no loss of important physical or natural features.

Policy C5 states that a change of use of public open space to garden ground will be supported where it would not result in unacceptable loss of visual or recreational amenity or harm the integrity of a landscaping scheme, or set a precedent which if followed would do so.

The land of the application site is densely populated with trees and other plantings and serves to define the boundaries between each of the housing developments on the north side of Castle Road and Miller's Court and Somers Park. In forming part of the greater landscape scheme of the 64 house development at Castle Road within this part of Windygoul it is one of a number of parcels of landscaped ground that are inherent parts of the designed layout and thus the character of this housing development. They, including the application site, make a positive contribution to the visual amenity of the area.

The Council's Principal Amenity Officer raises no concerns to the proposals, being satisfied that they would not impact on the maintenance of open space in the vicinity of the site that is within the ownership of East Lothian Council.

The landscape advice from the Council's Policy & Projects Team is that if the site is developed for housing the character and composition of the area will change and would set a precedent for other ad-hoc housing developments to compromise similar landscape areas throughout the estate. They consider that the trees on the site provide privacy, screening, softening and a strong visual barrier between the differing housing developments in the locale and in doing so contributes positively to the amenity of the wider area.

The proposed development would significantly alter the character of the area of land with the effect of taking away a distinctive area of public amenity open space to the detriment of the amenity of the locality. It would set a precedent for the use of other areas of adjacent vacant land for a similar purpose that might otherwise result in an unacceptable loss of visual or recreational amenity, harmful to the integrity of the landscaping of the area.

Consequently the proposed house is contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies DP2, DP7, DP14 and C5 of the adopted East Lothian Local Plan 2008 and the advice on designing for place given in Planning Advice Note 67: Housing Quality.

In terms of its height, architectural style and materials the proposed house would have something of the height, architectural style and appearance of the neighbouring houses of Castle Road and Somer Park, and its external finishes would match those of the existing houses in the area.

The proposed vehicular access and driveway would not be untypical features to be associated with the proposed house and subject to details being provided of the finishes of the driveway could be well integrated with their surroundings.

Owing to its size, height, positioning and orientation the proposed house would not give rise to a harmful loss of daylight or sunlight to the neighbouring properties of 5 and 7 Castle Park or 4 and 5 Somer Park, and therefore would not have a harmful affect on the residential amenity of those properties.

In assessing whether or not a proposed new development would result in harmful overlooking and therefore loss of privacy to existing neighbouring residential properties it is the practice of the Council, as Planning Authority to apply the general rule of a 9 metres separation distance between the windows of a proposed new building and the garden boundaries of neighbouring residential properties and an 18 metres separation distance between directly facing windows of the proposed new building and the windows of existing neighbouring residential properties.

The proposed house would not have any windows within 18 metres of any directly facing windows of any neighbouring house of 5 and 7 Castle Road to the west and south respectively or 4 and 5 Somer Park to the north and south respectively. Nor would any windows or other glazed doors of the proposed house be within 9 metres of the mutual garden boundaries with those neighbouring residential properties. In such circumstances the proposed new house would not allow for harmful overlooking or loss of privacy to the neighbouring residential properties. The occupiers of the proposed new house would also have sufficient privacy and residential amenity.

The Council's Environmental Protection Service has no comment to make on the application.

On all of the forgoing matters of architectural design and external finishes, privacy and amenity the proposed new house does not conflict with Policies DP2 and DP7 of the adopted East Lothian Local Plan 2008 and Planning Advice Note 67: Housing Quality.

The proposed driveway would provide off-street parking for three vehicles. The Council's Road Services advise that the proposal for off-street parking for at least three vehicles should be provided for the proposed house as shown on the site plan submitted as part of the application and are satisfied that the proposed driveway would provide the house with an acceptable standard of on-site parking provision.

The driveway for the proposed house would be accessed from the new vehicular access. Road Services advise that this arrangement is acceptable subject to the first two metres of the access measured from the back edge of the footway being hardformed. This matter could be controlled by a conditional grant of planning permission.

They further advise that the access to the site be via a dropped kerb crossing and formed in accordance with the East Lothian Council Standards for Development Roads. Any works affecting the public road such as a dropped kerb crossing are controllable under separate Roads Authority legislation.

Subject to these conditional controls Road Services raises no objection to the proposed development.

On all of these transportation considerations the proposed development is consistent with Policies T2 and DP22 of the adopted East Lothian Local Plan 2008.

The Coal Authority advises that the application site falls within the defined Development High Risk Area. Their records indicate that part of the site has been subject to past coal mining activities, specifically underground coal mining at shallow depth. However, the recorded area of shallow underground coal mining is only located within the western part of the application site and thus the coal mining risk is not located within the specific part of the site where new development is proposed. Accordingly they advise that a Coal Mining Risk Assessment is not

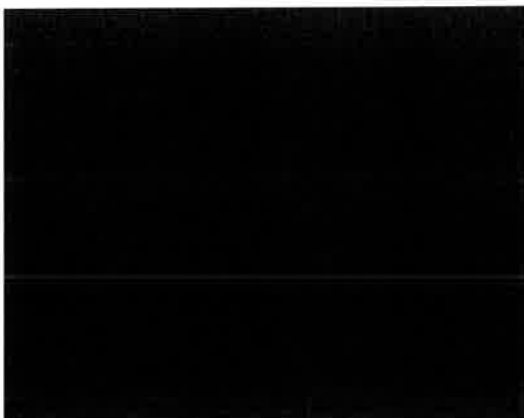
required in this instance and raise no objection to the application. In the interests of public safety an Informative Note regarding development within coalfield areas could be issued with a grant of planning permission.

