

Notice of Meeting and Agenda



Planning Committee

Venue: Council Chambers/Hybrid,
Midlothian House, Dalkeith, EH22 1DN

Date: Tuesday, 31 October 2023

Time: 13:00

Executive Director : Place

Contact:

Clerk Name: Democratic Services

Clerk Telephone:

Clerk Email: democratic.services@midlothian.gov.uk

Further Information:

This is a meeting which is open to members of the public.

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1 Welcome, Introductions and Apologies

2 Order of Business

Including notice of new business submitted as urgent for consideration at the end of the meeting.

3 Declaration of Interest

Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

4 Minute of Previous Meeting

Minute of Planning Meeting of 12 September 2023 submitted for approval	3 - 10
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5 Public Reports

- | | | |
|------------|--|-----------|
| 5.1 | MLDP Engagement/Elected Member Workshops and MLDP2 Timetable | 11 - 14 |
| 5.2 | 2023 Housing Land Audit – 908 units built in 2022/23 | 15 - 72 |
| 5.3 | Siting of unauthorised advertisement on land adjacent A68 and A720 City Bypass | 73 - 80 |
| 5.4 | 2300465S42 – Amendment to conditions associated with the access arrangements at land at Calderstones, Biggar Road, Hillend | 81 - 98 |
| 5.5 | 2300521S42 – Amendment to condition related to the temporary storage of soils at Site F, Shawfair | 99 - 110 |
| 5.6 | 2300289DPP – Erection of care home and retail unit at land at Greenlaw Mains, Mauricewood Road, Penicuik | 111 - 148 |

6 Private Reports

7 Date of Next Meeting

The next meeting will be held on Tuesday 28 November at 1:00pm.

Minute of Meeting

Planning Committee
Tuesday 31 October 2023
Item No: 4.1



Planning Committee

Date	Time	Venue
Tuesday, 12 September 2023	13:00	Council Chambers, Midlothian House

Present:

Councillor Imrie (Chair)	Councillor McEwan
Councillor McCall	Councillor McManus
Councillor Parry	Councillor Winchester
Councillor Milligan	Councillor Virgo
Councillor Alexander	Councillor McKenzie
Councillor Pottinger	Councillor Russell
Councillor Cassidy	Councillor Curran
Councillor Scott	Councillor Bowen
Councillor Drummond	

In Attendance:

William Venters	Principal Solicitor
Derek Oliver	Chief Officer Place
Peter Arnsdorf	Planning, Sustainable Growth and Investment Manager
Gary Leadbetter	Democratic Services Officer
Linda Melville	Member Support

1. Apologies

Apologies for absence were received from Councillor Smaill.

2. Order of Business

The order of business was as set out in the Agenda with the exception of Item 5.4 which was withdrawn prior to the meeting.

3. Declarations of interest

Councillor Scott and McEwan declared an interest on Item 5.2.

4. Minutes of Previous Meetings

The minute of the meeting of Tuesday, 16 May 2023 was submitted and approved as a correct record.

5. Reports

Agenda No	Report Title	Submitted by:
5.1	Land Adjacent A68 and A720 City Bypass – Advertisement Prosecution Report and Plans	Chief Officer, Place
Outline of Report and Summary of Discussion		
<p>Planning, Sustainable Growth and Investment Manager, Peter Arnsdorf introduced the report. This report relates to the display of an unauthorised hoarding advertisement on land within the designated greenbelt adjoining the A68/A720 (on) slip road. The displaying of an advertisement that requires express consent without such consent is an offence.</p> <p>This report recommends that the Committee instruct the Planning, Sustainable Growth and Investment Manager to refer the case to the Crown Office and Procurator Fiscal Service for consideration to be given to prosecutorial action in relation to the parties who have displayed an advertisement without expressed consent, pursuant to Section 186 of the Town and Country Planning (Scotland) Act 1997 (by the Planning etc. (Scotland) Act 2006 and the Planning (Scotland) Act 2019). The maximum penalty on successful prosecution is a fine of up to £5,000 per offence plus £500 per day for a continuing offence after conviction.</p> <p>The Chair, Councillor Imrie, thanked Mr Arnsdorf for the report and opened it up to questions.</p>		
Decision		
<p>The Planning Committee agreed to instruct the Planning, Sustainable Growth and Investment Manager to refer the case to the Crown Office and Procurator Fiscal Service for consideration of prosecutorial action.</p>		

Action
The Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Submitted by:
5.2	10 Kirkhill Terrace, Gorebridge – Enforcement Notice Prosecution Report and Appendices	Chief Officer, Place

Outline of Report and Summary of Discussion

Given their declarations of interest, Councillors McEwan and Scott left the Planning Committee meeting for this Item.

The Planning, Sustainable Growth and Investment Manager, Peter Arnsdorf introduced the report. This report relates to the non-compliance with the requirements of an enforcement notice served by the Council pursuant to Section 127 of the Town and Country Planning (Scotland) Act 1997, as amended (by the Planning etc. (Scotland) Act 2006 and the Planning (Scotland) Act 2019), with regard the erection of a dwellinghouse at 10 Kirkhill Terrace, Gorebridge.

The enforcement notice required the alteration of an erected dwellinghouse to accord with a grant of planning permission, ref: 21/00833/DPP (option 1), or the demolition of the unauthorised erected dwellinghouse and the removal of the dismantled materials from the site (option 2). None of these steps have been taken, either by the enforcement notice compliance date of 20 April 2023 (option 1) or 20 June 2023 (option 2) or to date (at the time of drafting this report). Non-compliance with an enforcement notice constitutes an offence.

This report recommends that the Committee instruct the Planning, Sustainable Growth and Investment Manager to refer the case to the Crown Office and Procurator Fiscal Service (COPFS) for consideration to be given to prosecutorial action in relation to the parties who have breached the enforcement notice, pursuant to Section 136 of the Town and Country Planning (Scotland) Act 1997. The maximum penalty on successful prosecution is a fine of up to £50,000 per offence.

The Chair, Councillor Imrie, thanked Mr Arnsdorf for the report and opened it up to questions.

Councillor Cassidy noted that this is a serious and difficult matter and put forward a motion that, before any decision is taken, the Local Review Body (LRB) visit, which did not occur, should be revisited. No seconder was identified, upon the question being posed by the Chair.

On a point of clarification Principal Solicitor, William Venters, explained that the decision before the Planning Committee is whether to instruct that the matter to be referred to the COPFS for consideration to be given to prosecutorial action, it does not regard taking enforcement action to demolish the property.

Councillor Virgo sought clarity on whether the matter could be referred back to the LRB, recognising that due to Covid-19 restrictions there may have been issues with how it was reviewed. Mr Arnsdorf noted that the matter had been referred to the LRB, which was considered in September 2020 during a Covid-19 lockdown. Mr Arnsdorf noted that, in place of a site visit, the LRB was shown visuals, as per the correct guidance and procedures at the time. Mr Arnsdorf further explained that the applicant had a three month window to refer the matter to judicial review, if they believed the correct procedures had not been followed. They did not exercise this right and so the LRB decision stands and may not be reopened.

Decision

The Planning Committee agreed to instruct the Planning, Sustainable Growth and Investment Manager to refer the case to the Crown Office and Procurator Fiscal Service for consideration of prosecutorial action.

Action

The Planning, Sustainable Growth and Investment Manager

Councillors McEwan and Scott returned to the Planning Committee meeting.

Agenda No	Report Title	Submitted by:
5.3	Site Ec3 West Straiton Committee Report and Plan	Chief Officer, Place

Outline of Report and Summary of Discussion

The Planning, Sustainable Growth and Investment Manager, Peter Arnsdorf introduced the report. The purpose of this report is to advise the Committee of the submission of a Proposal of Application Notice (PAN) and corresponding pre-application consultation for a mixed-use development including business and employment uses (Class 4, 5 and 6), residential (Class 9 and sui generis flatted accommodation); neighbourhood centre including shops, financial, professional and other services (Class 1A), food and drink (Class 3), assembly and leisure (Class 11); together with other related infrastructure including park and ride, associated works including car parking, servicing, access arrangements, landscaping and public realm at West Straiton, Loanhead (part of site Ec3 and land to the west of Ec3).

The pre application consultation is reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlines the proposal, identifies the key development plan policies and material considerations and states a provisional without prejudice planning view regarding the principle of development.

It is recommended that the Committee notes:

- a) the provisional planning position set out in this report;

- b) that any comments made by Members will form part of the minute of the Committee meeting; and
- c) that the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.

The Chair, Councillor Imrie, thanked Mr Arnsdorf for the report and opened it up to questions.

Councillor Curran stated that, for any application submitted that it would be helpful to know whether there are plans to disrupt the local road network and what the applicant proposes to mitigate this. Mr Arnsdorf agreed to take this action forward for future applications.

Councillor Curran requested that in relation to temporary traffic regulation orders (TTRO) a report is returned to the Committee which allows formal democratic input, particularly for major applications where there may be long-term disruption to local road networks. It was agreed officers will take this action away (Derek Oliver will pick this matter up).

Councillor Alexander requested that it is ensured, in relation to new developments which do not occur immediately, that conditions placed are followed through as technology progresses so that old technology is not in place in new developments which may impact the Council in the long-term. The Chair noted that applicants have three years to begin the development which has implications on the conditions placed, in terms of barring renegotiation of conditions within that time.

Mr Arnsdorf explained that planning applications and associated discharge conditions are assessed against the most up-to-date policy position at the time of assessment. Once a determination is made, the applicant has 3 years for implementation, in which conditions may not be changed.

Elected Members raised concerns in relation to essential infrastructure to support the development, with regards to traffic, GP surgeries, schools, etc. Discussion took place on the need to use essential infrastructure as a marker in relation to large developments, to ensure that it exists and is able to support residential developments, which was noted and taken by Mr Arnsdorf. Some further discussion took place in relation to the infrastructure-first principle.

In relation to a query from Councillor Scott regarding the accuracy of current ratios used for education infrastructure, and whether research has or could take place in relation to this, the Chair noted that this should be referred to the Executive Director of Education and Children's Services as this matter falls within their remit.

In response to a question from Councillor Virgo on the prematurity of considering infrastructure-first in the pre-application stage, Mr Arnsdorf noted that the National Planning Framework 4 sets out the policy position towards moving to infrastructure-first but there is a question on how it is funded and by who. Mr Arnsdorf stated that the key concern, from the Council's perspective, is to ensure that infrastructure is delivered that meets the demands of local communities, so this may arise in early

or late phases. Mr Arnsdorf noted that the need to consider infrastructure is becoming increasingly important and entails a higher priority in regard to these matters.

Decision

The Planning Committee noted:

- a) the provisional planning position set out in this report;
- b) that any comments made by Members will form part of the minute of the Committee meeting; and
- c) that the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.

The Planning Committee further requested that:

1. Inclusion of any disruption to local road networks and the applicant's proposed mitigations in future applications submitted.
2. Return TTRO reports to elected members for consideration.

Action

The Planning, Sustainable Growth and Investment Manager.

Agenda No	Report Title	Submitted by:
5.5	Land 100m South of Glenarch Lodge, Melville Road, Dalkeith Committee Report and Plans	Chief Officer, Place

Outline of Report and Summary of Discussion

The Planning, Sustainable Growth and Investment Manager, Peter Arnsdorf introduced the report. The application is for the erection of three dwellinghouses, formation of access and car parking and associated works at land 100m south of Glenarch Lodge, Melville Road, Dalkeith.

There have been two representations and consultation responses from Scottish Water, the Coal Authority, Network Rail, the Eskbank and Newbattle Community Council, the Council's Ecological Advisor (TWIC), the Council's Senior Manager Neighbourhood Services (Roads), the Council's Senior Manager Protective Services and the Council's Education Executive Business Manager.

The relevant development plan policies are policies 1, 2, 3, 4, 5, 6, 7, 9, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23 and 24 of the National Planning Framework 4 (NPF4) and policies STRAT2, DEV2, DEV5, DEV6, DEV7, TRAN5, IT1, ENV7, ENV11, ENV15, ENV16, ENV18, ENV19, IMP1, IMP2 and IMP3 of the Midlothian Local Development Plan 2017 (MLDP).

The recommendation is to refuse planning permission for reasons 1 to 3:

1. As a result of the proposed loss of trees and ground levelling works required to accommodate the access and visibility splays the development will have a significant detrimental impact on the local landscape and character and appearance of the surrounding area, contrary to policies DEV2, DEV6, DEV7, ENV7 and ENV11 of the Midlothian Local Development Plan and the aims of National Planning Framework 4.
2. The proposed development will result in the significant loss of trees and woodland which will result in the degrading of the landscape buffer and resultant definition of the settlement edge in this area, to the detriment of the character and appearance of the conservation area and local landscape, contrary to the aims of policies ENV7 and ENV11 of the Midlothian Local Development Plan and the aims of National Planning Framework 4.
3. The proposed access and associated works will result in a significant adverse impact on road safety which will be to the detriment of the safety of road users.

Mr Arnsdorf noted that the applicant had now committed to make the required develop contributions if planning permission is granted, as such refusal reason number 4 is no longer recommended. Refusal reason number 4 was as follows:

4. By not meeting the required developer contribution requirements the proposed development does not mitigate its impact on local infrastructure and the environment and as such does not accord with Midlothian Local Development Plan Policies IMP1 and IMP2.

The Chair, Councillor Imrie, thanked Mr Arnsdorf for the report and opened it up to questions.

Councillor Parry raised a question in relation to 5.4 in the report where it states the Coal Authority “recommend permitted development rights be removed relating to extensions and outbuilding in the area around mine shaft zones of influence.” Ms Parry queried whether, if the planning permission is refused, this can become a condition. Mr Arnsdorf noted that if the recommendation of refusal is approved then there is no requirement to consider this matter.

Some discussion took place on what the land might be used for and conditions that may be imposed for any prospective development in respect of the land, with it noted that there was an opportunity to improve the land from its current state.

In a point raised by Councillor McEwan regarding the suitability of the contemporary design of the dwellinghouses for the Conversation Area, Mr Arnsdorf noted that members signalled approval of a contemporary design of a similar style on this site in a 2017 LRB. Given this, officer felt this decision had already been determined. In response to a further query by Councillor McEwan on whether this was setting precedent, Mr Arnsdorf noted that designs need not necessarily be of a traditional or older-style to be considered acceptable.

Councillor Curran raised a concern around road safety, entry points and visibility and noted that speed measures should be installed. Councillor McKenzie further

raised concerns around road safety and entry/access points. Mr Arnsdorf noted the concerns and explained that if the Planning Committee were minded to grant planning permission it may be appropriate to request that the applicant undertake a Road Safety Audit to determine the safest access points and what safety measures or speed restrictions should be put in place to ensure safety.

The Chair noted that there are two conditions in mind, if planning permission is granted:

1. A Landscape Plan.
2. Road Safety Audit.

The Chair moved to grant planning permission, with the two conditions as mentioned. Councillor Curran seconded.

Decision

The Planning Committee approved the planning permission, subject to the addition of two conditions being imposed, namely a Landscape Plan and Road Safety Audit.

Action

The Planning, Sustainable Growth and Investment Manager.

6. Private Reports

No items for discussion

7. Date of Next Meeting

The next meeting will be held on Tuesday, 31 October 2023.

The meeting terminated at 13:59.



ELECTED MEMBER WORKSHOPS ON MIDLOTHIAN LOCAL DEVELOPMENT PLAN 2 ENGAGEMENT AND UPDATED MIDLOTHIAN LOCAL DEVELOPMENT PLAN 2 TIMETABLE

Report by Chief Officer Place

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to set out the dates for the upcoming elected member workshops on the Midlothian Local Development Plan 2 (MLDP2) and to provide an updated MLDP2 timetable.

2 BACKGROUND

- 2.1 At its meeting of 28 February 2023 the Committee considered a report on the National Planning Framework No.4 (NPF4) and formally launched its review of its local development plan. At its meeting of 16 May 2023 the Committee considered a report on the MLDP2 work streams and also approved an Engagement Plan.
- 2.2 Since March 2023 the Planning Service has been undertaking a wide reaching engagement programme which has included (but not limited to):
- Holding in-person drop-in events in the community;
 - Local Place Plan/Community Council engagement sessions;
 - Key agency meetings;
 - Internal officer/service meetings;
 - Online questionnaires for volunteer and community groups, landowners and developers and key agencies;
 - Meeting specialist groups such as the Gypsy/Traveller Forum and the Disabled Group Forum;
 - In-person sessions with young people held at high schools, primary schools and youth clubs;
 - In-person sessions with business representatives – Mid and East Lothian Chamber of Commerce, Midlothian Tourist Forum, Midlothian Science Zone, Midlothian Energy Ltd and Scottish Enterprise; and
 - Developer/house-builder meetings.

