

Planning permission refused for new house in garden

An Edinburgh cabbie who wanted to build a bungalow in his garden to help house his adult children has accused councillors of caring more about a hedge than his family after his planning application was thrown out.

Jimmy Scally appealed to Midlothian councillors to overturn a decision by their planners to refuse him permission to build a two-bedroom home in land next to his house in Cousland.

Planners had ruled that the garden space which would be left for the new house was not big enough – even though plans showed the garden would be bigger than the house itself.

And they raised concerns that the loss of the private hedge and trees on the garden boundary would go against policy to retain trees where possible.

A meeting of the council's Local Review Body this week heard that despite concerns over the loss of the boundary hedgerow, it was on Mr Scally's property and there was no reason why he could not remove it regardless of the housing plan.

However councillors were concerned about the size of the garden which would be provided with the new house, finding it would be too small, as well as raising concerns about setting a precedent for other "pockets of land" being similarly used

for new housing.

Mr Scally said he was disappointed by the review body's decision.

He had said all he was trying to do was help his grown-up family, with two of them on a council waiting list for a house and one daughter living in Spain because it is cheaper than staying in Scotland.

Jimmy and his wife Janice moved into their three-bedroom house in the village with their 18-year-old son last year.

However a breakdown in their 30-year-old son's relationship meant he has had to move home while waiting for a house of his own and their two grandchildren also come to stay with their dad.

Jimmy had hoped the new bungalow would give his older son a place to stay as well as another daughter who is currently in emergency housing in West Lothian while waiting for a house.

Midlothian planners said they received 16 objections to the plans for the new bungalow along with two letters of support.

Objectors claimed the garden was not big enough for a new house, trees would be removed affecting local wildlife and the bungalow would be out of character with the rest of the street.

Planners said the rear garden of the new house would be 73 square metres with a "small area of garden ground to the front and sides of the proposed dwelling" adding "The council's standard requires that houses of three apartments to have usable garden ground no less than 110m²".

However Jimmy said the plans showed that the rear garden was 84 square metres and the 'small' front garden was 31 square metres taking the total amenity space to 190 square metres.

Despite the argument Councillors upheld the planners decision that the garden was too small, refusing the appeal.

Jimmy said: "I wonder if the councillors are now going to help house my kids? They seemed more interested in saving a hedge and garden space over helping me rehouse my children.

"Other developments with less garden space have been approved.

"Planning laws need to be seriously looked at."

by Marie Sharp Local Democracy Reporter

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