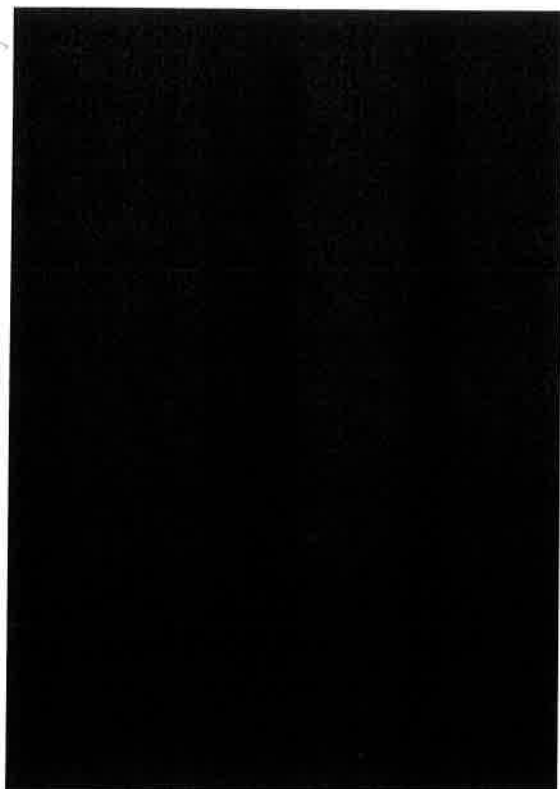
Notwithstanding these findings on architectural design and external finishes, privacy and amenity, and access and parking, they are not material considerations sufficient to outweigh the earlier findings of this planning assessment that the erection of the proposed house on the application site would be an unacceptable form of infill housing development that would be harmful to the residential character and amenity of the area.

REASONS FOR REFUSAL:

- 1 The proposed house by virtue of its orientation and positioning would be an intrusive and inharmonious form of infill development and in its position between the house of 5 and 7 Castle Road would be harmful to the pattern and character of layout of development of the streetscape of the cul-de-sac of Castle Road and the wider Miller's Court and Somner Park area. Consequently the proposed house is contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies DP2 and DP7 of the adopted East Lothian Local Plan 2008 and the advice on designing for place given in Planning Advice Note 67: Housing Quality.
- 2 The proposed development would significantly alter the character of the area of land with the effect of taking away a distinctive area of public amenity open space to the detriment of the amenity of the locality. It would set a precedent for the use of other areas of adjacent vacant land for a similar purpose that might otherwise result in an unacceptable loss of visual or recreational amenity, harmful to the integrity of the landscaping of the area. Consequently the proposed development is contrary to Policies DP7 and C5 of the adopted East Lothian Local Plan 2008.

LETTERS FROM





19/11/15

LD 19/11/15.



EAST LOTHIAN COUNCIL
 Plans/Drawing listed on 10th
 Decision Notice of 23rd April 2005
 refusing a grant of planning
 permission. 15/00580

15/00580

REGISTERED
 1 AUG 2005

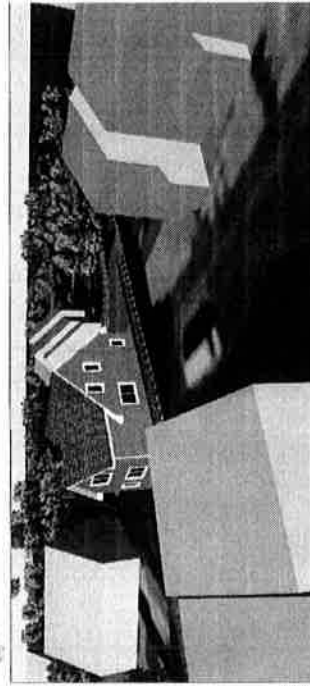
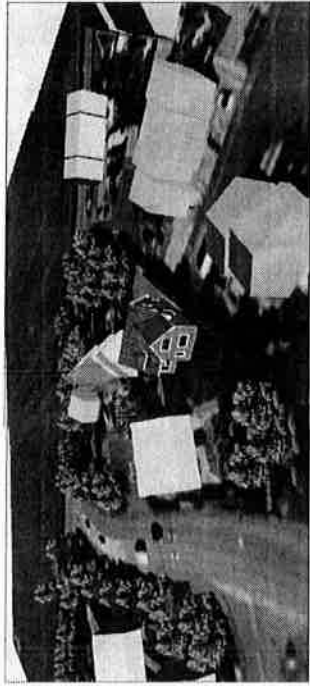
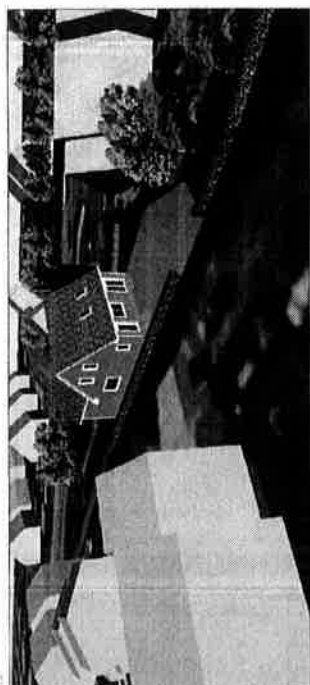
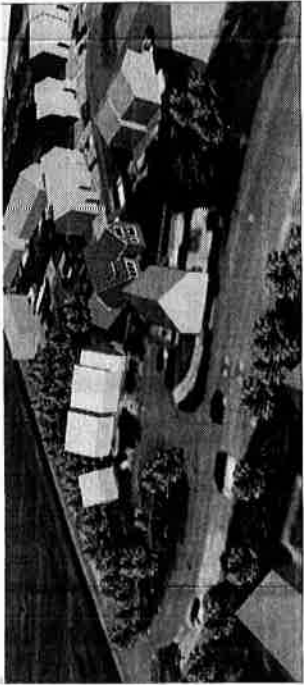
Scale of Meters 1:50