3 ELECTED MEMBER WORKSHOPS

- 3.1 As part of the engagement on MLDP2, it has previously been agreed that workshops with elected members be arranged. The purpose of these workshops is to inform elected members of the implications of NPF4 for Midlothian, to start capturing elected members ambitions and ideas for MLDP2 and to provide feedback on wider community engagement.
- 3.2 The first set of workshops were held in May 2023 and the next workshops are scheduled for November 2023 (invites have been issued). To maximise the opportunity for engagement with elected members, two sessions, split on a ward basis, are being held. The November set of workshops are being held at 2.00pm on 14 November 2023 for Midlothian West, Midlothian South and Penicuik Ward elected members and 2.00pm on 22 November 2023 for Dalkeith, Midlothian East and Bonnyrigg Ward elected members.
- 3.3 Further elected member workshops will be arranged in 2024 and 2025 as the MLDP2 process progresses from evidence gathering to the preparation of a draft plan (site selections and policy formulation).

4 MIDLOTHIAN LOCAL DEVELOPMENT PLAN 2 TIMESCALES

- 4.1 The below table sets out the latest indicative timescale for the production of the MLDP2.

Indicative Timescale for Production of MLDP2

	Key Stage	Approval Body	Timescale
1	Formal commencement of MLDP2 (<i>MLDP2 has commenced</i>)	Planning Committee	February 2023
2	Invitations to community groups to prepare Local Place Plans (LPPs) (<i>invitations issued</i>)	Planning Committee	March 2023
3	Widespread engagement to inform production of the MLDP2 Evidence Report (<i>engagement underway</i>)	Planning Committee	2023
4	Position update – update on engagement and key issues	Planning Committee	November 2023
5	Consideration of draft Local Place Plans submitted	Planning Committee	January 2024
6	Consideration of MLDP2 Evidence Report for submission to Scottish Ministers “Gate Check” ahead of Full Council	Planning Committee	14 March 2024
7	Approval of MLDP2 Evidence Report for submission to Scottish Ministers “Gate Check”	Full Council	29 March 2024
8	Consideration of finalised Local Place Plans	Planning Committee	April 2024

9	Reporting the results of/feedback from Scottish Ministers "Gate Check" of the MLDP2 Evidence Report	Planning Committee	From May 2024
10	Approval of MLDP2 Proposed Plan for publication for representations (a 12 week formal consultation period)	Full Council	March/April 2025
11	Approval of the MLDP2 Draft Delivery Programme for publication	Full Council	March/April 2025
12	Approval of MLDP2 Proposed Plan for submission to Scottish Ministers – this may include a Modification Report making changes to the Proposed Plan following representations received	Full Council	December 2025
13	Examination into unresolved issues from representations received on MLDP2 Proposed Plan	N/A	From March 2026
14	Report of Examination Received from the Reporter from the Directorate for Planning and Environmental Appeals (DPEA) appointed by Scottish Ministers	N/A	September 2026
15	Adoption of MLDP2	Full Council	December 2026
16	Adoption of MLDP2 Delivery Programme	Planning Committee	March 2027

5 RECOMMENDATIONS

- 5.1 It is recommended that the Committee note the details of the November elected member workshops and the updated indicative timescale for the production of MLDP2.

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 20 October 2023
Contact Person: Grant Ballantine, Lead Officer Conservation and Environment, grant.ballantine@midlothian.gov.uk
Background Paper: The 16 May 2023 and 28 February 2023 Committee reports on NPF4 and MLDP2.



HOUSING LAND AUDIT 2023

Report by Chief Officer Place

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the 2023 Housing Land Audit (HLA) and to update the Committee on the state of the housing land supply in Midlothian.

2 BACKGROUND

- 2.1 Maintaining the supply of land for housing is one of the most challenging tasks for the planning system, particularly so in Midlothian, which is Scotland's fastest growing local authority area in population percentage terms. The first findings of the 2022 Census for instance found that Midlothian's population increased by 16.1% between 2011 and 2022 (compared to a corresponding Scotland-wide figure of 2.7%). By 2036, National Records of Scotland (NRS) project that the population of Midlothian will grow by a further 14.2%, from 98,600 (Sept 2023) to 112,700 (using 2018-based population projections). However, based on the 2023 HLA and Midlothian's housing targets (see the MATHLR figures set out later in this report) the 2023 to 2036 population increase is potentially going to be 27%, from 98,600 to 125,300 – the difference in the methods of calculation (+12,600) having a significant impact of service provision and infrastructure. There is currently approximately 43,263 households in Midlothian and by 2036 this will increase to between 50,013 and 56,186, an increase of between 15.6% and 29.9%.
- 2.2 Midlothian Council prepares an annual HLA which is the established means of monitoring Midlothian's housing land supply. It is used to inform service and infrastructure providers such as the NHS and Scottish Water about forthcoming development sites, and it assists in the Council's own forward planning for facilities such as the provision of schools. It is important for the good planning of the area to maintain the supply of land and to avoid 'planning by appeal'. This is where land not allocated for housing in the current or past development plans could be consented for that purpose in the event of a shortage of supply.
- 2.3 The 2022/23 Audit year saw major changes to the context in which HLAs are produced. National Planning Framework 4 (NPF4) was

adopted in February 2023, the Town and Country Planning (Development Planning) (Scotland) Regulations 2023 came into force in May 2023 and the associated guidance on the regulations was published shortly thereafter. This new regulatory framework has triggered changes to the content of the 2023 HLA and will likely also do so in future when additional guidance on HLAs is finalised.

- 2.4 The HLA indicates how many houses are built each year and how much stock remains to be built (from site allocations in the development plan and planning permissions granted). This total stock is known as the 'Established Supply' – it is further broken into the 'Effective Supply' (sites which are currently free from impediments to their development or that will become free of them) and 'Constrained sites' (where there are obstacles, such as land ownership disputes, ground contamination or access restrictions preventing their development).
- 2.5 The programming, or number of units that will be built in future years, in the HLA is agreed with Homes for Scotland (HfS), the umbrella organisation that represents the house building industry, who consult their members on their intentions for build out rates. Other data such as past completions trends, site layouts, and the status of both planning and building warrant applications are also used to estimate programming. It should be noted that the purpose of the HLA is not to 'control' the rate of delivery of homes, but rather to report on a most likely scenario for it. Where there is a dispute between the Council and HfS about a site's status this will be clearly indicated in the HLA - there are no disputed sites in the 2023 HLA.

Findings of Housing Land Audit 2023.

- 2.6 A copy of the 2023 HLA is attached as Appendix A. Its 'Summary' schedule identifies a remaining established supply of 11,799 units as of 31 March 2023. This is the sum of the remaining capacity of all sites known to Midlothian Council, whether allocated through development plans or granted planning permission. Of these, 11,052 units are effective and 747 are constrained. Further commentary on the general status of the housing land supply is provided in the Audit's 'Housing Supply Commentary' section and plans showing the sites are attached as Appendix B.

Demand for Housing.

- 2.7 NPF4 contains a Minimum All Tenure Housing Land Requirement (MATHLR) for each planning authority. For Midlothian, the MATHLR housing figure is 8,850 units over the 10 year period that the Midlothian Local Development Plan 2 (MLDP2) (2026 - 2036) will plan ahead for. This is equivalent to 885 units a year. NPF4 requires local planning authorities to set a Local Housing Land Requirement (LHLR) which must exceed the MATHLR. The Evidence Report, now under preparation, will set out Midlothian Council's view on the appropriate level of the LHLR. The reasoning and evidence base behind this

decision will be subject to external review through the Directorate of Planning and Environmental Appeal's (DPEA) 'gatecheck' process.

- 2.8 The NPF4 figures are based on demand from 2022 to 2036, but annualised and converted into a ten year requirement, so these can be used by any development plan adopted between now and 2026. Existing housing allocations will be able to meet much of the MATHLR requirement. On the basis of programming in the 2023 HLA, by April 2026 there will be a remaining effective supply of 8,524 houses. Safeguarded Sites identified in the development plan could provide further supply of 600 units (bringing the total up to 9,124 units) – the comments in the Safeguarded Sites table in the Audit provides further information about likely phasing. A future stream of windfall sites (sites not currently known about and not identified in the plan) could provide a further 710 units over 10 years if the windfall build rates in the last decade are maintained – this would bring the total of potential units to 9,834, exceeding the MATHLR figure of 8,850 units, although this is dependent on Safeguarded Sites being delivered during the life of MLDP2 and windfall sites coming forward as anticipated. If existing sites are de-allocated or become constrained this will also reduce the potential supply. Existing allocations, especially those sites which do not have planning permission, will be subject to review as part of the MLDP2 process using the current NPF4 policy framework and the latest information about the sites.
- 2.9 It should be emphasised that the MATHLR is an All-Tenure requirement. MLDP2 will have to address demands for affordable, specialist and wheelchair accessible housing through site allocations and policy in MLDP2. Midlothian Council may consider a number of approaches in MLDP2 to meet the affordable demand, including consideration of a higher affordable housing requirement (currently 25% in the MLDP), and the allocation of sites specifically for social/specialist housing, continuing to deliver its own housing programme.
- 2.10 The MATHLR (housing target) is based on 2018 Population and Housing Estimates from NRS which gives a 10 year household projection for Midlothian of 5,950 households. To this is added the outstanding need identified at 1,114 units (this brings the total to 7,064 units). To this figure a 25% generosity allowance is added (1,766 units), bringing the total to 8,830 units – the Scottish Government then rounds this figure to the nearest 50 resulting in a Midlothian MATHLR target of 8,850.
- 2.11 The 8,850 target is higher than real demand and takes no account of traditional planning factors such as availability of infrastructure or environmental constraints. The 2023 HLA indicates that completions have exceeded 900 per year for the first time. This suggests that development on the scale set out in the MATHLR is achievable (subject to market factors).

3 RECOMMENDATIONS

3.1 It is recommended that the Committee:

- a) Note the 2023 Housing Land Audit for Midlothian and agree to its publication.

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 20 October 2023

Contact Persons: Richard Lamond, Research and Information Officer
richard.lamond@midlothian.gov.uk
Colin Davidson, Planning Officer;
colin.davidson2@midlothian.gov.uk

Background Papers: NPF4 Update, MLDP2 Launch and DPS15 Report and Appendices, presented to the Committee on 28th February 2023.

Attached Documents: Appendix A: Midlothian Council Housing Land Audit 2023.
Appendix B: Plans of housing sites.



Midlothian Council Housing Land Audit 2023



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1 – Audit Overview

1.1 - Introduction

1.1.1 The Housing Land Audit (HLA) is the established means of monitoring Midlothian's housing land supply. Audits are undertaken annually (based on the financial year of the 1st of April to the 31st March) and establish the availability of housing land at that time and into the future. The Audit also indicates the progress of sites through the planning process and gives information on housing completions. It is produced in consultation with Homes for Scotland (HfS), the umbrella organisation that represents the house building industry, as well as other interested parties.

1.1.2 HLA 2023 is an assessment of the housing land supply in Midlothian at the 31st of March 2023. It comprises the following seven schedules. *Obtaining a complete view of the housing land picture and future housing growth in Midlothian requires consideration of them all.*

- Summary – an overview of the supply situation;
- Main Schedule – information on and indicative programming for effective sites in the supply;
- Completions & Demolitions – numbers of both market and affordable housing units completed in 2022/23, where those completions were, and the number of demolitions across Midlothian;
- Constrained Sites – sites which are not effective and have obstacles preventing their development;
- Safeguarded Sites – sites associated with housing allocations which have potential for further expansion in the medium to longer term and which could be brought forward through the next development plan, if required;
- Site Notes – additional information on sites, including their planning application and building warrant references; and
- Pending Large Windfall Applications¹ – details of outstanding housing applications of four or more units for non-allocated sites.

1.1.3 The schedules include all new housing development, redevelopment, conversion and sub-division consisting of four or more units. Refurbishment of existing housing stock is excluded. Small sites (of three units or less) are shown as an aggregation for each settlement and are combined with allocated and windfall sites to provide a summary of the housing situation for each settlement in Midlothian. These in turn are aggregated to the Housing Market Area (HMA) level. There are two HMAs in Midlothian and their boundaries and the settlements they contain are shown in figure 1 on the next page. A map of the sites within the Audit is included at the back of this document and an online version with interactive site information is also available online - [Housing Land Audit online map](#).

1.1.4 The Council will continue to work with HfS, house builders and other agencies to ensure the delivery of housing in Midlothian.

¹ Windfall sites are housing developments on land that was not allocated in current or former Development Plans. They are often smaller sites on brownfield land.



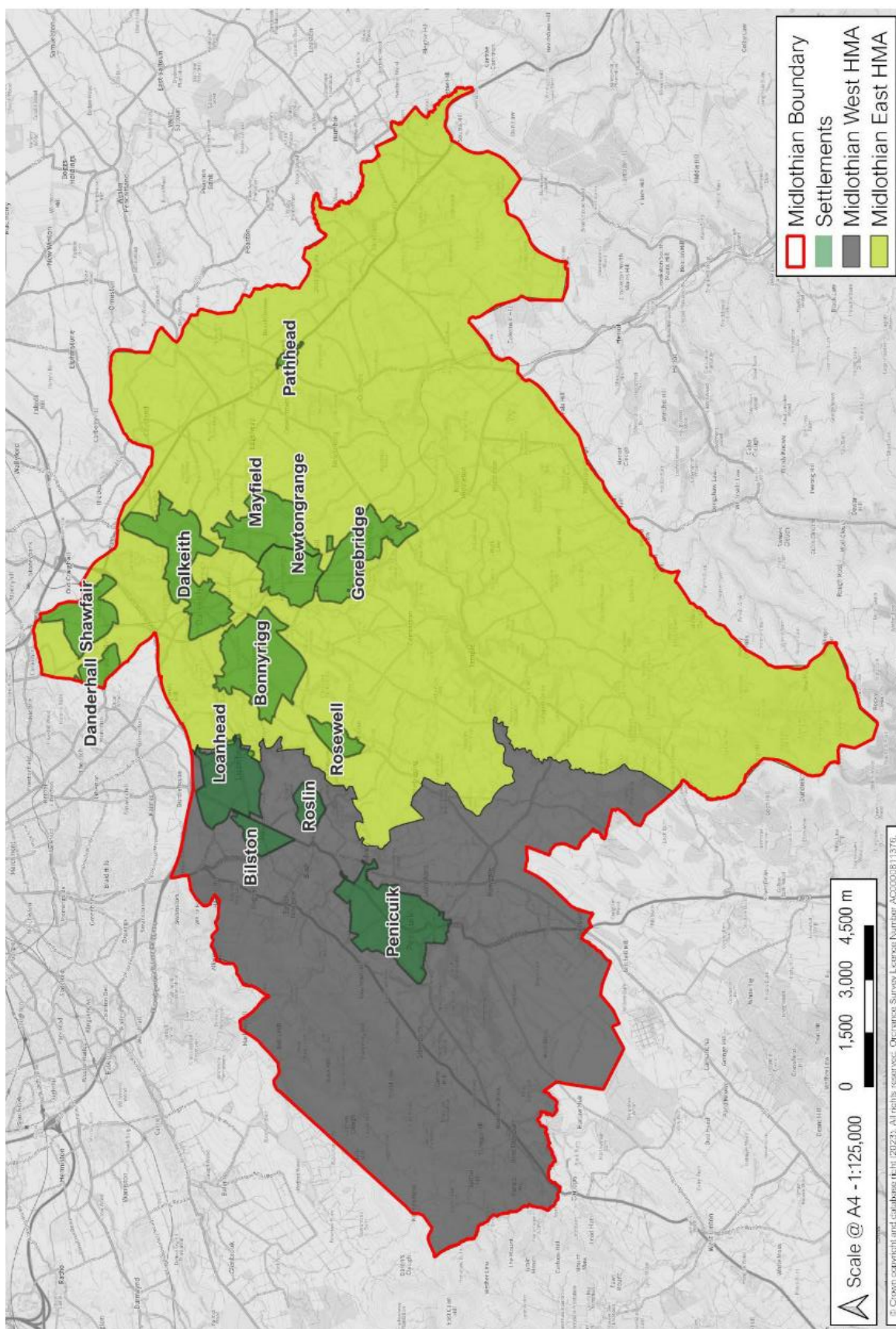


Figure 1: Midlothian's Housing Market Areas and the main settlements within them.



1.2 – Abbreviations

Table 1: HLA 2023 Abbreviations.

