

MIDLOTHIAN COUNCIL

DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:

Case Officer: Graeme King **Site Visit Date:** 27/01/2021

Planning Application Reference: 21/00038/PNDEM

Site Address: 74 Windsor Square, Penicuik

Site Description: The application subjects are a modern 2 storey house; it was formerly used as accommodation for the caretaker associated with the neighbouring care home. The walls are finished in off white dry dash render; the windows are brown coloured timber framed units; and the roof is finished with grey/brown profiled concrete roof tiles. Both the house and the care home are owned by the applicant, Ark Housing Association and are currently unoccupied.

The site is bounded on 2 sides by the plot of the care home. To the South West the site fronts onto Windsor Square. To the East the plot is bounded by a grassed area of public open space. With the exception of the care home Windsor Square is entirely residential and comprises modern 2 storey houses; mostly terraced with some semi-detached examples

Proposed Development: Demolition of dwellinghouse

Proposed Development Details: The existing dwellinghouse will be demolished.

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

572/86 – Extension of existing building to provide four extra bedrooms, and erection of a warden's house at 76 Windsor Square, Penicuik. Consent with conditions

697/90 – Construction of vehicular access at 76 Windsor Square, Penicuik.
Permitted

18/00730/DPP - Erection of 20 flatted dwellings; formation of access roads and car parking; and associated works at land at Windsor Square. Refused

19/00510/DPP - Erection of 12 flatted dwellings; formation of access roads and car parking; and associated works at land at Windsor Square. Minded to grant subject to the prior registration of a legal agreement to secure developer contributions.

Consultations: None

Representations: None

Relevant Planning Policies: Not applicable

Planning Issues: Demolition of buildings is permitted development under class 70 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). Where the buildings to be demolished are dwellinghouses; buildings containing flatted dwellings; or are attached to such buildings the applicant must submit Prior Notification to the planning authority for determination as to whether the prior approval of the authority will be required to the method of the proposed development and any proposed restoration of the site. The planning authority has no powers to object to the principle of demolition.

A building warrant will be required for the demolition and this will ensure that the demolition is carried out safely. In order to ensure that the site is cleared in a timeous manner it would be appropriate to agree in writing that the site is cleared within 42 days of demolition commencing. Advisory notes to make the applicant aware of their responsibilities with regard to protected species and consideration of former coal workings will be attached to the decision letter.

The house and former care home are both vacant and have been subject to vandalism. Registration of the legal agreement has been delayed and the applicant intends demolishing both of the buildings prior to the issuing of the pending planning permission. The applicant hopes that demolition will reduce the potential for anti-social behaviour. Demolition of the care home is permitted development and does not require Prior Notification.

Recommendation: Advise applicant that no Prior Approval will be required.