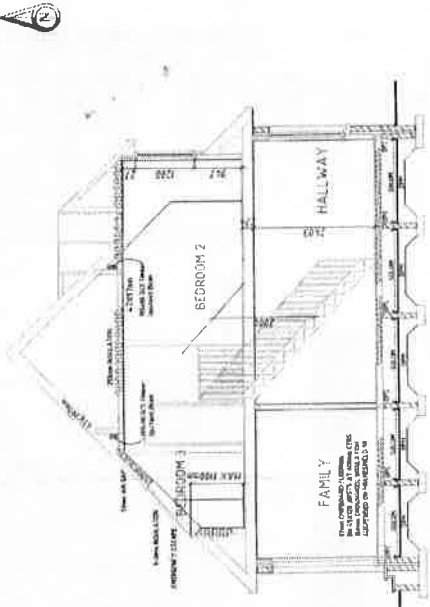
PLANNING

PROJECT
 Mr & Mrs Higgins
 Millers Court
 Single Plot House

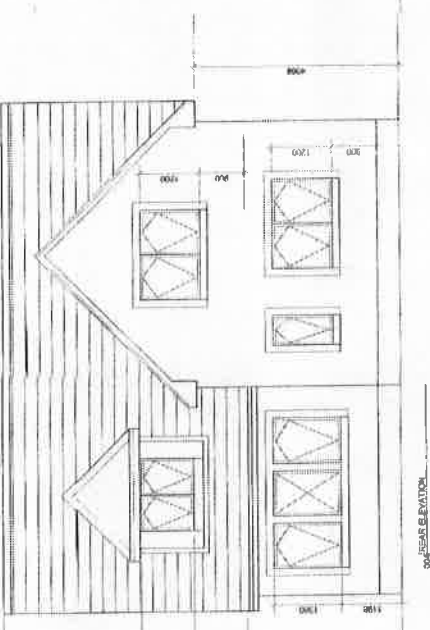


SCALE	AREA	PROJECT NO	CLIENT NO
NTS		HG0715	
DRAWN	DESIGNED	DATE	DATE
PL07	PL077	07/15	10/07
100, Newhouse Crescent, Musselburgh, 2121 4F Telephone 0127 653 7366 info@hornc.co.uk			

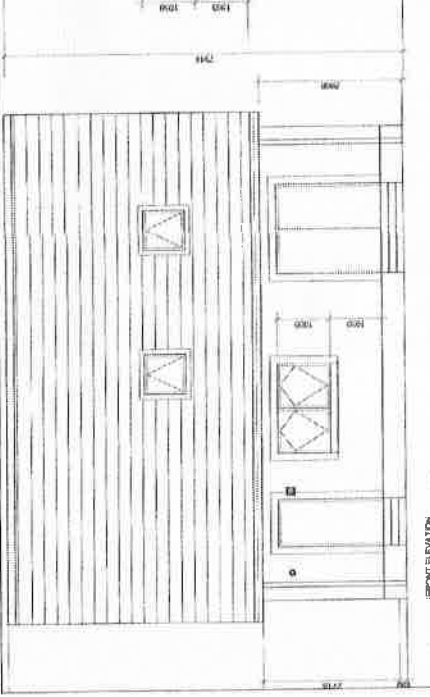




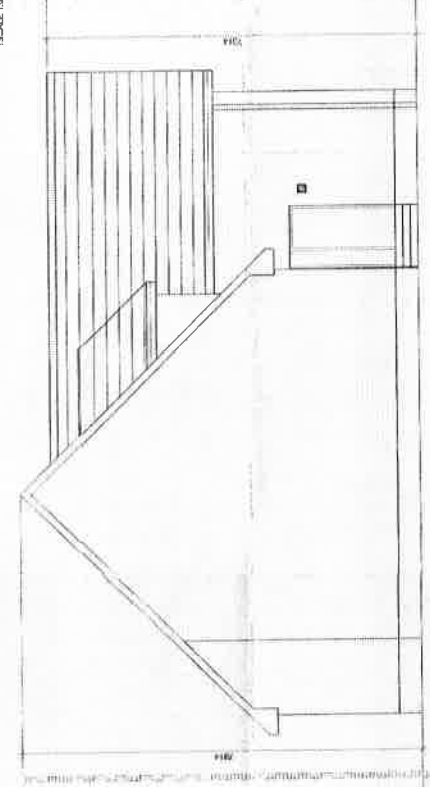
SECTION AA
SCALE 1:50



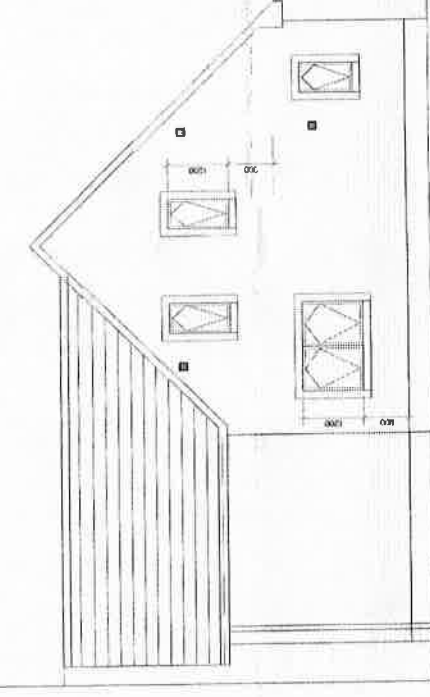
FRONT ELEVATION
SCALE 1:50



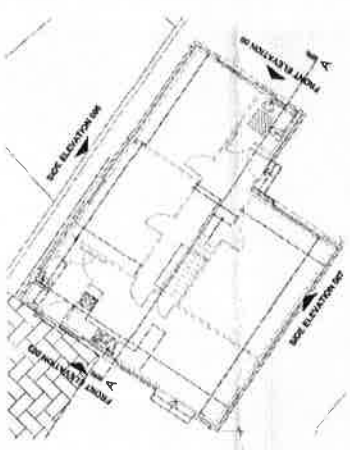
REAR ELEVATION
SCALE 1:50



SIDE ELEVATION
SCALE 1:50



FRONT ELEVATION
SCALE 1:50



007 LOCATION PLAN
SCALE 1:100



EAST LOTHIAN COUNCIL
Planning Department
Decision Notice or Refusal
refusing a grant of planning
permission: 15/00580/P