Abbreviation	Description
Aff'd.	Affordable housing
B/Brf.	Brownfield land (previously developed land)
C	Site with planning consent
DPEA	Planning and Environmental Appeals Division of the Scottish Government
DPP/FUL/MSD	Detailed/Full Planning Permission
G/Grf.	Greenfield land (previously undeveloped land)
ha	Area in hectares (1 ha = 10,000m ² , or 100m x 100m)
HfS	Homes for Scotland
HLA	Housing Land Audit
HMA	Housing Market Area
LDP	Local Development Plan
LHLR	Local Housing Land Requirement
LRB	Local Review Body
MATHLR	Minimum All Tenure Housing Land Requirement
MC	Site that is minded to be consented planning permission but the legal agreement for developer's financial contributions to infrastructure is still to be finalised
MLDP	Midlothian Local Development Plan (2017)
MLP 2003	2003 Midlothian Local Plan
MLP 2008	2008 Midlothian Local Plan
NC	Site with no planning consent
NPF4	National Planning Framework 4
PAC	Pre-Application Consultation
PPP/OUT	Planning Permission in Principle/Outline Planning Permission
RoS	Registers of Scotland
SC	Safeguarded Capacity
SHIP	Strategic Housing Investment Plan (Midlothian Council's plan for the delivery of affordable housing)
SLP	Shawfair Local Plan (2003)
UC	Site under construction



1.3 – Planning Policy Context

1.3.1 The 2022/23 Audit year saw major changes to the context in which HLAs are produced. National Planning Framework 4 (NPF4) was adopted in February 2023, the Town and Country Planning (Development Planning) (Scotland) Regulations 2023 came into force in May 2023 and Guidance on them was published shortly afterwards. These have been the trigger for a review of HfS' Procedure Notes on HLAs and the Scottish Government developing guidance notes on HLAs to replace PAN 2/2010 ('Affordable Housing and Housing Land Audits'). These have led to changes to the content of this HLA and will likely also do so in future when both are finalised.

1.3.2 NPF4 identifies a Minimum All Tenure Housing Land Requirement (MATHLR), which is the minimum amount of land, expressed in housing units, that is to be provided by each planning authority in Scotland for a 10 year period. Local Authorities must exceed this by identifying a Local Housing Land Requirement (LHLR) for their next Local Development Plan (LDP). Midlothian Council is in the process of determining its LHLR as part of its early work on LDP2.

1.3.3 The Midlothian Local Development Plan (MLDP) was adopted in 2017, with an Action Programme approved in early 2018 and a further update of the latter in 2020. It highlighted the progress made with implementing the LDP's development strategy in the two years since adoption, the key changes in that period and emerging issues looking forward to the next review of the Plan. 'Delivery Programmes' will replace Action Programmes and Midlothian Council will be producing one to replace its 2020 release. A further Delivery Programme will be produced shortly after the adoption of LDP2 (currently expected in late 2026). This will set out how the Council propose to implement its LDP and it must establish a deliverable 'housing land pipeline' for the LHLR. The purpose of the pipeline is to provide a transparent view of the phasing of housing allocations so that interventions, including infrastructure, that enable delivery can be planned. The annual HLA, and its programming in particular, will monitor the delivery of housing land to inform the pipeline and the actions to be taken in the Delivery Programme.

1.3.4 Although Midlothian's LHLR will only be determined as LDP2 work continues and progress towards the LHLR cannot therefore be established at this point, changes have been made to the content and format of the HLA in advance of this. Most notably, programming in the Main Schedule of the Audit now covers a 10 year period to reflect the requirement of NPF4 that LDPs should identify deliverable land to meet a LHLR that must cover a decade. Programming is divided into three phases which mirror the definitions of NPF4 Policy 16 and paragraph 222 of the Local Development Planning Guidance:

- Short-term sites – where the first homes are to be completed in years one to three of the plan, including sites with full planning permission;
- Medium-term sites – where the first homes are to be completed in years four to six of the plan, including sites with planning permission in principle and allocations supported by masterplans, development briefs or equivalent; and
- Long-term sites – where the first homes are to be completed in years seven to ten of the plan, in locations that align with the spatial strategy of the plan and have a pathway to delivery identified in the Delivery Programme.

1.3.5 Since NPF4 also states that areas that may be suitable for new homes beyond 10 years are also to be identified in LDPs, programming for beyond the short, medium and long term is now also provided (as an aggregate figure of units yet to be constructed on sites beyond a decade).



1.4 – Methodology

1.4.1 The methodology of how Midlothian's HLA is completed is influenced by several sources including rolling over procedures from previous Audits where those procedures have been of value, reflections and discussions on them throughout the year, HfS Procedure Notes and PAN 2/2010. They may well change going forward due to the emerging requirements stemming from the adoption of NPF4, Local Development Planning Regulations and Guidance and forthcoming guidance on HLAs from the Scottish Government. For the time being however, the following paragraphs detail the steps taken in completing Midlothian's latest HLA.

1.4.2 The status of sites in the Audit is determined by reviewing weekly lists of applications received and determined by Midlothian Council, the outcomes of its Planning Committee and Local Review Body (LRB) as well as checking for the submission and approval of building warrants and notifications of the commencement of developments to establish when site activities have begun.

1.4.3 Housing completions are determined by cross-checking several forms of data:

- In the first instance building warrant records in the Council's 'Uniform' database are reviewed for the submission and acceptance of housing completion certificates under the Building (Scotland) Act 2003;
- Effective dates of the apportioning of Council Tax bands to addresses listed at the Scottish Assessors Association website and provided by the Lothian Valuation Joint Board; and
- Visits to all sites of four or more units that have had construction activity in the current Audit year to mark off occupied units on site plans. This is determined by the presence of one or more signs of occupant activity, such as parked vehicles, 'curtain counts', the maintenance of gardens or grounds etc.

1.4.4 Programming assumptions are a snap shot in time from the base date of the HLA. As site programming entails predicting future events, it can only represent the most accurate estimate as is possible at the time of writing. Many data sources are utilised to maximise its reliability:

- Visits to all large sites and recording the number of units under construction, particularly those nearing completion;
- Inspection of site plans so that programming takes into account the house types in question (detached, semi-detached, flats etc.), as this will influence their build time;
- Inspection of phasing plans submitted by developers;
- Taking into account past annual completions on sites that have delivered units in previous years;
- Visiting house-builders websites and on site notice boards to note news on which plots or phases have been released for sale, reserved or sold;
- In the case of sites in the Shawfair Area, reviewing the annual Shawfair Phasing Plan²;
- Taking into account HfS guidance on realistic default assumptions for completions as outlined in their 'Housing Land Audits: Homes for Scotland Procedures' document;
- For social housing sites, following programming outlined in the latest Council Strategic Housing Investment Plan (SHIP report); and
- Receiving further feedback on programming via the various engagement activities outlined below.

1.4.5 Engagement during the production of the HLA also helps to ensure that the programming (and the other information) it contains is as accurate as possible. In practice this entails:

² This is a requirement under condition 3 of application 17/00650/S42 to amend the approved Shawfair Masterplan.



- Reviewing the communications between site developers/owners and Council Planning Officers to determine the progress and status of sites;
- Requests for further information on site statuses from Council Planning Officers where needed;
- Contacting developers directly to get an update on particular sites where needed;
- Distribution of the HLA amongst key internal Council services and key external agencies for their comment;
- Review by other Planning staff and reporting the Audit to Planning Committee before its publication;
- Consultation with HfS who then distribute the Audit to their members via the South East Scotland Home Builders' Committee for comment and revision of figures; and
- Feedback and queries received after publication of the HLA on the Council website.

1.4.6 The HLA contains a table of 'Constrained Sites', these being defined as sites in the supply which are not effective and have obstacles preventing their development. This follows NPF4's position that housing land is only deliverable if it 'is free from constraints or there is a commitment to overcome constraints'. Following PAN/2010 (and as also outlined in HfS' former Procedure Notes on HLAs) these constraints are ownership, physical constraints (e.g. ground stability or flood risk), contamination, marketability and infrastructure.

1.4.7 Entries in the Constrained Sites table must meet these requirements and this is determined via a review of recent correspondence and information regarding the site, its ownership and planning status and whether it is being marketed. Such sites are also visited where necessary to confirm their appropriateness for inclusion in the Constrained Sites table.

1.4.8 A further methodological change for HLA 2023 is that it has revised the definition of small sites from four or fewer units to three or fewer. This is in response to:

- HfS' HLA Procedure Notes;
- The Scottish Government's Local Development Planning Guidance stating that sites of four or more units can be used to meet the Local Housing Land Requirement; and
- This being a slightly more common threshold used by Councils elsewhere in Scotland, according to an Issues Paper produced in April 2023 by the Scottish Government to inform the development of their HLA Guidance.

1.4.9 Other methodological changes introduced regarding small sites include in relation to programming estimates. According to the aforementioned Scottish Government Issues Paper on HLAs, expected programming of units on small sites is not borne out when later compared to actual completions. An analysis of Midlothian's data showed this to be the case, with programming overestimating completions by 53% over the past few years. A different approach has been taken for HLA 2023 as a result.

1.4.10 Data on small housing sites are recorded in a spreadsheet where units are grouped according to their planning and building warrant status. These statuses can fall into one of five categories which were used to create a new methodology for estimating programming. Units under category one (under construction) were deemed to deliver their units in the next two years of programming (23/24 and 24/25 in this HLA). Units under category two are expected to deliver their units in programming years three and four, and so forth. This is shown in table 2 below.



Table 2: Status of small sites and the programming of their units.

Small Site Status Categories	Expected Delivery of Units
1) Is under construction	Years 1 and 2 (23/24 and 24/25)
2) Has planning and building warrant consent, but not under construction	Years 3 and 4 (25/26 and 26/27)
3) Has planning consent and a pending building warrant application	Years 5 and 6 (27/28 and 28/29)
4) Has planning consent but no building warrant application	Years 7 and 8 (29/30 and 30/31)
5) Has a pending planning application or PPP consent only	Years 9 and 10 (31/32 and 32/33)

1.4.11 HfS suggest that the programming for small sites should be based on recorded completions over the past five years, while the Scottish Government's HLA Issues Paper raises this as one possible approach (of several). The actual average number of completions on small sites in Midlothian over the past decade is ten units per year. That figure is in close agreement with this new methodology which predicts an average annual delivery of 11 units per year across all of Midlothian's small sites in the Main Schedule's programming. The difference between these two figures also allows for the fact that new units will enter the supply as further applications come forward and proceed through the planning and building warrant systems. This therefore represents a more reliable method and has been adopted for this year's HLA.



2 - Housing Supply Commentary

2.1 – Summary of Supply and Sites

2.1.1 HLA 2023 identifies a total established housing land supply of 11,799 remaining units and an effective supply (i.e. excluding constrained sites) of 11,052 remaining units. Safeguarded sites can contribute a further 600 units when called upon³.

2.1.2 NPF4 and the Local Development Planning Guidance requires housing land supplies to be viewed by the way of a pipeline of sites that will be built across the short, medium and long terms. HLA 2023 follows this recommendation as its programming in the Summary and Main Schedule has been revised since the last Audit to align with this new system. This is illustrated in table 3. It shows that Midlothian's housing supply has the strength of being relatively balanced across the different periods of the pipeline. Further sites will also enter the supply in future Audits as windfall sites are consented⁴.

Table 3: Breakdown of Main Schedule housing supply programming.

Housing Land Pipeline Period	Timeframe	Units Programmed	Portion of Effective Supply
Short Term	Next 3 years - 2023/24, 2024/25, 2025/26	2,528	23%
Medium Term	Years 4 to 6 - 2026/27, 2027/28, 2028/29	2,243	20%
Long Term	Years 7 to 10 – 2029/30 to 2032/33	2,578	23%
Remaining	Post 10 years – 2033 onwards	3,703	34%

³ This figure excludes the safeguarded portion of Newton Farm near Danderhall (site Hs1 SC), which is already in the Main Schedule as the application for its development is minded to be consented. This means it already comprises part of the effective supply. It also includes the safeguarded portion of Hopefield Farm 2 (site Hs12 SC), for the similar reasons.

⁴ The Pending Large Windfall Applications table provides details on where these developments may come from. The weekly and monthly lists of applications will record proposals for projects not yet brought forward. A link to this is provided in section 4.



2.1.3 HLA 2023 details 83 sites in its Main Schedule⁵ and a further 10 that were completed in the Audit year. Of these 93 in total, 67 are on greenfield locations while the remaining 26 are brownfield sites. The latter source are typically smaller, so when looking at this split by site area, greenfield account for 89% of the total area.

2.1.4 Figures two and three below provide a further breakdown of the sites by planning application status and by land supply source. The former shows that Midlothian's housing land supply is primarily composed of sites that are either under construction or that have some form of planning consent: the only remaining allocated site without consent is Hs7 at Gorebridge.

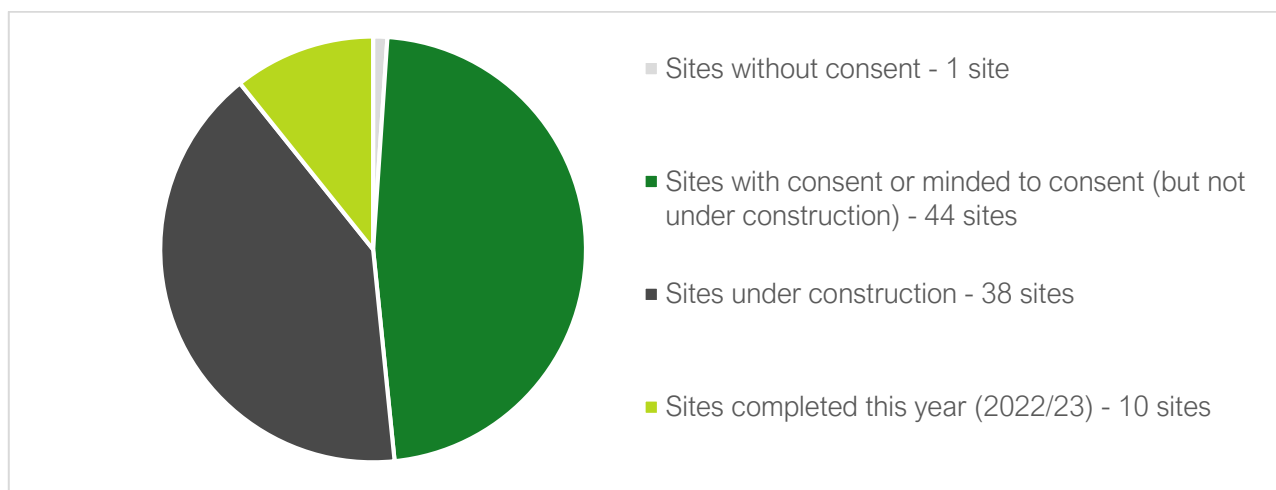


Figure 2: Breakdown of HLA 2023 sites by planning status.

Note: breakdown is by the number of sites rather than their capacity.

2.1.5 Figure 3 shows that Midlothian's housing land supply is comprised of sites from a range of land supply sources, from those allocated in previous Development Plans to recently consented windfall applications. The category of 'other sites' includes those allocated prior to the 2003 MLP and sites that are composed of land from a mix of supply sources.

⁵ This is partly due to wider sites being broken down into separate development areas within them, in order to track them more easily and accurately reflect their status in the Audit. An example are the various areas of the h58 development in Penicuik.

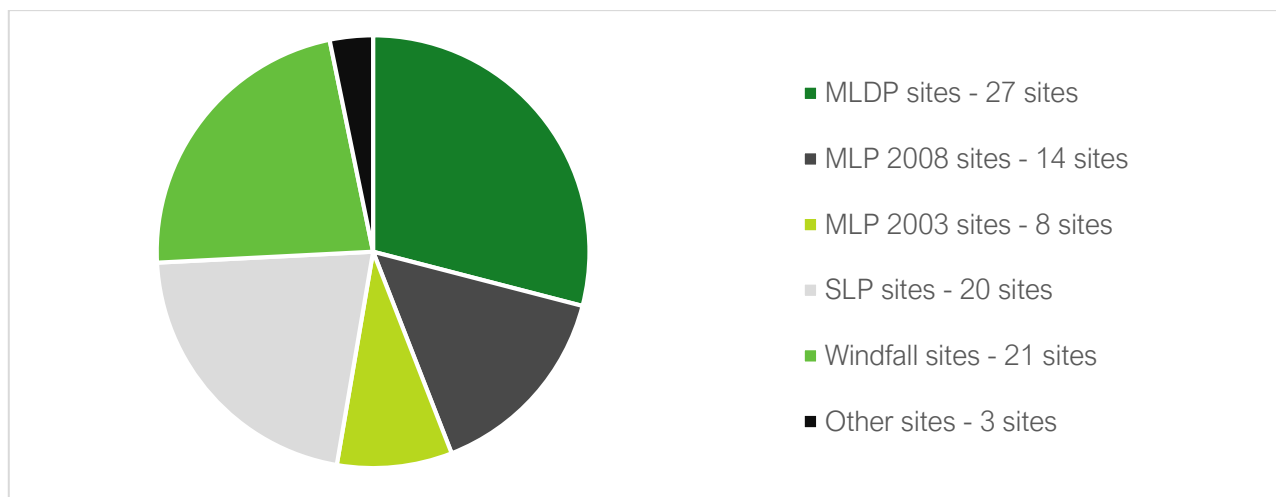


Figure 3: Breakdown of HLA 2023 sites by land supply source.

Note: breakdown is by the number of sites rather than their capacity.

2.1.6 The Midlothian housing market is characterised by the presence of a range of house builders. Table 3 provides a summary of its major-players alongside the number of sites they are taking forward and the unit capacities of these sites. It is also worth noting that a number of other site developers/promoters and smaller house builders also operate within Midlothian. These are excluded from the table below for conciseness, but full details are provided in the Main Schedule of the Audit. It is notable that builders who are either new to Midlothian or who have not operated here for some time are now active in the area. Examples include Muir Homes in Pathhead, Robertson Homes at Rosslynlee and Lovell Homes in Mayfield/Newtongrange. This trend points to Midlothian's housing supply being more diverse and resilient than in the past, when a smaller number of builders delivered units in the area.

Table 4: Breakdown of selected Main Schedule sites by developer.

Note: 'Number of Units' represents the total site capacity (i.e. it includes units already built).

Developer	Number of Sites	Number of Units	Notes
Avant Homes	3	455	This includes Avant's two phases at h58, one of which will be completed in 2023/24.
Barratt Homes	3	890	Includes 700 proposed units across the Redheugh development in Gorebridge.
Bellway Homes	7	1,245	Bellway's sites in Penicuik (h58(AreaE)), Dalkeith (h46) and Danderhall (h45(C&D)) are due to finish soon. These account for 435 units between them.
CALA	3	780	620 of these units are at the Hs1 site at Newton Farm, near Danderhall. Work will start there in August 2023.
Dandara Homes	4	328	
David Wilson Homes	4	314	Three of their sites are parts of the Hs19 development at Roslin.
Midlothian Council / Cruden Homes	10	516	This includes Cruden/Hart Builders (who develop some affordable housing sites for the Council) and other Midlothian Council sites.
Miller Homes	1	430	Their site at Newtongrange finished in 2022/23. Their remaining site is at Hs0 (Cauldcoats).
Persimmon Homes	2	272	The final portion of their development at Gorebridge will finish in 2023/24.
Springfield	6	1,457	Springfield are at two locations – Bonnyrigg and Mayfield, the latter accounting for the majority of these units. Springfield now incorporates both Walker Homes and also Mactaggart and Mickel.
Taylor Wimpey	5	1,962	

2.2 – Sites Entering and Exiting the Audit's Main Schedule

2.2.1 7 new sites with a combined capacity of 107 units entered the Main Schedule of this year's Audit (table 5). The Wellington School site in the rural west of Midlothian accounts for much of this extra housing. It is an 'Additional Housing Development Opportunity' site that was allocated within the MLDP, which was previously constrained but which has been moved from that category into the effective supply (Main Schedule). All the other new sites are smaller windfall sites. They total 61 units. Newton Church Road and Bonnyrigg High Street are council-led social housing developments.



Table 5: New sites in HLA 2023's Main Schedule.

Site Name (& Reference)	Settlement	Site Capacity (Units)
Former Thornlea Nursing Home (2022LH1)	Loanhead	4
Wellington School, by Howgate (AHs5)	Villages/rural (West HMA)	46
High Street (2022BL1)	Bonnyrigg/Lasswade	20
Kippielaw Hatchery (2022DK1)	Dalkeith	5
Newtongrange Parish Church (2022MN2)	Mayfield/Newtongrange	5
Newton Church Road (2023SA1)	Shawfair Area	23
Airybank House (2019VR2)	Villages/rural (East HMA)	4
	Total	107

Note: not listed above is site 2020DK1, 131 to 133 Dalkeith High Street. It was a new addition to HLA 2023 but was finished entirely within 2022/23 and so never needed to be entered in the Main Schedule of any HLA. It comprised four units.

2.2.2 HfS' updated Procedure Note on HLAs states that a historical weakness of audits has been identifying sites removed from them. To address this point, table 6 below lists sites that have left the Main Schedule of the Audit due to them being completed in 2022/23. Table 7 lists sites which have been moved from it for other reasons. In the case of all these latter sites, this is because they are now deemed constrained. More details on the reasons for this can be found in the Constrained Sites schedule later in this HLA.

Table 6: Sites removed from the HLA's Main Schedule due to being fully completed in 2022/23.

Site Name (& Reference)	Settlement	Site Capacity (Units)
Former Paradykes Primary School (2018LH1)	Loanhead	86
Seafeld Road Area B (Hs16(AreaB))	Roslin/Bilston	31
Belwood CALA at NW Penicuik (h58(AreaA1))	Penicuik	75
Greenlaw and Adjacent Land Area A (h25(AreaA))	Penicuik	92
Greenlaw and Adjacent Land Area C (h25(AreaC))	Penicuik	83
Dalhousie Mains Area D (Hs10(AreaD))	Bonnyrigg/Lasswade	70
131 to 133 High Street (2020DK1)	Dalkeith	4
Cockpen (h37)	Mayfield/Newtongrange	141
Land South West of Newbattle Community High School (2018MN3)	Mayfield/Newtongrange	79
Lawfield Farm (2018VR2)	Villages/rural (East HMA)	8
	Total	669

Note: the figure of 669 above is the total capacity of all the units across all these sites, regardless of whether these units were completed in the current Audit year or prior. This is why the figure differs from the total completions of 908 for 2022/23 – the latter encompasses units built across all sites, regardless of whether they were finished this year or not.



Table 7: Sites removed from the HLA's Main Schedule that are not complete.

Site Name (& Reference)	Settlement	Site Capacity (Units)
Seafield Moor Road Remainder (h55(Rem))	Roslin/Bilston	90
Loganbank Lodge (2021PK1)	Penicuik	6
Waverley Terrace (2021BL2)	Bonnyrigg/Lasswade	5
Thornycroft North (Hs5)	Dalkeith	15
Wester Cowden Farm (2018DK2)	Dalkeith	25
Vogrie Road (h40)	Gorebridge	16*
Newbattle Home Farm (2021VR1)	Villages/rural (East HMA)	11

* 16 is the remaining number of units with consent but not constructed. The total capacity of this site is 93 units, i.e. 77 units were built here prior to it stalling.

2.3 – Constrained Sites

2.3.1 Constrained sites are those in the supply that are not effective due to them having obstacles preventing their development (though if these issues are resolved they could later form part of the effective supply and be moved into the Main Schedule). HLA 2023 identifies 22 constrained sites with a total of 747 units. These sites are composed of two types:

- 'Additional Housing Development Opportunity' sites, which are locations identified in the current LDP for new homes but that have development uncertainties meaning their contribution to the effective supply is not guaranteed⁶; and
- Other constrained sites from the current or previous Local Plans, or stalled windfall approvals.

2.3.2 As indicated above, sites can be moved from the Main Schedule to the Constrained Sites lists between HLAs to reflect their status. All the sites in table 7 are instances of sites in the previous HLA's Main Schedule that are now classed as constrained, for example. It is also possible for sites to move in the opposite direction. As noted previously, for example, the former Wellington School site now has planning consent and is in the Main Schedule.

2.4 – Completions and Demolitions

2.4.1 HLA 2023 identifies 908 housing unit completions in the Audit year. Though last year's figure of 818 completions was a record, 2022/23 therefore delivered an additional 11% more than it. For comparison, the five year rolling average from 2017/18 to 2021/22 is 656 units per year. 908 completions in 2022/23 therefore represents an increase of 38% on this. The trend of completions in Midlothian over the last decade is shown in figure 4.

⁶ See MLDP policy STRAT 4.



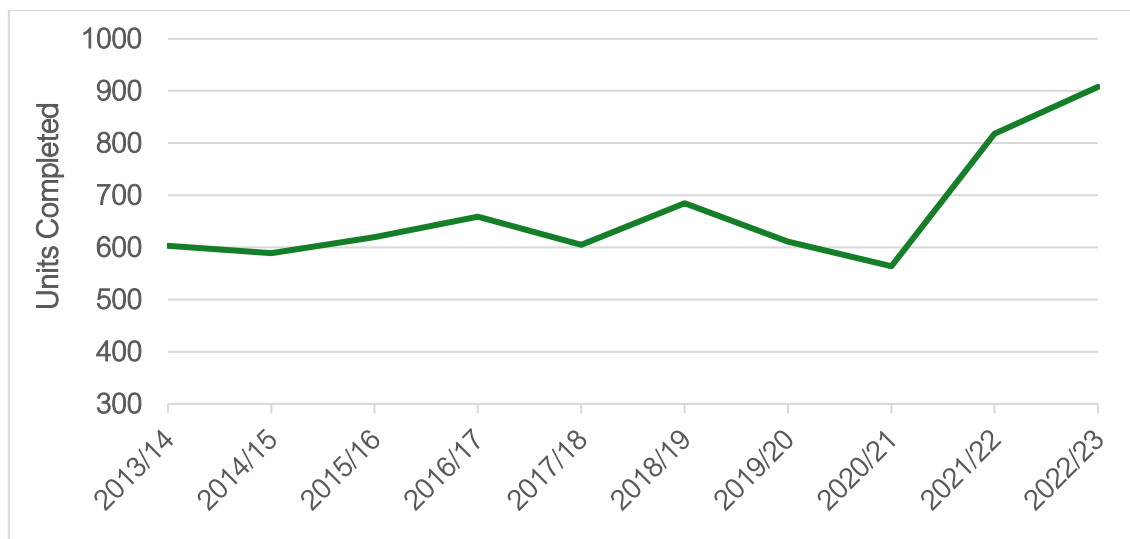


Figure 4: Housing completions in Midlothian, from 2013/14 to present.

2.4.2 Completions of 818 in 2021/22 were a record at that point, but were likely influenced by the Coronavirus restrictions of the previous year: it is probable that completions were high in that year partly due to work on unfinished units being picked up when building work recommenced after lockdowns. This would have had the effect of carrying over units that would have normally been finished in 2020/21 into 2021/22⁷. Obviously though, this cannot be a factor behind the 908 completions in 2022/23.

2.4.3 As discussed previously, NPF4 identifies a 10-year MATHLR for each council area in Scotland. In Midlothian this is 8,850, equating to an annual figure of 885. NPF4 is also clear that the annual HLA will monitor the delivery of housing land to inform the pipeline and the actions to be taken in LDP Delivery Programmes to ensure that the pipeline produces units in line with the MATHLR target. Completions in Midlothian of 908 in 2022/23 are obviously in line with this target (they exceed it by 23 units).

2.4.4 908 units completed in 2022/23 also compares to the anticipated delivery of 667 units that were in the programming for 2022/23 in Midlothian's previous HLA. In hindsight, that programming was an under-estimate of 241 units (or 36%). Though such estimates are always difficult – they are predictions of future events – Midlothian Council will endeavour to make programming in future HLAs as accurate as possible. Section 1.4 outlines the steps taken to do so. Future Audits will also provide further comparisons of completions in the area against the MATHLR figure, Midlothian's LHLR that will be developed from it, and future programming estimates.

2.4.5 229 of the 908 housing completions in Midlothian in 2022/23 (or 25%) were affordable units. The main drivers for this were the conclusion of two dedicated social housing sites, at Mayfield/Newtongrange (79 units) and Bonnyrigg (70 units). Table 8 below compares figures of social housing completions to those reported in previous Audits. It is seen that both the share of affordable homes as a portion of all completions and the absolute number of affordable housing completions were at their highest levels since the tenure split started to be recorded in Midlothian in HLA 2019. The Council's SHIP provides more detail on the delivery of affordable homes in Midlothian and a link to it can be found in section 6.

⁷ This is evidenced by the fact that completions in 2020/21 were 564 units, which is the lowest for many years.



Table 8: Completions of affordable housing units in Midlothian.

HLA Year	Affordable Units Completed	Total Units Completed	% of Completions That Were Affordable
2023	229	908	25%
2022	182	818	22%
2021	119	564	21%
2020	70	611	11%
2019	119	685	17%

2.4.6 The distribution of completions across Midlothian's settlements is presented in figure 5 below. This shows that areas of the Midlothian West HMA, Penicuik and Roslin/Bilston, continue to experience the most growth. It is the build-out of sites here that have been a key factor in Midlothian seeing record completions overall of 818 and 908 in the last two years. These sites include the North West Penicuik development where several house builders are simultaneously active and the neighbouring h25 Greenlaw Mains estate, together with the developments by Taylor Wimpey and Barratt in Bilston, and David Wilson Homes, Taylor Wimpey and CALA in Roslin.

2.4.7 Shawfair was formerly Midlothian's fastest growing settlement in both 2019/20 and 2020/21, with it delivering around 130 units in each of those years. These numbers are considerably less than those now being built in Penicuik, Roslin and Bilston however completions at Shawfair remain relatively steady. Though Stewart Milne Homes are active at North Danderhall, there may be a dip in new units in the area until Mactaggart and Mickel's new phase brings completions and while Bellway conclude on their South Danderhall site and begin delivering units at their new North Danderhall location.

2.4.8 Completions in Mayfield/Newtongrange were higher in 2022/23 compared to the previous two years. This is owed to Miller Homes concluding their site at Cockpen (h37) and Cruden Homes delivering 79 social housing units next to the site of the former Newbattle High School. Midlothian Council intends to develop the remainder of this site and this combined with construction beginning at two sites in the north of Mayfield, will bring new homes to the town in future. Elsewhere, completions in Bonnyrigg/Lasswade were higher in 2022/23 than previously due to work at the Dalhousie Mains and Dalhousie South sites.



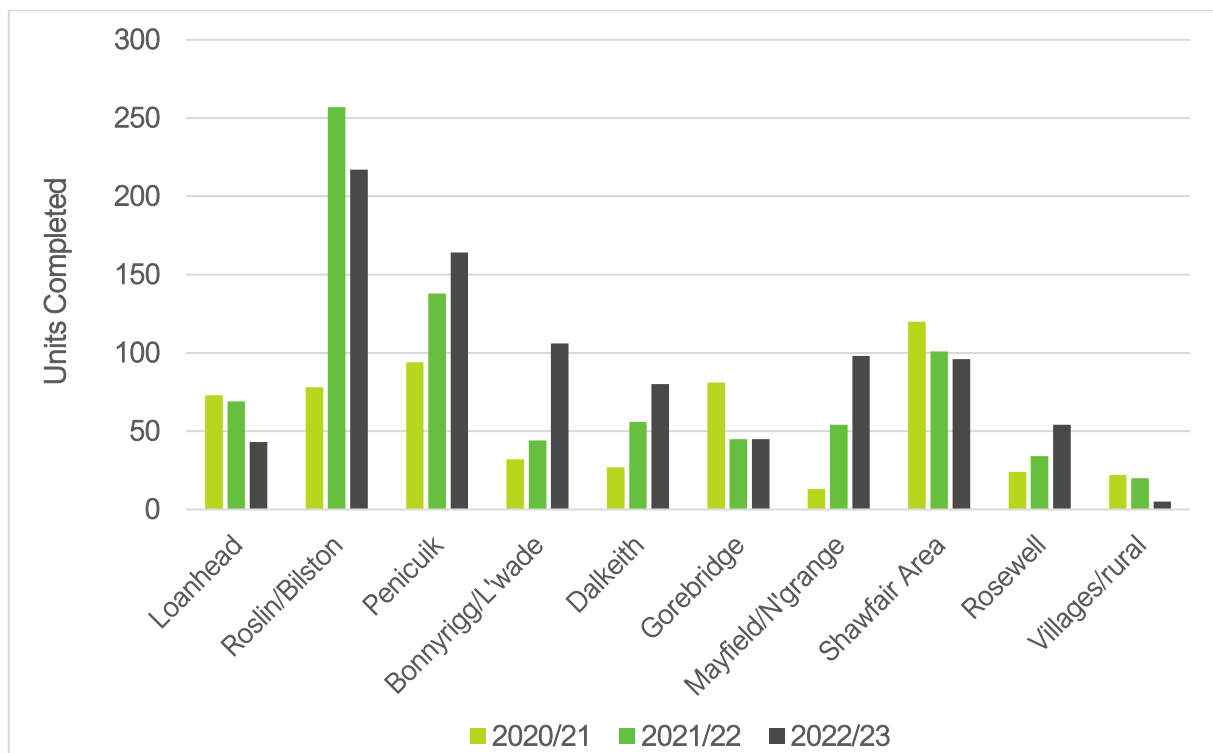


Figure 5: Comparison of units completed in recent years by settlement.

2.4.9 Housing demolitions are unlikely to influence the housing supply picture in Midlothian beyond a negligible amount, and the desire to include them in HLAs is more suited towards other Scottish Councils where regeneration schemes and the re-use of brownfield land for housing are more prevalent. Nevertheless these are now recorded as part of the underlying HLA methodology – there was a single demolition in Midlothian in 2022/23. These will continue to be monitored and reported in future HLAs.