REGISTERED
13 APR 2015



Scale of Metres - 1:50

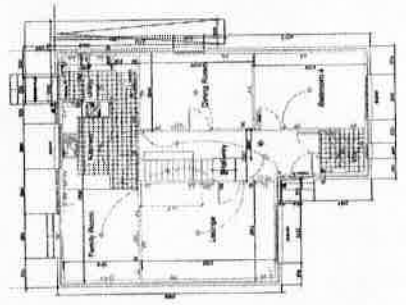
PROJECT
Scale of Metres - 1:50

Mr & Mrs Higgins
Millar Court
Single Plot House

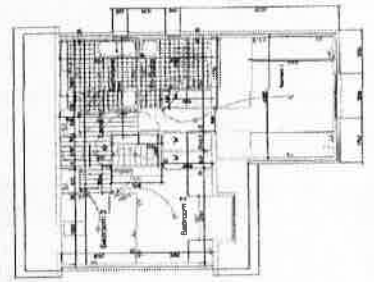
PROPOSED ELEVATIONS
& SECTIONS

SCALE	1:50 & 1:100	A1:	HG0715
DATE	07/15	DATE	07/15
PROJECT NO	HG0715	DATE	07/15
PLANNING			

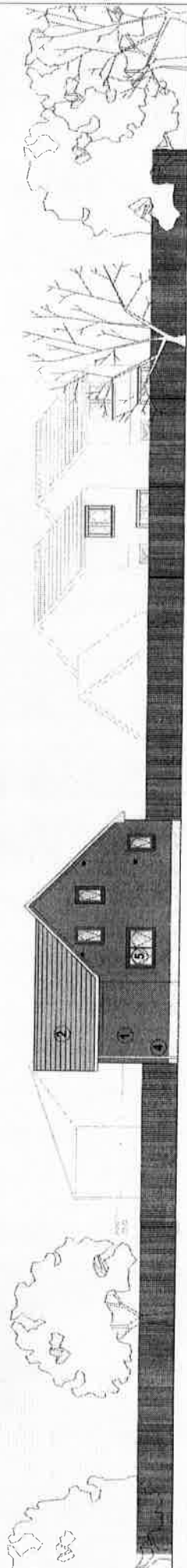
007 GROUND FLOOR
SCALE 1:100



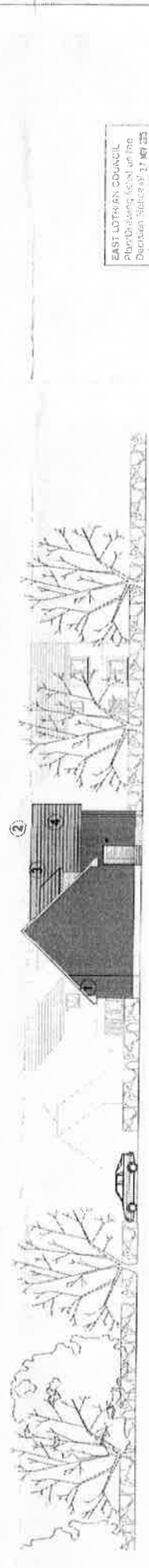
007 FIRST FLOOR
SCALE 1:100



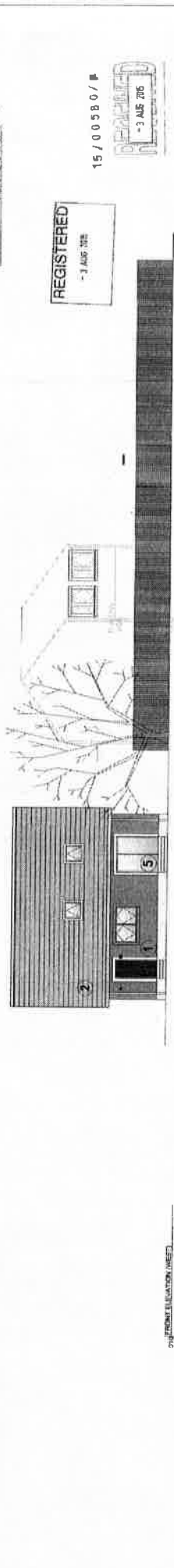
- MATERIAL SPECIFICATION:**
- 1 EXTERNAL WALLS
Common Facing Brick
 - 2 ROOF COVERINGS
Grey Concrete Roof Tiles
 - 3 Dormer Casings:
Shedding Timber Lam
 - 4 Rainwater System:
Cast iron 125mm Half round gutter system with painted downpipes to match roof & fascia.
 - 5 Window Materials:
PVC or Aluminium Windows
& Clear Glass



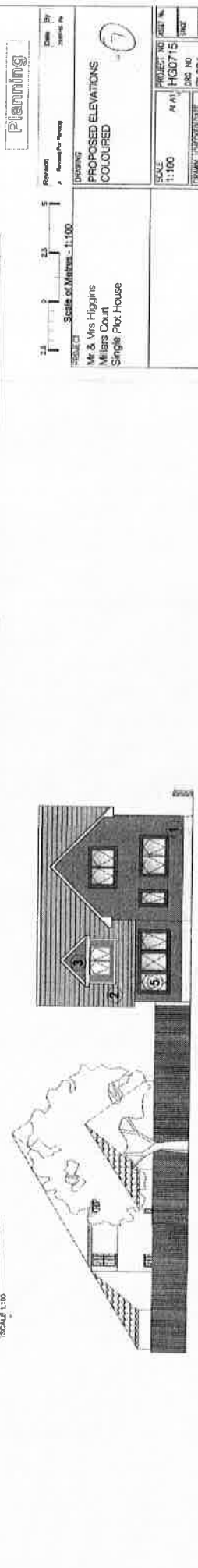
08 REAR ELEVATION (EAST)
SCALE 1:100



09 SIDE ELEVATION (NORTH)
SCALE 1:100



10 SIDE ELEVATION (SOUTH)
SCALE 1:100



11 FRONT ELEVATION (WEST)
SCALE 1:100

EAST LOTTERY COUNCIL
Planning Drawing issued on the
Decision Notice of 27.09.2015
refusing a grant of planning
permission 15/00380/B