3 – Property Market Summary

3.1.1 House price data adds context to the Midlothian housing supply situation in the schedules on the following pages that comprise the HLA. These data were obtained from Registers of Scotland⁸ (RoS) and a link is provided in section 4⁹. It is important to note that it refers to the prices of properties sold, as it is at this point that the transaction value becomes available. Values of the wider housing stock may differ from those that come on the market.

3.1.2 There were 1,950 property transactions in Midlothian during 2022/23. This is very similar to the figure for the previous year (1,994), which was the highest since 2003/04, when RoS data starts. Sales have been at or close to this level since 2015/16. Before this point there was a recovery from below 1,000 annually for several years in the aftermath of the 2008/09 financial crisis: they reached a low of 871 sales in 2011/12.

3.1.3 It is notable that despite the number of house sales falling slightly from 1,994 in 2021/22 to 1,950 in 2022/23 that the total value of all transactions increased marginally from £514m to £545m over this time. The latter is a record figure within the RoS data for Midlothian. A slightly lower number of sales versus an increased figure for the total value of those sales may reflect the effect of inflation, competition for homes driving up prices and the homes coming onto the market being bigger and more expensive than those for sale previously.

3.1.4 Average selling prices of homes in Midlothian have risen steadily and substantially in the past few years, from £172,000 in 2012/13 to nearly £280,000 in 2022/23, an increase of 62%. In comparison, the average selling price nationwide was around £216,000 in 2022/23, or 23% cheaper than Midlothian. Prices locally are therefore amongst the highest in Scotland, with neighbouring Edinburgh and East Lothian also being expensive. For comparison, the lowest average house prices were in Inverclyde. Table 9 below summarises the most expensive Council areas in Scotland by house selling price during the Audit year. Table 10 shows the least expensive Council areas.

⁸ Contains Registers of Scotland data © Crown copyright and database right 2022. This data is licensed under the Open Government Licence v3.0.

⁹ Note that Registers of Scotland house price data is based on average sale prices. This means that prices can be skewed upwards by a small number of sales of particularly expensive properties, although the figures exclude sales of over £1,000,000 to reduce this effect.



Table 9: Top five most expensive Council areas by house selling price.

Council Area	Average House Selling Price in 2022/23
City of Edinburgh	£313,374
East Renfrewshire	£309,153
East Lothian	£307,866
East Dunbartonshire	£288,326
Midlothian	£279,370

Table 10: Top five least expensive Council areas by house selling price.

Council Area	Average House Selling Price in 2022/23
Inverclyde	£132,881
West Dunbartonshire	£142,875
Na h-Eileanan Siar	£149,839
East Ayrshire	£154,773
North Ayrshire	£154,803

3.1.5 Figure 6 compares average selling prices for homes in Midlothian against the Scottish average. It can be seen that while prices have generally risen over recent years, they have increased more rapidly in Midlothian than across the country as a whole. This has led to a situation where the gap between house prices in Midlothian and Scotland has widened. The difference was £63,000 in 2022/23. This trend may be due to newer housing developments in Midlothian being composed of a higher portion of larger, family homes. In other words, it may reflect a change in composition of the local housing stock rather than solely an increase in price. It may also reflect increased demand for homes within the county as buyers are perhaps priced out of the Edinburgh market or seek better value close to, but outside the city.

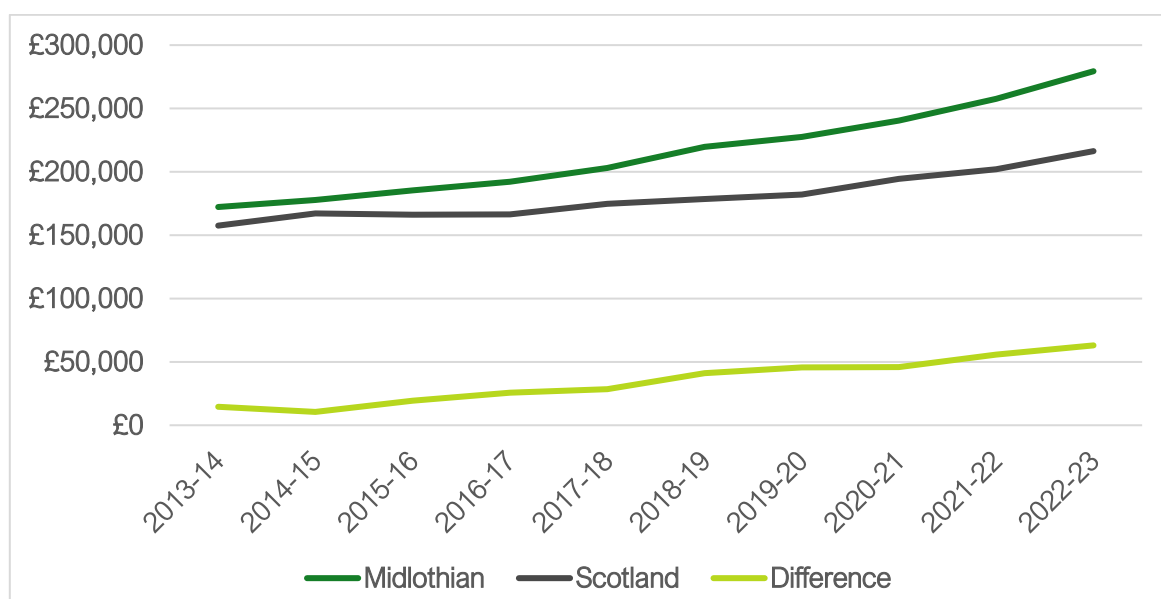


Figure 6: Average house selling price trends in Midlothian and Scotland, and the difference between them.



4 – Sources of Further Information

4.4.1 Further information on housing sites, applications and general housing matters in Midlothian can be found at the following links:

- A map of all sites in the current Audit - [Interactive Housing Land Audit map](#);
- A map of all housing sites in Midlothian that have been completed in the last few years – [Housing Land Audit completed sites map](#);
- The Midlothian Council [Planning Homepage](#);
- Search for planning application reference numbers at the Council's [Planning and Building Standards Portal](#) to view more details on proposed and current projects;
- Past and future meetings of the Council's [Planning Committee](#), where important applications and planning policy matters are decided;
- The function for searching [weekly lists](#) and [monthly lists](#) of planning applications that are received and decided by Midlothian Council;
- The [Midlothian Local Development Plan](#), which is the policy framework against which development proposals are judged;
- Midlothian's affordable housing plans for the next five years - [Strategic Housing Investment Plans](#); and
- [House price statistics](#) from Registers of Scotland.

The styling of this document is based on the Scottish Government's National Planning Framework 4.
It is available [here](#) and was published under [this licence](#).



Status	Total Site Capacity	Total Affordable Units	All Completions by 31/03/23	Total Dwellings Remaining	Units Completed in 2022/23	Programmed Completions											
						Short Term			Medium Term			Long Term			Post 2033		
						23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32		32/33	
Under Construction	3,924	759	1,809	2,115	908	741	385	414	170	98	81	60	60	33	13		
Consented or Minded to Consent	8,427	2,220		8,427		57	263	642	584	651	635	635	586	529	3,325		
No Consent	400	100		400		0	0	0	0	0	0	0	0	10	365		
Small Sites	110			110		12	12	2	2	11	11	16	16	15	0		
Total Effective Supply	12,861	3,079	1,809	11,052		810	660	1,058	756	760	727	711	662	614	3,703		
Constrained Sites	747			747													
Total Established Supply	13,608			11,799													
Safeguarded Sites	600	150		600													

MAIN SCHEDULE

Site Reference	Site Name	Developer (or Owner)	Year Added to Main Schedule	Status	Planning Consent		Construction Start Date	Total Units	Houses	Flats	Affid. Units	Complete by 03/23	Remaining at 04/23	Programmed Completions										Post 2033		
					Type	Date								Short Term			Medium Term			Long Term						
														23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33			
Midlothian West HMA																										
Loanhead																										
h54(III) 2022LH1 Small sites Totals for Loanhead	Ashgrove Phase 3 Former Thornlea Nursing Home	Dandara Homes Mr R Law & Mr Patrick Black	2006/07 2022/23	UC C	MSC DPP	Nov-18 May-22	Apr-19	92 4 6 102	92 4 6 96	0 0 0 0	0 0 0 0	72 0 72	20 4 6 30	20 0 1 25	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0	0 0 0 0		
	Roslin/Bliston																									
	Hs18	Roslin Institute	Taylor Wimpey	2015/16	UC	MSC	Jul-19	Jan-21	304	272	32	76	124	180	60	60	60	0	0	0	0	0	0	0	0	0
	Hs19(AreaA)	Roslin Expansion Area A	David Wilson Homes	2015/16	UC	MSC	Jan-21	Nov-21	110	110	0	0	14	96	36	30	30	0	0	0	0	0	0	0	0	0
Hs19(AreaB)	Roslin Expansion Area B	David Wilson Homes	2015/16	UC	DPP	Jul-19	Oct-19	51	43	8	13	50	1	0	0	1	0	0	0	0	0	0	0	0	0	
Hs19(AreaC)	Roslin Expansion Area C	David Wilson Homes	2015/16	UC	DPP	Jan-21	Feb-22	53	25	28	53	0	53	53	0	0	0	0	0	0	0	0	0	0	0	
Hs19(AreaD)	Roslin Expansion Area D	CALA	2015/16	UC	MSC	Jan-21	Nov-21	50	50	0	0	17	33	17	16	0	0	0	0	0	0	0	0	0	0	
Hs16(AreaA)*	Seafield Road Area A	Taylor Wimpey	2015/16	UC	DPP	Sep-18	Aug-19	191	155	36	48	137	54	45	9	0	0	0	0	0	0	0	0	0	0	
Hs16(AreaC)*	Seafield Road Area C	Taylor Wimpey	2015/16	MC	PPP	Aug-21		214	N/A	N/A	54	0	214	0	0	20	40	40	40	40	34	0	0	0	0	
Hs5(AreaA)	Seafield Moor Road Area A	Barratt Homes	2006/07	UC	MSC	Jun-19	Jan-20	190	155	35	47	159	31	31	0	0	0	0	0	0	0	0	0	0	0	
Small sites								2					2	1	1	0	0	0	0	0	0	0	0	0	0	
Totals for Roslin/Bliston								1,165	810	139	291	501	664	243	116	111	40	40	40	40	34	0	0	0	0	
Penicuik																										
h58(AreaA2) h58(AreasB1&B2) h58(AreaB3) h58(AreasC&D) h58(AreaE) h58(AreaF) h25(AreaD) 2020PK1 2022PK1 Small sites Totals for Penicuik	Belwood Avant (at NW Penicuik)	Avant Homes	2006/07	UC	DPP	Sep-18	Mar-19	87	87	0	0	84	3	3	0	0	0	0	0	0	0	0	0	0	0	
	Nursery West & North (at NW Penicuik)	Avant Homes	2006/07	UC	DPP	Sep-18	Dec-22	78	78	0	0	6	72	25	25	22	0	0	0	0	0	0	0	0	0	
	Nursery East (at NW Penicuik)	Dunedin Canmore	2006/07	UC	DPP	Sep-18	Aug-21	57	13	44	57	22	35	35	0	0	0	0	0	0	0	0	0	0	0	
	Mauricewood & Mauricewood North (at NW Penicuik)	CALA	2006/07	UC	DPP	Sep-18	Dec-21	110	110	0	0	24	86	25	25	25	11	0	0	0	0	0	0	0	0	
	Deanburn (at NW Penicuik)	Bellway Homes	2002/03	UC	DPP	Oct-19	Nov-19	91	91	0	0	77	14	14	0	0	0	0	0	0	0	0	0	0	0	
	Rullion Road (at NW Penicuik)	Midlothian Council	2006/07	C	DPP	Sep-18		68	16	52	68	0	68	0	0	34	34	0	0	0	0	0	0	0	0	
	Greenlaw and Adjacent Land Area D	Taylor Wimpey	2002/03	UC	DPP	May-22	Sep-22	221	221	0	2	0	221	20	45	45	45	21	0	0	0	0	0	0	0	
	Windsor Square	Ark Housing Association	2020/21	C	DPP	Jun-21		12	0	12	12	0	12	0	0	12	0	0	0	0	0	0	0	0	0	
Kentigern Mall	Sheet Anchor Evolve (London) Ltd.		2021/22	C	DPP	Mar-22		7	0	7	0	0	7	0	3	4	0	0	0	0	0	0	0	0		
Small sites								15					15	1	2	1	0	2	3	3	2	1	0	0		
Totals for Penicuik								746	616	115	139	213	533	123	100	143	90	47	24	3	2	1	0	0		
Villages and rural remainder (Midlothian West HMA)																										
Hs20 AHs1 AHs1(NP) AHs5 Small sites Totals for villages and rural remainder (Midlothian West HMA)	Auchendinny	Bellway Homes	2015/16	MC	DPP	Mar-23		395	335	60	98	0	395	0	20	50	40	60	60	58	35	35	37	0	0	
	Rosslynlee, near Penicuik	Oakridge Group	2018/19	UC	Part PPP, Part DPP	Dec-19	Aug-20	215	189	26	0	2	213	0	0	10	20	20	30	30	30	30	13	0	0	
	North Park (at Rosslynlee)	Robertson Homes	2018/19	C	MSC	Mar-23		121	121	0	0	0	121	0	7	20	20	20	20	20	14	0	0	0	0	
	Wellington School, by Howgate	Lochay Homes	2022/23	C	DPP	Oct-22		46	46	0	12	0	46	0	5	15	15	11	0	0	0	0	0	0	0	
	Small sites							29					29	2	1	0	0	2	2	6	6	5	5	0	0	
Totals for villages and rural remainder (Midlothian West HMA)								806	691	86	110	2	804	2	33	95	95	113	112	114	85	70	72	13	0	
Totals for Midlothian West HMA																										
Midlothian East HMA																										
Bonnyrigg/Lasswade																										
Hs10(AreaA) Hs10(AreaB) Hs10(AreaC) Hs11(AreaA) Hs11(AreaB) Hs11(AreaC) Hs12* & Hs12 SC 243 2020BL1 2021BL1 2021BL3 2021BL4 2022BL1 Small sites Totals for Bonnyrigg/Lasswade	Dalhouse Mains Area A	Walker Group / Springfield	2015/16	UC	DPP	Dec-17	Dec-18	27	27	0	0	26	1	1	0	0	0	0	0	0	0	0	0	0	0	0
	Dalhouse Mains Area B	Walker Group / Springfield	2015/16	UC	MSC	Apr-19	Feb-20	78	78	0	0	77	1	1	0	0	0	0	0	0	0	0	0	0	0	0
	Dalhouse Mains Area C	Walker Group / Springfield	2015/16	UC	MSC	Oct-21	Aug-22	103	103	0	0	0	103	25	25	25	25	3	0	0	0	0	0	0	0	
	Dalhouse South Area A	Bellway Homes	2015/16	UC	DPP	Oct-21	Nov-21	94	94	0	0	12	82	25	25	25	7	0	0	0	0	0	0	0	0	
	Dalhouse South Area B	Bellway Homes	2015/16	C	DPP	Apr-20		146	146	0	0	0	146	0	0	0	18	25	25	25	25	3	0	0	0	
	Dalhouse South Area C	Walker Group / Springfield	2015/16	C	DPP	Mar-22		80	56	24	80	0	80	0	25	25	25	5	0	0	0	0	0	0	0	
	Hopefield Farm 2 & Hopefield Farm 2, Safeguarded Capacity	Taylor Wimpey	2015/16	MC	PPP	Apr-21		1,032	N/A	N/A	258	0	1,032	0	0	0	25	50	50	50	50	50	707	0	0	
	Former garage, Elm Row	Lasswade Townhouse Development Company	2006/07	UC	DPP	Feb-21	Jun-23	7	7	0	0	2	5	0	1	2	2	0	0	0	0	0	0	0	0	
	Lasswade High Street	Dimension Homes Ltd.	2019/20	UC	DPP	Jan-20	Sep-20	8	8	0	0	7	1	1	0	0	0	0	0	0	0	0	0	0	0	0
	Burnbrae Road	Midlothian Council	2020/21	UC	DPP	Jan-21	Mar-23	20	4	16	20	0	20	20	0	0	0	0	0	0	0	0	0	0	0	0
	Moorfoot Place	Midlothian Council	2021/22	C	DPP	Oct-21		46	0	46	46	0	46	0	0	46	0	0	0	0	0	0	0	0	0	0
Cockpen Terrace	Mears Group	2021BL4	UC	DPP	Apr-21	Mar-22	16	10	6	16	0	16	16	0	0	0	0	0	0	0	0	0	0	0	0	
High Street	Midlothian Council	2022BL1	UC	DPP	Sep-22	Mar-23	20	0	20	20	0	20	0	20	0	0	0	0	0	0	0	0	0	0	0	
Small sites								7					7	2	2	0	0	1	0	1	1	0	0	0	0	
Totals for Bonnyrigg/Lasswade								1,684	533	112	440	124	1,560	91	98	123	102	84	75	76	76	75	53	707	0	
Dalketh																										
Hs2 Hs3 Hs4 Hs12 2021DK1 2022DK1 Small sites Totals for Dalketh	Larkfield West	Dandara Homes	2015/16	UC	MSC	May-19	Oct-19	88	88	0	0	63	25	25	0	0	0	0	0	0	0	0	0	0	0	0
	Larkfield South West	Dandara Homes	2015/16	C	MSC	May-19		65	53	12	38	0	65	28	37	0	0	0	0	0	0	0	0	0	0	0
	Cowden Cleugh	Bellway Homes	2006/07	UC	MSC	Jun-19	Dec-19	109	101	8	27	91	18	18	0	0	0	0	0	0	0	0	0	0	0	0
	Former Dalketh High School	Midlothian Council	2004/05	UC	DPP	Mar-21	Jun-21	92	40	52	92	0	92	0	0	0	0	0	0	0	0	0	0	0	0	0
	Buccleuch Street	Midlothian Council	2020/21	UC	DPP	Jan-21	Mar-22	10	0	10	10	0	10	10	0	0	0	0	0	0	0	0	0			

MAIN SCHEDULE

Site Reference	Site Name	Developer (or Owner)	Year Added to Main Schedule	Status	Planning Consent		Construction Start Date	Total Units	Houses	Flats	Affd. Units	Complete by 03/23	Remaining at 04/23	Programmed Completions										Post 2033	
					Type	Date								Short Term		Medium Term			Long Term						
														23/24	24/25	25/26	26/27	27/28	28/29	29/30	30/31	31/32	32/33		
Gorebridge																									
Hs7*	Redheugh West (Phase 2)	(Old Road Securities Plc)	2015/16	NC	None			400	N/A	N/A	100	0	400	0	0	0	0	0	0	0	0	10	25	365	
h50(1A)	Redheugh / Prestonholm new community (Phase 1A)	(Old Road Securities Plc) / Barratt Homes	2006/07	C	PPP	Nov-17		135	N/A	N/A	34	0	135	0	0	0	10	25	25	25	25	0	0	0	
h50(Rem)	Redheugh / Prestonholm new community remainder	(Old Road Securities Plc) / Barratt Homes	2006/07	C	PPP	Nov-17		565	N/A	N/A	141	0	565	0	0	0	10	25	25	25	25	25	405		
h24	Newbyres	Persimmon Homes	2002/03	MC	DPP	Nov-22		96	96	0	24	0	96	0	32	32	0	0	0	0	0	0	0	0	
h36(AreaA)	North Gorebridge Area A	Persimmon Homes	2002/03	UC	FUL	Aug-11	Jun-19	176	170	6	0	160	16	16	0	0	0	0	0	0	0	0	0	0	
h51	Robertson's Bank	Carlsson Properties Ltd	2008/09	MC	DPP	Feb-23		14	14	0	0	0	14	0	0	4	5	0	0	0	0	0	0	0	
2022GB1	Newbyres Crescent	Cruden Homes	2021/22	C	DPP	Mar-22		75	17	58	75	0	75	0	0	75	0	0	0	0	0	0	0	0	
Small sites								5					5	1	2	0	0	0	0	0	1	1	0	0	
Totals for Gorebridge								1,466	297	64	374	160	1,306	17	34	111	57	55	50	50	50	61	51	770	
Page 42 of 111																									
Mayfield/Newtongrange																									
h48	Bryans	Cruden Homes	2006/07	UC	DPP	Mar-19	Jul-22	72	28	44	72	0	72	0	12	60	0	0	0	0	0	0	0	0	0
h41	North Mayfield	Lovell Homes	2002/03	C	MSC	Feb-23		156	148	8	39	0	156	0	15	45	39	25	25	7	0	0	0	0	
h38+	South Mayfield Sites	Springfield	2002/03	MC	PPP	Feb-23		926	N/A	N/A	232	0	926	0	0	25	36	36	50	50	50	50	50	579	
2022N1	Former Newbattle High School (Phase 1)	Midlothian Council	2021/22	C	DPP	Mar-22		90	50	40	90	0	90	0	0	90	0	0	0	0	0	0	0	0	
2022NR2	Newtongrange Parish Church	Church of Scotland	2022/23	C	PPP	Nov-22		5	5	0	0	0	5	0	0	5	0	0	0	0	0	0	0	0	
Small sites								3					3	1	1	0	0	0	1	0	0	0	0	0	
Totals for Mayfield/Newtongrange								1,252	231	92	433	0	1,252	1	28	225	75	61	76	57	50	50	50	579	
Shawfair Area																									
Hs0*	Cauldboats	(Paladin Ventures Ltd) / Miller Homes	2015/16	C	PPP	Jul-19		430	N/A	N/A	108	0	430	0	0	0	40	65	65	65	65	65	65	0	
Hs1*	Newton Farm	CALA	2015/16	MC	DPP	Jan-19		620	468	152	155	0	620	0	30	70	70	70	70	70	70	70	70	30	
Hs1 SC	Newton Farm, Safeguarded Capacity	Holder Planning / Wellington Farms Ltd.	2021/22	MC	PPP	Mar-22		360	N/A	N/A	90	0	360	0	0	0	0	0	0	0	20	40	40	260	
h43(A&E)	Shawfair (Blocks A & E)	Shawfair LLP	2000/01	C	OUT	Aug-14		184	N/A	N/A	37	0	184	0	0	0	20	40	40	40	40	4	0	0	
h43(B)	Shawfair (Block B)	Shawfair LLP	2000/01	C	OUT	Aug-14		323	N/A	N/A	65	0	323	0	0	0	0	0	0	0	0	20	40	263	
h43(C)	Shawfair (Block C)	Shawfair LLP	2000/01	C	OUT	Aug-14		183	N/A	N/A	37	0	183	0	0	0	0	0	0	0	0	0	0	183	
h43(F)	Shawfair (Block F)	Shawfair LLP	2000/01	C	OUT	Aug-14		228	N/A	N/A	46	0	228	0	0	0	0	0	0	0	0	20	40	168	
h43(G)	Shawfair (Block G)	Shawfair LLP	2000/01	C	OUT	Aug-14		67	N/A	N/A	13	0	67	0	0	0	0	0	0	0	0	0	0	67	
h43(H)	Shawfair (Block H)	Shawfair LLP	2000/01	C	OUT	Aug-14		78	N/A	N/A	16	0	78	0	0	0	0	0	0	0	0	0	0	78	
h43(I)	Shawfair (Block I)	Shawfair LLP	2000/01	C	OUT	Aug-14		144	N/A	N/A	29	0	144	0	0	0	0	0	0	0	0	0	0	144	
h43(K)	Shawfair (Block K)	Shawfair LLP	2000/01	C	OUT	Aug-14		326	N/A	N/A	65	0	326	0	0	0	0	0	0	0	20	40	40	226	
h43(L)	Shawfair (Block L)	Shawfair LLP	2000/01	C	OUT	Aug-14		235	N/A	N/A	47	0	235	0	0	0	0	0	0	0	0	20	40	175	
h43(O)	Shawfair (Block O)	Dandara Homes	2000/01	UC	MSC	Mar-19	Jan-20	83	65	18	18	64	19	19	0	0	0	0	0	0	0	0	0	0	
h43(P)	Shawfair (Block P)	Shawfair LLP	2000/01	C	OUT	Aug-14		220	N/A	N/A	44	0	220	0	0	0	20	40	40	40	40	40	0	0	
h43(R1&R2)	Shawfair (Blocks R1 & R2)	Shawfair LLP	2000/01	C	OUT	Aug-14		163	N/A	N/A	33	0	163	0	0	0	20	40	40	40	23	0	0	0	
h43(S4)	Shawfair (Block S4)	Shawfair LLP	2000/01	C	OUT	Aug-14		49	N/A	N/A	10	0	49	0	0	0	20	29	0	0	0	0	0	0	
h43(S5)	Shawfair (Block S5)	Shawfair LLP	2000/01	C	OUT	Aug-14		60	N/A	N/A	12	0	60	0	0	0	0	0	0	0	0	0	20	40	
h43(T2)	Shawfair (Block T2)	Mactaggart & Mickel / Springfield	2000/01	UC	MSC	Mar-19	Mar-23	243	219	24	48	0	243	0	30	30	30	30	30	30	30	3	0	0	
h43(W1)	Shawfair (Block Woolmet 1)	Shawfair LLP	2020/21	C	OUT	Aug-14		140	N/A	N/A	28	0	140	0	0	0	0	20	40	40	40	0	0	0	
h43(W2)	Shawfair (Block Woolmet 2)	Shawfair LLP	2020/21	C	OUT	Aug-14		70	N/A	N/A	14	0	70	0	0	0	0	0	20	40	10	0	0	0	
h44	North Danderhall	Stewart Milne Homes	2000/01	UC	MSC	Oct-20	Jun-21	143	123	20	28	30	113	30	30	48	5	0	0	0	0	0	0	0	
h44(AA2&AA3)	North Danderhall (Blocks AA2 & AA3)	Shawfair LLP / Bellway Homes	2021/22	C	OUT	Aug-14		175	N/A	N/A	35	0	175	20	45	45	45	20	0	0	0	0	0	0	
h45(C&D)	South Danderhall (Plots C & D)	Bellway Homes	2000/01	UC	MSC	Jun-17	Oct-17	235	211	24	47	231	4	4	0	0	0	0	0	0	0	0	0	0	
2023SA1	Newton Church Road	Midlothian Council	2022/23	C	DPP	Jan-23		23	0	23	23	0	23	0	0	0	0	0	0	0	0	0	0	0	
Small sites								5					5	0	0	1	1	0	0	1	2	0	0	0	
Totals for Shawfair Area								4,787	1,086	261	1,048	325	4,462	73	158	194	271	354	345	366	360	349	358	1,634	
Rosewell																									
Hs14	Rosewell North	David Wilson Homes	2015/16	UC	DPP	Jan-21	Dec-22	100	92	8	25	0	100	15	30	30	25	0	0	0	0	0	0	0	
h52&h22	Gorton Loan & Rosewell Mains	Avant Homes	1994/95	UC	DPP	Dec-15	May-16	290	290	0	40	253	37	37	0	0	0	0	0	0	0	0	0	0	
Small sites								4					4	0	0	0	0	0	0	2	2	0	0	0	
Totals for Rosewell								394	382	8	65	253	141	52	30	30	25	0	0	2	2	0	0	0	
Villages and rural remainder (Midlothian East HMA)																									
h59	Crichton Road, Pathhead	Muir Homes	2006/07	C	DPP	Jan-22		46	42	4	12	0	46	5	21	20	0	0	0	0	0	0	0	0	
2018VR4	Former Cousland Primary School, Cousland	Almond Branch Developments	2018/19	UC	DPP	Mar-18	Oct-18	6	6	0	0	4	2	1	1	0	0	0	0	0	0	0	0	0	
2019VR2	Airybank House	Midlothian Developments	2022/23	UC	DPP	Mar-																			

* Indicates that this allocation is accompanied by a 'Safeguarded Site' for future development - see the 'Safeguarded Sites' pages/table for more details.

COMPLETIONS & DEMOLITIONS

Site Reference	Site Name	Total Units	Affd. Units	In Previous Year (21/22)	Completions				Remaining at 04/23	Site Completed in 22/23?
					In Total To 03/22	In Current Year (22/23)	In Total to 03/23	Affd. Only In 22/23		
Midlothian West HMA										
Loanhead										
h54(III)	Ashgrove Phase 3	92	0	25	39	33	72	0	20	
2018LH1	Former Paradykes Primary School	86	21	41	81	5	86	0	0	Yes
	Completions on small sites					5				
Total completions for Loanhead						43		0		
Roslin/Bilston										
Hs48	Roslin Institute	304	76	28	29	95	124	44	180	
Hs49(AreaA)	Roslin Expansion Area A	110	0	0	0	14	14	0	96	
Hs49(AreaD)	Roslin Expansion Area D	50	0	0	0	17	17	0	33	
Hs46(AreaA)*	Seafield Road Area A	191	48	80	116	21	137	0	54	
Hs46(AreaB)*	Seafield Road Area B	31	8	6	6	25	31	8	0	Yes
h56(AreaA)	Seafield Moor Road Area A	190	47	98	115	44	159	0	31	
	Completions on small sites					1				
Total completions for Roslin/Bilston						217		52		
Penicuik										
h58(AreaA1)	Belwood CALA (at NW Penicuik)	75	0	27	62	13	75	0	0	Yes
h58(AreaA2)	Belwood Avant (at NW Penicuik)	87	0	32	63	21	84	0	3	
h58(AreasB1&B2)	Nursery West & North (at NW Penicuik)	78	0	0	0	6	6	0	72	
h58(AreaB3)	Nursery East (at NW Penicuik)	57	57	0	0	22	22	22	35	
h58(AreasC&D)	Mauricewood & Mauricewood North (at NW Penicuik)	110	0	0	0	24	24	0	86	
h58(AreaE)	Deanburn (at NW Penicuik)	91	0	37	45	32	77	0	14	
h25(AreaA)	Greenlaw and Adjacent Land Area A	92	24	0	88	4	92	0	0	Yes
h25(AreaC)	Greenlaw and Adjacent Land Area C	83	0	42	42	41	83	0	0	Yes
	Completions on small sites					1				
Total completions for Penicuik						164		22		
Villages and rural remainder (Midlothian West HMA)										
	Completions on small sites					1		0		
Total completions for villages and rural remainder (Midlothian West HMA)						1		0		
Total completions for Midlothian West HMA						425		74		
Midlothian East HMA										
Bonnyrigg/Lasswade										
Hs10(AreaB)	Dalhousie Mains Area B	78	0	37	55	22	77	0	1	
Hs10(AreaD)	Dalhousie Mains Area D	70	70	0	0	70	70	70	0	Yes
Hs11(AreaA)	Dalhousie South Area A	94	0	0	0	12	12	0	82	
2020BL1	Lasswade High Street	8	0	5	5	2	7	0	1	
	Completions on small sites					0				
Total completions for Bonnyrigg/Lasswade						106		70		
Dalkeith										
Hs2	Larkfield West	88	0	10	23	40	63	0	25	
h46	Cowden Cleugh	109	27	46	59	32	91	6	18	
2020DK1	131 to 133 High Street	4	0	0	0	4	4	0	0	Yes
	Completions on small sites					4				

COMPLETIONS & DEMOLITIONS

Site Reference	Site Name	Total Units	Affd. Units	In Previous Year (21/22)	Completions				Remaining at 04/23	Site Completed in 22/23?
					In Total To 03/22	In Current Year (22/23)	In Total to 03/23	Affd. Only In 22/23		
	Total completions for Dalkeith				80		6			
	Gorebridge									
	h36(AreaA)	176	0	45	115	45	0	16		
	Completions on small sites					0				
	Total completions for Gorebridge					45	0			
	Mayfield/Newtongrange									
	h37 Cockpen	141	0	31	123	18	0	0	Yes	
	2018MN3 Land South West of Newbattle Community High School	79	79	0	0	79	79	0	Yes	
	Completions on small sites					1				
	Total completions for Mayfield/Newtongrange					98	79			
	Shawfair Area									
	h43(O) Shawfair (Block O)	83	18	26	27	37	0	19		
	h44 North Danderhall	143	28	2	2	28	0	113		
	h45(C&D) South Danderhall (Plots C & D)	235	47	69	200	31	0	4		
	Completions on small sites					0				
	Total completions for Shawfair Area					96	0			
	Rosewell									
	h52&h22 Gorton Loan & Rosewell Mains	290	40	34	207	46	0	37		
	h69 Whitehill House	26	0	0	0	8	0	18		
	Completions on small sites					0				
	Total completions for Rosewell					54	0			
	Villages and rural remainder (Midlothian East HMA)									
	2018VR2 Lawfield Farm, near Dalkeith	8	0	0	6	2	0	0	Yes	
	2018VR4 Former Cousland Primary School, Cousland	6	0	2	3	1	0	2		
	Completions on small sites					1				
	Total completions for villages and rural remainder (Midlothian East HMA)					4	0			
	Total completions for Midlothian East HMA					483	155			
	Total for Midlothian					908	229			
Demolitions										
Total in Midlothian for 2022/23 - 1										

* Indicates that this allocation is accompanied by a 'Safeguarded Site' for future development - see the 'Safeguarded Sites' pages/table for more details.