REGISTERED
- 3 AUG 2015

15/00380/B



Planning

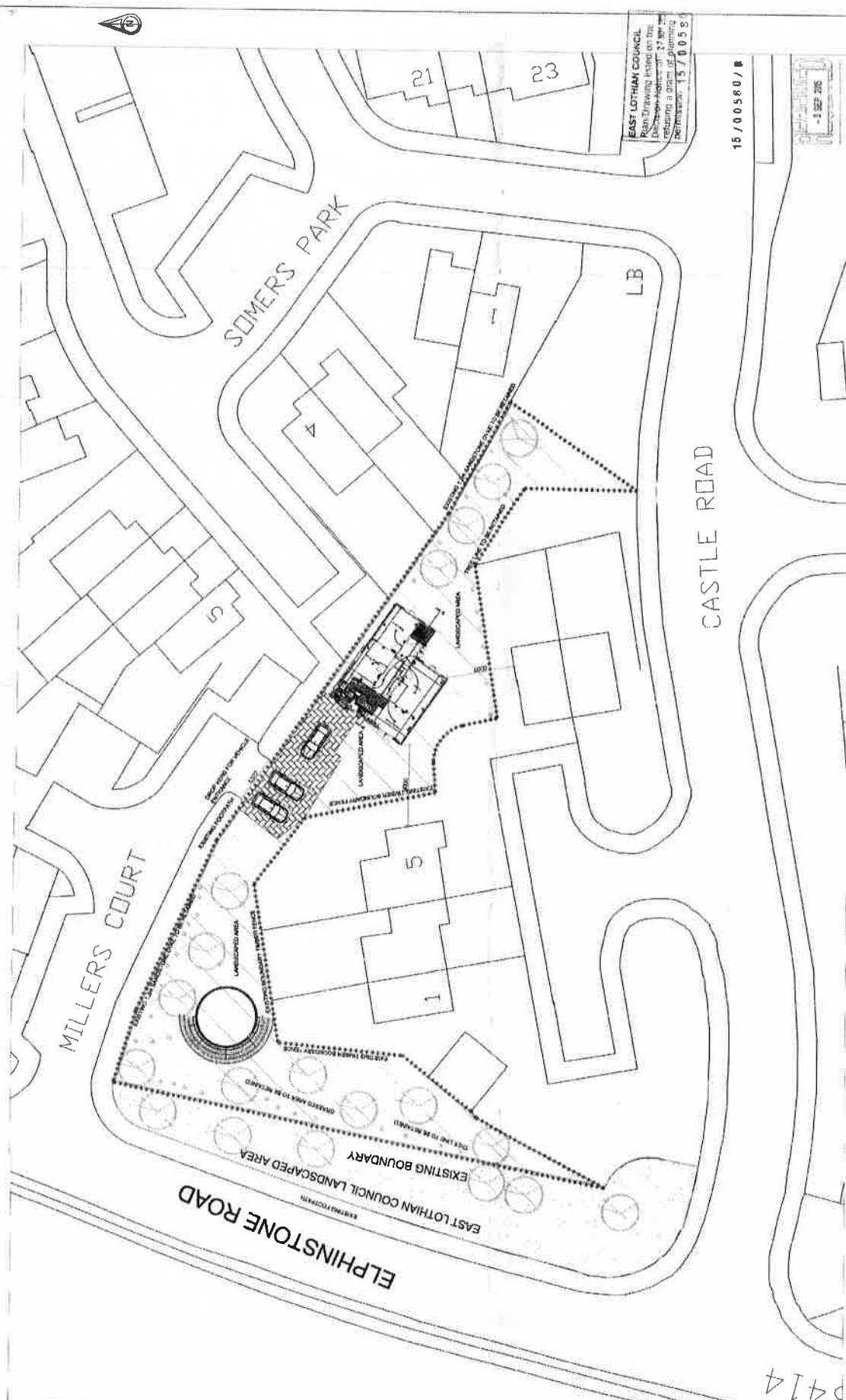
Scale of Meters - 1:100

PROJECT
Mr & Mrs Higgins
Millars Court
Single Plot House

PROPOSING
PROPOSED ELEVATIONS
COLOURED

SCALE	1:100	PROJECT NO	HG00715	DATE	2015
DRAWN	WICKEDALE	DOB NO	1004	REVISION	A
APP	07715				

15/00380/B
Telephone 0121 832 2306
www.rps.co.uk



EAST LOTHIAN COUNCIL
 Plan Drawing listed on the
 Planning Register at 27 May 2015
 Planning Reference: 15/00580/B

15/00580/B

DRAWING		PROJECT NO	HEET #
PROPOSED SITE PLAN & LANDSCAPE		H300715	01
SCALE	A1	DOC NO	PL006
1:200		REVISED	
DRAWN	DATE	BY	DATE
HPF	07/15	PL006	
155 Northside Street, Musselburgh, E22 1EP, UK Telephone: 0131 663 2300 www.hatched.co.uk			

PROJECT
 Mr & Mrs Higgins
 Millers Court
 Single Plot House

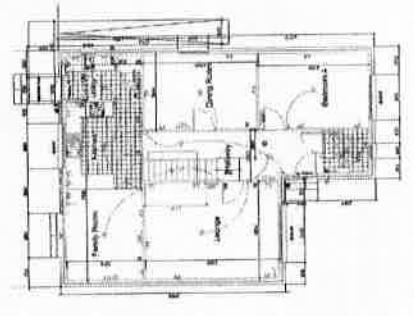
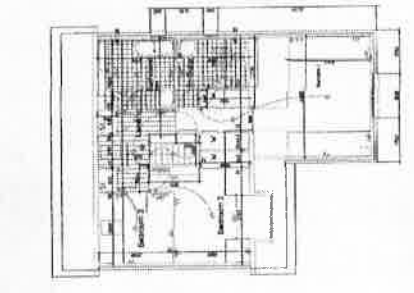
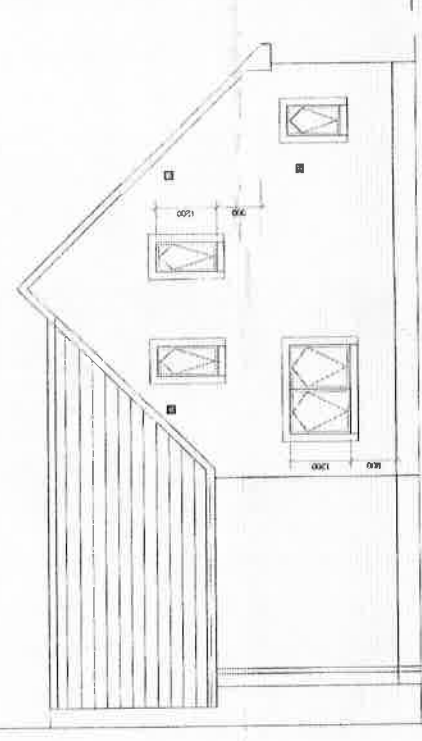
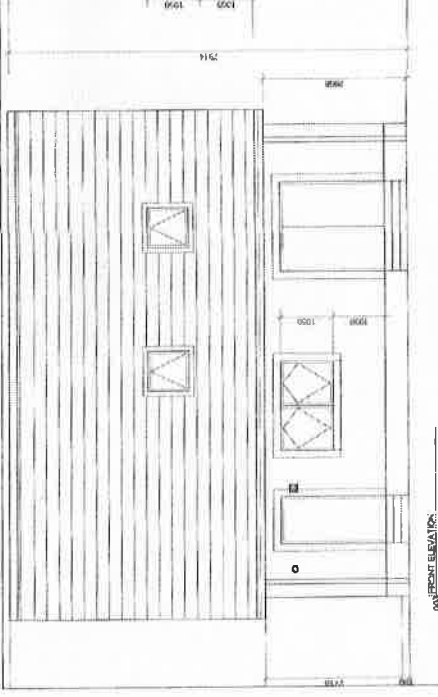
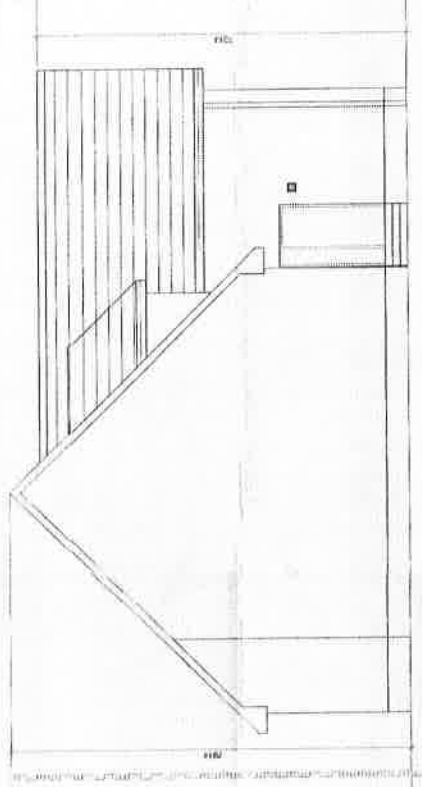
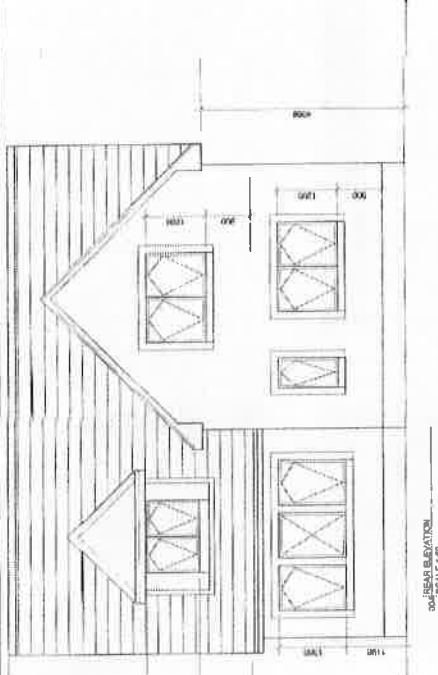
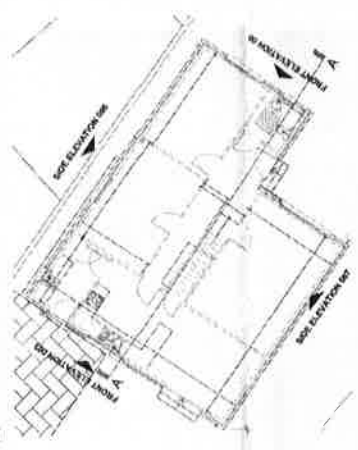
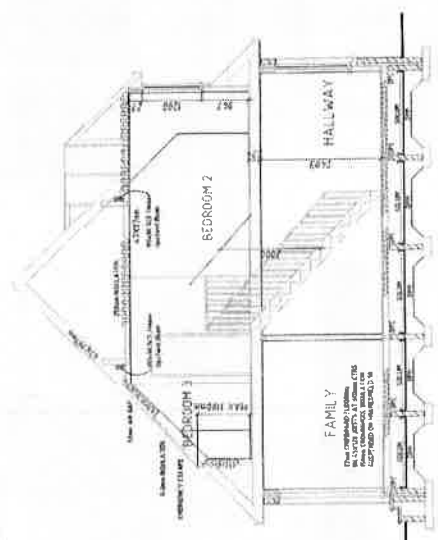


Planning

KEY
 Dashed line Boundary
 Dotted line for landscaping and planting

Scale of Metres - 1:200

P414



1570058078

Scale of Metres - 1:100

EAST LOTHIAN COUNCIL
Planning Section
Decision Notice of Refusal
refusing a Grant of Planning
permission for 1570058078

REGISTERED
- 3 AUG 2015

03 AUG 2015

Scale of Metres - 1:150

PROJECT:
Mr & Mrs Higgins
Millars Court
Single Plot House

PROPOSED ELEVATIONS
& SECTIONS

SCALE:	1:50 & 1:100	4-A1	HG0715
DATE:	07/15	PL003	
PROJECT NO:			
CLIENT:			

MATERIAL SPECIFICATION:

- 1 EXTERNAL WALLS
Common Facing Brick
- 2 ROOF CONCRETE
Grey Concrete Road Tiles
- 3 DORMER COVERING:
Shiplap Timber Larch
- 4 Rainwater System:
Half round gutter system with painted downpipes to
match soffits & back.
- 5 WINDOW MATERIALS:
Timber Sash Frame Windows
& Clear Glass

- 1 FRONT ELEVATION (WEST)
- 2 SIDE ELEVATION (NORTH)
- 3 SIDE ELEVATION (SOUTH)
- 4 REAR ELEVATION (EAST)

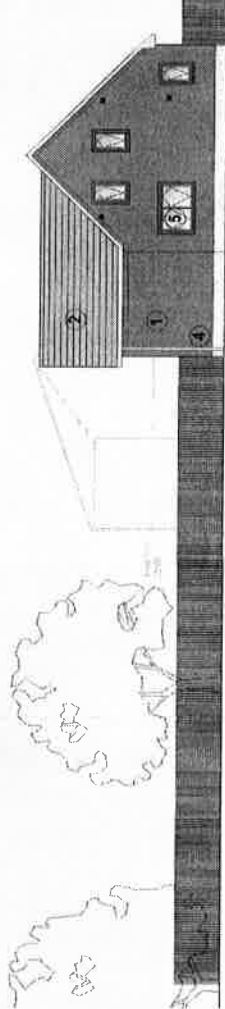
SIDE ELEVATION (NORTH)