CONSTRAINED SITES

	Site Reference	Site Name	Settlement	Area (ha)	Remaining Units	Comments
		MLDP Additional Housing Development Opportunities*				
	AHs2	Burghlee	Loanhead	10.51	175	<ul style="list-style-type: none">No application since 06/00181/OUT, which was withdrawn.Site constraints are due to access and landscaping.
	AHs3	Belwood Crescent	Penicuik	1.63	25	No application.
	AHs4	Pomathorn Mill, by Penicuik	Villages/rural (west)	3.32	50	<ul style="list-style-type: none">No application.Site constraints are due to access and the prominence of the site.
	Other Sites					
	Hs7	Pentland Plants	Roslin/Bilston	3.46	75	Site is currently non-effective. A garden centre business operates from it and received consent to extend their premises in early 2022.
	Hs5 (Rem)	Seafield Moor Road Remainder	Roslin/Bilston	6.62	90	<ul style="list-style-type: none">This is what is left of the whole h55 site after excluding h55(AreaA) in the south. It has consent under 12/00814/PPP and there is also a pending application (17/00428/MSC) from Barratt.The PPP consent was originally for the whole of h55 and proposed 200 to 250 units. The northern portion is the smaller area and accounts for around 40% of the site. Therefore the site capacity of 90 is taken from 40% of the mid-point of the PPP unit number (225 * 0.4 = 90).This entry was moved to the Constrained Sites worksheet for HLA 2023 as high school and community facilities are planned here (22/00581/PAC).
	2021PK1	Loganbank Lodge	Penicuik	0.32	6	<ul style="list-style-type: none">Consent was granted here in 2021 under 19/00837/PPP. The site has been on the market since at least summer 2022, see - https://www.rettie.co.uk/properties/15829316/sales/DEV210048It was agreed with Homes for Scotland that if there had been no activity since HLA 2022 that it would be moved into the list of Constrained Sites.
	2018VR5	Former Howgate Restaurant	Villages/rural (west)	0.48	7	<ul style="list-style-type: none">Has consent under 18/00148/DPP for two conversions from the restaurant building and five new builds. Building warrant 20/00466/BNCO7 is for preparatory works on the two restaurant conversion units, which began in spring 2021. This means that the consent has been implemented and will not expire.Application 20/00274/LA was approved to modify the Section 75 agreement for developer's contributions so that the infrastructure payment is delayed, in order to increase the site's commercial viability.This site was for sale in March 2023 - https://www.novaloca.com/commercial-land/for-sale/penicuik/188996
	2018BL1	51B High Street	Bonnyrigg/Lasswade	0.30	23	<ul style="list-style-type: none">There have been applications for this site since 2008. Consent for 23 flats was originally granted under 08/00094/FUL. This was extended by 12/00667/DPP, which was then extended by 15/01006/DPP and again by 21/00241/DPP in September 2022.Site was advertised for sale in May 2023.
	2021BL2	Waverley Terrace	Bonnyrigg/Lasswade	0.12	5	<ul style="list-style-type: none">Consent was granted here for 5 houses in May 2021 under 19/00912/PPP. There had been no detailed application since then, therefore this site was moved to the Constrained Sites worksheet for HLA 2023.Application 23/00408/DPP for two houses was submitted for here after the end of the Audit year. It is in the Council's list of Small Sites (those less than four units). If consented, this site will be removed from the Main Audit.
	Hs5	Thornybark North	Dalkeith	1.08	15	<ul style="list-style-type: none">A supermarket has been built under 20/00220/DPP on the half of this site closest to the road. The developer argued that the original capacity of 30 units would still be achievable on the remainder of the site, however its capacity in the Audit has been reduced by 50% until such time as a housebuilder proposes a design which demonstrates that it can still accommodate the full 30 units as indicated in the MLDP. The site area has been reduced by 50% too.This entry was moved to the Constrained Sites worksheet for HLA 2023 as there has been no activity in relation to it.
	2019DK1	Glenesk House	Dalkeith	1.33	30	<ul style="list-style-type: none">Development by Viewpoint Housing Association for 30 extra care flats under 18/00586/DPP and 18/00596/BDERMD.The buildings previously on site were demolished in 2021 and there has been no further activity since.This site is no longer listed in the SHIP report.

	2018DK2	Wester Cowden Farm	Dalkeith	1.82	25	<ul style="list-style-type: none"> • Applications 16/00359/PPP (expired), 20/00468/MSC (pending), 20/00653/MSC (pending), 21/00083/MSC (pending) for here are from the LAR Housing Trust. Building warrant 21/00524/BDERMD is for 25 units. <ul style="list-style-type: none"> o 20/00468/MSC is for 25 units and deals with the main conditions of the PPP consent such as layout and phasing. o 20/00653/MSC relates to conditions such as tree planting and broadband provision. o 21/00083/MSC relates to conditions such as art, archaeology and possible contamination. • 16/00359/PPP is for a maximum of 25 units and application 18/00759/S42 previously sought to modify it to allow more, but was refused. • A visit in 2022 confirmed that the site had been cleared. • This was moved to the Constrained Sites worksheet for HLA 2023 following it not having progressed substantially for some time.
	2022DK1	Land Between 23A and 37 Newmills Road	Dalkeith	0.12	4	<ul style="list-style-type: none"> • Consent was given for four townhouses at this site under 21/00612/DPP in July 2022. • The site was marketed in August 2022 and remains for sale as of the base date of the HLA. It was being used as part of the site compound for the neighbouring h12 social housing development in summer 2023.
	h46	Vogie Road	Gorebridge	6.92	16	<ul style="list-style-type: none"> • This site was originally developed by Mansell Homes, who are now part of Balfour Beatty. • There were originally three phases here that totalled 90 units – 39 in phase 1, 40 in phase 2 and 11 in phase 3. 17/00824/DPP later superseded those plans for phase 3 and replaced the original layout of 11 homes with 14 to increase the site capacity to 93. • The total capacity of this site is actually 93 units, but 77 have already been built. This consists of all of phase 1 and all of phase 2, with the exception of plots 50 and 51 from the latter. As no work has taken place on these units or phase 3 for some time, this site was moved into the Constrained Sites worksheet for HLA 2023.
	282	25 Newbattle Road	Mayfield/Newtongrange	0.44	8	11/00131/DPP was granted in 2013. Work started under building warrant 16/00349/BDERSD and a notification of commencement of the development was submitted. However, no activity on site since meant it was marked as stalled for HLA19.
	2021SA1	Former Cockatoo Restaurant	Shawfair Area	0.45	10	<ul style="list-style-type: none"> • 20/00314/DPP and building warrant 22/00423/BDERMD for 10 units at this site. • The existing buildings have yet to be demolished.
	2017SA1	Land South of Hilltown House	Shawfair Area	0.76	4	This site was consented at the Local Review Body on 21/04/2017 under 12/00111/DPP. This consent was extended until 31/03/2023 due to the Coronavirus Act. Building warrant 22/00042/BDERMD indicates that work has since started.
	h69	Whitehill House	Rosewell	0.22	18	<ul style="list-style-type: none"> • This entry is linked with site h70 in the row below. • All 8 units from 15/00175/BDCOMD were completed in 2022/23. These are at the former stables buildings with a further 18 to come from the conversion of the main house itself. • The intermittent delivery of units here across both sites coupled with a possible change of plans for this development and feedback from Homes for Scotland have led to it being retained in the Constrained Sites worksheet. However, it is possible it will be moved into the Main Schedule in future audits depending on later activity.
	h70	The Grounds of Whitehill House	Rosewell	36.04	84	<ul style="list-style-type: none"> • This entry is linked with site h69 in the row above. • Building warrant 12/00443/BWERD is for 10 units here which were completed at Cluster D. It was originally for 8 plots but was amended to add 2 more. No further development at the other clusters has taken place. • The intermittent delivery of units here across both sites coupled with a possible change of plans for this development and feedback from Homes for Scotland have led to it being retained in the Constrained Sites worksheet. However, it is possible it will be moved into the Main Schedule in future audits depending on later activity.
	2021VR1	Newbattle Home Farm	Villages/rural (east)	0.77	11	<ul style="list-style-type: none"> • Comprises two conversions from existing farm buildings and nine new houses under 19/00756/DPP. • The majority of the buildings on the site need to be demolished before work on the new units starts. • This site was sold in 2021 but there has been no further activity since.
	2023VR1	Barley Dean	Villages/rural (east)	0.73	6	<ul style="list-style-type: none"> • Application 21/00453/PPP, which was originally for eight houses, but later revised down to six. This was approved at the LRB in February 2023. • A subsequent application for five houses has been refused since the end of the Audit year (23/00003/DPP).

2018VR1	Fordel	Villages/rural (east)	3.21	60	<ul style="list-style-type: none">• PPP consent here for 60 units.• There were plans for 78 units across the site in three phases, as shown on the phasing plan for 18/00344/MSC. 18/00343/MSC and 18/00344/MSC covered the first two and were for 28 and 16 units respectively. 19/00691/MSC repositioned some blocks covered by 18/00343/MSC but did not change the overall numbers.• 21/00189/MSC was submitted in 2021 and is still pending. It proposed a new phasing schedule involving the LAR Housing Trust developing 24 units as part of a new phase 1. Phase 2 would consist of 34 units at the north of the site. The final residential phase would see 20 units built as the affordable housing portion.• The site was marked as constrained for HLA 2022 as it hasn't delivered any units since MSC consent in November 2018, has drainage issues, complications with ownership and the delivery of affordable housing. This was the approach agreed with Homes for Scotland when reviewing HLA 2021. Nevertheless, the demolition of buildings on the site means that the development has commenced.• Applications for the site are 13/00780/PPP, 18/00343/MSC, 18/00344/MSC, 19/00691/MSC, 21/00189/MSC (pending). A new application was submitted in March 2023 and proposes 17 units across the north of the site (23/00213/MSC). It is in the Large Windfall Applications worksheet.
Total				747	

* These are sites that have development uncertainties, so their potential contribution is not guaranteed during the plan period and they are therefore not relied upon as part of the required housing allocations. See MLDP policy STRAT4.

SAFEGUARDED SITES

These are extensions to MLDP housing allocations that allow for further expansion of those sites in the medium to long term. They can be brought forward through the next development plan, if this is required and considered acceptable in place-making terms.

Site Reference	Site Name	Settlement	Area (ha)	Total Units	Affd. Units	Comments
Hs16 SC	Seafield Road, Safeguarded Capacity	Roslin/Bliston	11.54	200	50	<ul style="list-style-type: none"> No development activity here at present. Work is ongoing on the regular/allocated portion of Hs16 but is not expected to be finished until after 2030, therefore Hs16 SC is unlikely to be released/required until this time. Programming estimates are therefore 40 units per year from 2031/32 onwards until complete.
Hs7 SC	Redheugh West (Phase 2), Safeguarded Capacity	Gorebridge	17.45	200	50	<ul style="list-style-type: none"> Hs7 SC is associated with Hs7 and h50 to the east. All are dependent on a bridge being constructed over the Borders Rail line for access. h50 has consent in principle and an application for consent in principle for Hs7 is pending. h50 would be built first, then Hs7, then Hs7 SC. Given this, and the large number of units to be built on each, construction on Hs7 SC would likely not start until many years after the last programming year in the Audit's Main Schedule unless other developers come on board, which there is no indication of currently. Given this, estimating programming for this site is not worthwhile at this stage. There is a mistake in the LDP in table 3A (page 164). It lists 200 units as the capacity of Hs7 and 400 as the capacity of Hs7 SC. This is the wrong way round and HLA 2023 corrects this.
Hs0 SC	Cauldcoats, Safeguarded Capacity	Shawfair Area	10.48	200	50	<ul style="list-style-type: none"> Application 14/00910/PPP is approved for this site and proposes development on both Hs0 and Hs0 SC. The consent specified that it applies only for phase one (Hs0) and this will mean that the safeguarded portion would be phase two. An application to increase the number of units on phase 1 from 350 to 430 was approved in 2022 and a further detailed application has been lodged since (22/00604/MSC). Based on the current layout and programming for Hs0, estimated programming for Hs0 SC is therefore 65 units per year starting in 2033/34 until complete.
Total				600	150	

	Site Reference	Site Name	Developer (or Owner)	Land Supply Source	Total Units	Site Area (ha)	Density (units/ha)	Brownfield / Greenfield?	Planning Application Reference(s)	Building Warrant Reference(s)	Comments
	h58(AreaA2)	Belwood Avant (at NW Penicuik)	Avant Homes	MLP 2008	87	5.65	15.40	Greenfield	17/00068/DPP, 18/00847/DPP	18/00099/BDCOMD - 87 units	<ul style="list-style-type: none">The marketing name for this site is 'Carmethy Heights',Phase 1 of h58.18/00847/DPP amends the house types approved in the original application but does not change the overall number of units.
	h58(AreasB1&B2)	Nursery West & North (at NW Penicuik)	Avant Homes	MLP 2008	78	7.24	10.77	Greenfield	17/00068/DPP, 22/00253/DPP (pending)	21/00601/BDERMD - 42 units, 22/00529/BDERMD (pending) - 35 units	<ul style="list-style-type: none">The marketing name for this site is 'Carmethy Heights',Application 22/00253/DPP seeks to change the house types and plot numbers but not the number of units. These are units covered by 22/00529/BDERMD. It was minded to be consented at the March 2023 Planning Committee.Programming is based on observations from a site visit in June 2023 and previous completions figures from Avant's earlier phase of this site.SHIP site.Application 19/00576/DPP added another 5 units compared to the original consent. Application 20/00088/DPP changed the heights of the two blocks of flats but did not alter the number of units or their plot numbers.A site visit in May 2023 confirmed that this site will be completed in 2023/24.
	h58(AreaB3)	Nursery East (at NW Penicuik)	Dunedin Canmore	MLP 2008	57	2.58	22.09	Greenfield	17/00068/DPP, 19/00576/DPP, 20/00088/DPP	19/00560/BDERMD - 57 units	<ul style="list-style-type: none">The marketing name for this site is 'Belwood Oaks',Originally labeled plots 1 – 110, but now numbered 76 – 185 as this area follows on from h58(AreaA1) which was CALA's first phase here that had 75 units.23/00100/DPP changes the house types on 9 plots but doesn't alter development numbers or the layout.Programming is based on observations from a site visit in May 2023 and past completions figures at CALA's earlier phase of this site.
	h58(AreaC&D)	Mauricewood & Mauricewood North (at NW Penicuik)	CALA	MLP 2008	110	7.87	13.98	Greenfield	17/00068/DPP, 23/00100/DPP	18/00134/BDERMD - 106 units	<ul style="list-style-type: none">The marketing name of this site is 'Ladywood View'.Site visited in May 2023 and will be completed in 2023/24.
	h58(AreaE)	Deanburn (at NW Penicuik)	Bellway Homes	MLP 2003	91	6.86	13.27	Greenfield	17/00068/DPP, 19/00727/DPP	19/00241/BDERMD - 91 units	<ul style="list-style-type: none">SHIP site.This is the second (and last) affordable phase of h58.Programming is taken from the Council's latest SHIP report but pushed back a year as there is no building warrant or construction activity, and also in response to feedback from Homes for Scotland.
	h58(AreaF)	Rullion Road (at NW Penicuik)	Midlothian Council	MLP 2008	68	6.18	11.00	Greenfield	17/00068/DPP		<ul style="list-style-type: none">The marketing name of the wider h25 site is 'Greenlaw Mains'.Site completed in the current audit year and will not feature in HLA 2024.
	h25(AreaA)	Greenlaw and Adjacent Land Area A	Taylor Wimpey	MLP 2003	92	4.92	18.70	Greenfield	12/00745/DPP	10/00543/BVERD - 92 units	<ul style="list-style-type: none">The marketing name of the wider h25 site is 'Greenlaw Mains'.Site completed in the current audit year and will not feature in HLA 2024.
	h25(AreaC)	Greenlaw and Adjacent Land Area C	Taylor Wimpey	MLP 2003	83	5.65	14.69	Greenfield	19/00256/DPP, 19/00263/DPP	19/00280/BDERMD - 83 units	<ul style="list-style-type: none">The marketing name of the wider h25 site is 'Greenlaw Mains'.Site completed in the current audit year and will not feature in HLA 2024.
	h25(AreaD)	Greenlaw and Adjacent Land Area D	Taylor Wimpey	MLP 2003	221	11.77	18.78	Greenfield	21/00466/DPP, 22/00320/DPP	21/00067/BDERMD - 221 units, 23/00002/BDERMD (pending) - 85 units, 23/00002/BDERMD/A (pending) - 3 units	<ul style="list-style-type: none">The marketing name of the wider h25 site is 'Greenlaw Mains'.Application 22/00320/DPP replaces the original design for plot 601. It does not change the numbers on site.Programming is based on observations from a site visit in May 2023 and actual completions from previous phases of this development.
	2020PK1	Windsor Square	Ark Housing Association	Windfall	12	0.24	50.00	Brownfield	19/00510/DPP		<ul style="list-style-type: none">SHIP site.Discussions with the applicant are ongoing regarding possible amendments and construction arrangements. The site is also in the Council's latest SHIP report, therefore it can still be considered effective. Programming in the Main Schedule follows that provided in the SHIP report.
	2022PK1	Kentigern Mall	Sheet Anchor Evolve (London) Ltd.	Windfall	7	0.08	87.50	Brownfield	21/00335/DPP		<ul style="list-style-type: none">15 units across 9 sites.Three units are under construction, one unit has planning consent and a building warrant granted but is not under construction, five units have planning consent and a pending building warrant application, five units have planning consent but no building warrant application and one unit has a pending planning application.
	Small sites				15						
	Penicuik										
	Villages and rural remainder (Midlothian West HMA)										
	Hs20	Auchendinny	Bellway Homes	MLDP	395	21.87	18.06	Greenfield	20/00089/DPP, 22/00848/DPP (pending), 23/00333/DPP (pending)	22/00514/BDERMD (pending) - 395 units	<ul style="list-style-type: none">The marketing name for this site is 'Dalmore Grange'.Application 22/00848/DPP from Bellway has been consented since the end of the Audit year. It proposes 395 units, supersedes 20/00089/DPP and involves three phases. The private housing phases would be 97, 120 and 80 units each. The phasing of the affordable portions are not detailed, other than it being stated that affordable housing will be delivered in each phase.23/00333/DPP was submitted after the end of the Audit year and is for an amendment of house types at plots 47, 49, 71, 385 – 387 and 389 – 391.Programming for the market component of this development is based on Bellway's completions at their h58(AreaE) site nearby in Penicuik. High completions for particular years are due to phases of affordable housing being built alongside the market units.
	AHs1	Rosslynlee, near Penicuik	Oakridge Group	MLDP	215	17.92	12.00	Brownfield	17/00980/PPP, 17/01001/DPP, 22/00160/DPP	19/00380/BDAEX - 2 units, 21/00073/BDCOSD - 1 unit, 23/00025/BDERMD (pending) - 54 units	<ul style="list-style-type: none">The marketing name for this site is 'St. Margarets'.Following the 'North Park' portion of Rosslynlee now being developed by Robertson Homes, there are three remaining areas of this development:<ul style="list-style-type: none">Rosslyn Grange – 72 units;Village Core – 29 units; andSouth Park – 114 units.In spring 2023, Carmichael Homes were advertising their intentions to develop 26 detached units as part of this site, while 23/00025/BDERMD for another 54 units is from a further developer (Bancon Homes).