FRONT ELEVATION (WEST)

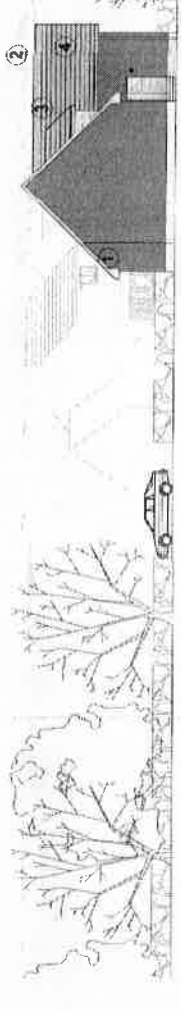
REAR ELEVATION (EAST)

LOCATION PLAN - SCALE 1:1250

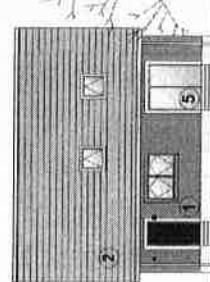
SIDE ELEVATION (SOUTH)



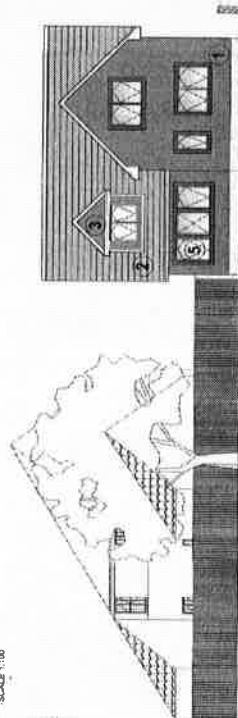
1) FRONT ELEVATION (WEST)
SCALE 1:100



2) SIDE ELEVATION (NORTH)
SCALE 1:100



3) SIDE ELEVATION (SOUTH)
SCALE 1:100



4) REAR ELEVATION (EAST)
SCALE 1:100

EAST LOTHIAN COUNCIL
PLANNING SECTION
DUNDEE ROAD, 11, 107 222
DUNDEE, 15/00580/P
15/00580/P

REGISTERED
- 3 AUG 2015

15/00580/P



Planning

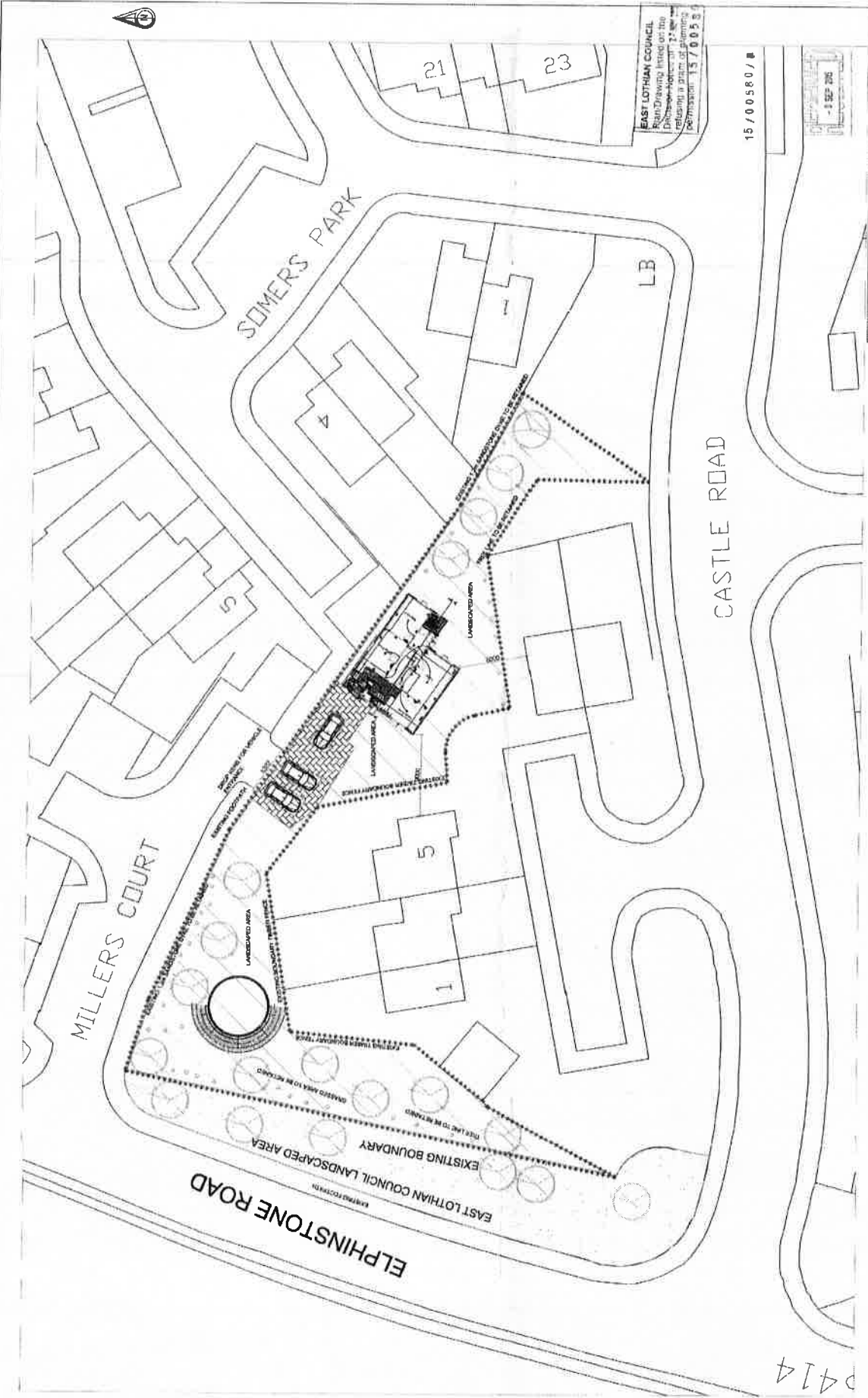
Scale of Material - 1:100

PROJECT
Mr & Mrs Higgins
Millers Court
Single Plot House

PROPOSED ELEVATIONS
COLOURED

TITLE	SCALE	PROJECT NO	DATE
1:100	1:100	HG0715	15/08/15
DRW	DATE	NO	NO
07/15	15/08/15	PL004	07/15

125, Waterloo Crescent, Morningside, DUNDEE, DD7 1BT
Telephone 0131 653 2380
www.planning.scot.nhs.gov.uk



EAST LOTHIAN COUNCIL
 Planning listed on the
 Register of Planning Applications
 Ref: 15/00580/B

15/00580/B

PROJECT		PROPOSED SITE PLAN & LANDSCAPE	
CLIENT		Mr & Mrs Higgins Millers Court Single Plot House	
SCALE	PROJECT NO	DATE	KEY
1:200	HIG00715	07/15	PL006
DRAWN		DATE	REVISION
J.P.		07/15	A
U.S. Architects (Scotland) Limited, 15/00580/B Telephone: 0131 652 2300 pweb@u.s.a.co.uk			



Planning

KEY
 - - - - - Proposed Site Boundary
 - - - - - Existing Council Boundary
 - - - - - Existing Landscaped Area



0414

03/02/2016

Ref Planning Application 15/00580p

Background

Due to unaffordable house prices in East Lothian, my husband and I moved to West Lothian to start our family and now have two children under 3 years of age. Despite the considerable distance between Armadale and Musselburgh where my parents live, my husband and I rely on my parents to help with child care in order that we can continue to work. This means in a practical sense that my parents (who are also still working) travel a 70 miles round-trip twice a week to help. We were sold this land on the assumption that we would be able to build a house here, given the overall presumption in favour of development within settlement envelopes (as set out in Local Plan policy DP7), and given the Council is required to address a shortfall in the five year housing land supply. Buying this land represented a huge step toward building our family home in the town we grew up in. At the time we bought the land we were completely unaware of any likely restriction on development, and feel in retrospect that the vendors may have been disingenuous in selling the land to us which, owing to the recent planning decision appears now to be effectively worthless.

The Officers report of handling acknowledges that the architectural design is sympathetic with the surrounding homes in terms of design, privacy and external finishes. There were also no external consultees that objected to the proposals. Indeed the only reasons for refusal relate to: the orientation and positioning of the proposed house; and, to the loss of public amenity open space. The following paragraphs seek to address both of these matters and therefore give the Local Review Body a chance to reconsider the validity of these reasons for refusal in the hope that these will be overturned.

Orientation and Positioning

It is our contention that the position and orientation of the proposed house would be appropriate to its location and would provide a sense of welcome, safety and security. This is especially true in the case of Somner Park where the landscaping belt as currently formed casts a shadow on the end of the cul-de-sac and leaves those properties at its southern end rather isolated from nearby houses. The proposed house by contrast would provide passive surveillance and would therefore accord with policy DP2. For the avoidance of doubt the proposed house would not be orientated so as to have any active relationship with areas of public space. While the proposed house would not directly address Castle Road, there would be no net dilution of visual amenity as a consequence of the house being developed, as there would continue to be trees visible in the garden area of the new house which would also be visible from Castle Road

In terms of policy DP7, it is considered that the proposed development fully accords with the provisions of the policy and we do not accept that the proposed house will be intrusive or unharmonious, or will be harmful to the development pattern or character of the adjacent houses. By contrast the proposed house if developed will ensure that Castle Road can continue to be 'read' as a leafy, 1990's suburban housing cul-de-sac. There are considered to be no adverse reasons in terms of policy DP7 therefore why the development should be refused on such grounds.

In terms of PAN 67, it is our contention that the proposed house would look different but would *not* detract from any 'sense of unity and coherence for the development or the wider community'. By contrast the proposed house has been designed to assimilate with the surrounding suburban houses which, as acknowledged in the Officer's report, 'there are a variety of architectural styles of housing and flatted buildings within the locality of the application site.'

Loss of Public Amenity Open Space

While we agree that the landscaping tree belt acts as a robust and defensible limit to Tranent when viewed along Elphinstone Road/B6414, the proposals under consideration would do nothing to remove this section of the landscaping belt and would not impact on this view. Contrary to the Officer's report it is considered that the area to be removed offers no meaningful public amenity either visually or recreationally as an area of open space. By contrast, especially on the Somner Park side,

the tree belt represents a dark and rather forbidding corner of the cul-de-sac for houses toward the south of the street. It is contended here that the proposed development would actually improve the situation from that found at present. On the Castle Road side, it is not considered that the trees are visually interpreted as forming an indivisible part of the Castle Road ensemble. By contrast, the introduction of a further house here would simply reaffirm the character of the surrounding area as being leafy 1990's suburban housing.

We do not consider that just because an area of landscaping was included in a development scheme almost a quarter of a Century ago, it necessarily must remain as such in perpetuity if it is not serving any good purpose, and if a newly proposed development to replace it would enhance the character of the area. Contrary to reason number 2 given by the Officer we believe that our interpretation in this regard accords with policies DP7 and C5. Given the unfortunate circumstances we find ourselves in having bought this area of land, we would ask that the Local Review Body considers this carefully.

Precedent

The Officer's report mentions precedent in reason number 2 for refusal. I have driven all around the area and have noted a number of instances where superfluous areas of public open space has been incorporated into garden ground. Here are few examples of such plots which have set a precedent over the years:

49 Lawson Way. Planning ref : 09/00346. Incorporating unused and unattended land into garden ground

12 Muirside Drive. Planning ref 11/00832/p Changing open space to domestic garden

It is considered here that permitting the change of use of effectively redundant amenity space to allow for the erection of a well-designed family home would be little different to the process of incorporating such land into garden ground.

Also lots of houses in the area have now been granted permission to extend their home, build garages, build boundary walls and fences also church conversion to build new home.

Summary

A number of neighbours have approached us and said they would welcome a new home on our plot as they feel it would provide more security and enhance the plot which is currently poorly maintained. These are matters that we entirely agree with. Given all of the forgoing we would respectfully ask that the Local Review Body reconsiders this application sympathetically and overturns the earlier refusal of this planning application.