Site Reference	Site Name	Developer (or Owner)	Land Supply Source	Total Units	Site Area (ha)	Density (units/ha)	Brownfield / Greenfield?	Planning Application Reference(s)	Building Warrant Reference(s)	Comments
AHs1(NP)	North Park (at Rosslynlee)	Robertson Homes	MLDP	121	7.98	15.16	Greenfield	22/00616/MS	22/00410/BDERMD (pending) - 121 units	<ul style="list-style-type: none">• The marketing name for the wider Rosslynlee development is 'St. Margarets'.• Following the 'North Park' portion of Rosslynlee now being developed by Robertson Homes, there are three remaining areas of this development:<ul style="list-style-type: none">o Rosslyn Grange – 72 units;o Village Core – 29 units; ando South Park – 114 units.• In spring 2023, Carmichael Homes were advertising their intentions to develop 26 detached units as part of this site, while 23/00025/BDERMD for another 54 units is from a further developer (Bancon Homes). <p>Approved at appeal in October 2022.</p> <ul style="list-style-type: none">• 29 units across 24 sites.• 3 units are under construction, 4 units have planning consent and a pending building warrant application, 12 units have planning consent but no building warrant application and 10 units have a pending planning application or PPP consent only.
AHs5	Wellington School, by Howgate	Lochray Homes	MLDP	46	6.78	6.78	Brownfield	20/00144/DPP		
Small sites				29						
Villages and rural remainder (Midlothian West HMA)										
Midlothian East HMA										
Bonnyrigg Lasswade										
Hs10(AreaA)	Dalhouse Mains Area A	Walker Group / Springfield	MLDP	27	2.31	11.69	Greenfield	16/00712/PPP, 16/00855/DPP, 18/00333/DPP	17/00437/BDERMD - 27 units	<ul style="list-style-type: none">• The marketing name for the wider Hs10 site is 'One Dalhouseie'.• This site is a small portion in the south of the wider Hs10 allocation (see the rows below).• Planning consent here is actually for 28 units, but the building warrant excludes plot 28, which is on the opposite side of the road to the rest of the units and which may not be built.• The final remaining plot is the show home (plot 19).
Hs10(AreaB)	Dalhouse Mains Area B	Walker Group / Springfield	MLDP	78	3.40	22.94	Greenfield	16/00712/PPP, 18/00539/MS	19/00141/BDERMD - 78 units	<ul style="list-style-type: none">• The marketing name for the wider Hs10 site is 'One Dalhouseie'.• This is the second phase of Hs10.
Hs10(AreaC)	Dalhouse Mains Area C	Walker Group / Springfield	MLDP	103	5.15	20.00	Greenfield	16/00712/PPP, 18/00399/MS, 18/00538/MS, 21/00056/MS	21/00530/BDERMD - 103 units	<ul style="list-style-type: none">• The marketing name for the wider Hs10 site is 'One Dalhouseie'.• Applications 18/00399/MS and 18/00538/MS relate to conditions over matters such as phasing schedules and landscaping works for the whole of Hs10. They are not related to unit layout and numbers.• Programming is based on observations from a site visit in June 2023, completions rates from earlier portions of this site and figures from the developer.
Hs10(AreaD)	Dalhouse Mains Area D	Walker Group / Springfield	MLDP	70	1.32	53.03	Greenfield	16/00712/PPP, 19/00685/MS	19/00468/BDERMD - 70 units, 21/00705/BDCCOMD - 56 units, 22/00413/BDERMD (pending) - 24 units	<ul style="list-style-type: none">• The marketing name for the wider Hs10 site is 'One Dalhouseie'.• This is the affordable housing portion of Hs10.• Site completed in the current audit year and will not feature in HLA 2024.
Hs11(AreaA)	Dalhouse South Area A	Bellway Homes	MLDP	94	5.57	16.88	Greenfield	21/00227/DPP, 21/00228/DPP, 21/00230/DPP	21/00286/BDERMD - 94 units	<ul style="list-style-type: none">• The marketing name for the wider Hs11 site is 'Dalhouseie Way'.• Programming is based on completions so far and observations from a site visit in June 2023.
Hs11(AreaB)	Dalhouse South Area B	Bellway Homes	MLDP	146	12.20	11.97	Greenfield	18/00740/DPP, 23/00153/DPP (pending), 23/00159/DPP (pending)	22/00532/BDERMD (pending) - 61 units	<ul style="list-style-type: none">• The marketing name for the wider Hs11 site is 'Dalhouseie Way'.• The pending planning applications are from Bellway. Programming is based on them starting on this portion of the site when their work has finished on Hs11(AreaA).
Hs11(AreaC)	Dalhouse South Area C	Walker Group / Springfield	MLDP	80	1.80	44.44	Greenfield	18/00743/PPP, 21/00816/DPP, 21/00860/DPP, 22/00026/MS (pending)		<ul style="list-style-type: none">• 22/00026/MS will supersede the other three previous applications here and comprise all the affordable units for the wider Hs11 site. It has been approved after the end of the Audit year.• Programming is based on observations from a site visit in June 2023, that outlined in the Council's latest SHIP report and figures from the developer.
Hs12* & Hs12 SC	Hopefield Farm 2 & Hopefield Farm 2, Safeguarded Capacity	Taylor Wimpey	MLDP	1032	55.86	18.47	Greenfield	20/00151/PPP (pending)		<ul style="list-style-type: none">• Application 20/00151/PPP was minded to be consented at the April 2021 Planning Committee.• It covers both Hs12 and Hs12 SC as it was agreed in pre-application discussions that both would be included in the masterplan to ensure the best possible design and their integration. Hs12 SC is the safeguarded portion of the site and has been moved from the Safeguarded Sites table into the Main Schedule for HLA 2023 to reflect this.• Condition 2 of the consent associated with 20/00151/PPP permits up to 1,032 across the two sites.
243	Former garage, Elm Row	Lasswade Townhouse Development Company	Windfall	7	0.18	38.89	Brownfield	03/00390/FUL, 07/00721/FUL, 20/00527/DPP	09/00449/BWALCO - 2 units, 21/00179/BDERMD - 5 units	<ul style="list-style-type: none">• Originally, consent was granted under application 03/00390/FUL for four new houses and the conversion of the former garage building into two houses.• Before construction started, another application was submitted (07/00721/FUL) for six new houses and the conversion of the former garage building into two houses. This was not determined prior to the previous application expiring, therefore work started under that and this new application was left to expire without any further work taking place. This means the prior application is still valid. The work resulted in the garage conversion into two houses being complete under building warrant 09/00449/BWALCO.• Two other applications (19/00470/DPP and 19/00742/DPP) were later withdrawn, while a third (20/00527/DPP) was consented. Future building work will take place under this application.• Construction has started, with the site being cleared and bank stabilisation works having taken place. Homes at the development are also being marketed.
2020BL1	Lasswade High Street	Dimension Homes Ltd.	Windfall	8	0.56	14.29	Brownfield	18/00382/DPP, 21/00773/DPP	19/00212/BDERMD - 8 units	<ul style="list-style-type: none">• The marketing name for this site is 'School Green Close'.• Application 21/00773/DPP proposes minor layout amendments, but does not change unit numbers.
2021BL1	Burnbrae Road	Midlothian Council	Windfall	20	0.47	42.55	Greenfield	20/00397/DPP	20/00425/BDERMD - 10 units, 20/00426/BDERMD - 10 units	<ul style="list-style-type: none">• SHIP site built to Passivhaus standards.• Programming is based on observations from a site visit in June 2023 and expected completions from the Council's latest SHIP report.

	Site Reference	Site Name	Developer (or Owner)	Land Supply Source	Total Units	Site Area (ha)	Density (units/ha)	Brownfield / Greenfield?	Planning Application Reference(s)	Building Warrant Reference(s)	Comments
	2021BL3	Moorfoot Place	Midlothian Council	Windfall	46	0.91	50.55	Brownfield	21/00552/DPP	21/00664/BNERS - 46 units	<ul style="list-style-type: none">• SHIP site.• Development also includes a day care centre and an intermediate care facility (though they don't count towards the Audit numbers).• Programming is taken from the Council's latest SHIP report but pushed back one year to account for the fact that construction had not started as of summer 2023 and the associated building warrant was not approved. Homes for Scotland requested this approach also.
	2021BL4	Cockpen Terrace	Mears Group	Windfall	16	0.50	32.00	Brownfield	19/01029/DPP	20/00373/BDERMD - 16 units	<ul style="list-style-type: none">• SHIP site.• Programming is based on observations from a site visit in June 2023.
	2022BL1	High Street	Midlothian Council	Windfall	20	0.19	105.26	Brownfield	21/00939/DPP	22/00223/BDERMD - 20 units	<ul style="list-style-type: none">• SHIP site.• Programming is based on observations from a site visit in June 2023 and expected completions from the Council's latest SHIP report, though the delivery of the units in 2024/25 is also possible.
	Small sites				7						<ul style="list-style-type: none">• Seven units across seven sites.• Four units are under construction, one unit has planning consent and a pending building warrant application and two units have planning consent but no building warrant application.
	Bonnyrigg Lasswade										
	Dalkeith										
	Hs2	Larkfield West	Dandara Homes	MLDP	88	4.85	18.14	Greenfield	14/00420/PPP, 19/00010/MSC, 20/00652/MSC	18/00499/BDERMD - 23 units, 19/00372/BDERMD - 61 units, 21/00223/BDERMD - 65 units	<ul style="list-style-type: none">• The marketing name for this site is 'Eskbank Gardens'.• Hs2 and Hs3 are one overall phased development by Dandara.• 19/00010/MSC proposed 134 units in total, with 84 on Hs2 and 50 on Hs3. 20/00652/MSC supersedes it and sees 88 units being built on Hs2. It does not amend Hs3.• Programming is based on observations from a site visit in June 2023 and past completions rates elsewhere on this site.
	Hs3	Larkfield South West	Dandara Homes	MLDP	65	2.84	22.89	Greenfield	14/00420/PPP, 19/00010/MSC, 22/00091/MSC	19/00427/BDERMD - 50 units, 22/00212/BDERMD - 30 units, 22/00362/BDERMD - 35 units	<ul style="list-style-type: none">• The marketing name for this site is 'Eskbank Gardens'.• Hs2 and Hs3 are one overall phased development by Dandara. All the affordable units are on Hs3.• 22/00091/MSC revises the layout for Hs3 with 65 units rather than the 50 consented under 19/00010/MSC.• Programming is based on observations form a site visit in June 2023, site layout and types of units, as well as programming for the affordable units as outlined in the Council's latest SHIP report.• Construction has started here since the end of the Audit year.
	h46	Cowden Cleugh	Bellway Homes	MLP 2008	109	8.79	12.40	Greenfield	14/00444/PPP, 18/00678/MSC, 19/00338/MSC	18/00548/BDERMD - 82 units, 20/00101/BDERMD - 27 units	<ul style="list-style-type: none">• The marketing name for this site is 'Summerville Gardens'.• 109 units are being built across four phases.• 18/00548/BDERMD is for the market units and 20/00101/BDERMD is for the affordable units.• Programming for this site is based on observations from a visit in June 2023 and past completions rates.
	h12	Former Dalkeith High School	Midlothian Council	Pre-2003 MLP	92	3.26	28.22	Brownfield	19/01016/DPP, 19/01024/DPP	19/00528/BDERMD - 44 units, 19/00535/BDERMD - 48 units	<ul style="list-style-type: none">• SHIP site also known as 'Newmills Road'.• Application 19/01016/DPP is for 44 units and 19/01024/DPP is for 48 extra care units.• Programming is based on observations from a site visit in June 2023. The development is nearly complete and all the units will be released in one batch.
	2020DK1	131 to 133 High Street	SRS Scotland Ltd	Windfall	4	0.02	200.00	Brownfield	19/01002/DPP, 20/00055/LBC	20/00082/BDCOMD - 4 units	<ul style="list-style-type: none">• Site retrospectively added to HLA 2023 from the Small Sites records following the Audit now detailing sites of 4 or more units rather than 5 or more.• Site completed in the current Audit year and will not feature in HLA 2024.
	2021DK1	Buccleuch Street	Midlothian Council	Windfall	10	0.10	100.00	Brownfield	20/00595/DPP, 21/00503/DPP	20/00532/BDERMD - 10 units	<ul style="list-style-type: none">• SHIP site built to Passivhaus standards.• Application 21/00503/DPP is an amendment to 20/00595/DPP.• Building warrant 20/00532/BDERMD has 12 plots in it, but 2 of these are for the retail units.• Programming is based on observations from a site visit in June 2023.
	2022DK1	Kippielaw Hatchery	Mr Graham Roberts	Windfall	5	0.62	8.06	Brownfield	20/00349/DPP		<ul style="list-style-type: none">• Site is currently under offer - https://halidayhomes.co.uk/property/kippielaw-hatchery-dalkeith-eh22/• Will be reviewed for progress in HLA 2024 and moved to the Constrained Sites worksheet if there is no further activity.
	Small sites				12						<ul style="list-style-type: none">• 12 units across 8 sites.• One unit is under construction, five units have planning consent and a pending building warrant application, two units have planning consent but no building warrant application and four units have a pending planning application or PPP consent only.
	Dalkeith										
	Corebridge										
	Hs7*	Redheugh West (Phase 2)	(Old Road Securities Plc)	MLDP	400	24.36	16.42	Greenfield	21/00374/PPP (pending)		<ul style="list-style-type: none">• Dependent on utilities and roads connections from h50 to the east, including a new bridge over the Borders Rail line. Therefore, programming is scheduled for after h50.• Application 21/00374/PPP does not specify a number of units.• There is a mistake in the LDP in table 3A (page 164). It lists 200 units as the capacity of Hs7 and 400 as the capacity of Hs7 SC. This is the wrong way round and HLA 2023 corrects this.
	h50(1A)	Redheugh / Prestonholm new community (Phase 1A)	(Old Road Securities Plc) / Barratt Homes	MLP 2008	135	7.60	17.76	Greenfield	15/00045/PPP, 23/00416/MSC (pending)		<ul style="list-style-type: none">• 23/00416/MSC was submitted after the end of the Audit year. Like 15/00045/PPP, it covers all of h50. It proposes 685 units, including 174 affordable, across 3 phases. This part of h50 is included in phase 1. h50 may be split differently in future Audits to reflect these phases.• Programming is based on communications between the developer and the Council from earlier in 2023.

	Site Reference	Site Name	Developer (or Owner)	Land Supply Source	Total Units	Site Area (ha)	Density (units/ha)	Brownfield / Greenfield?	Planning Application Reference(s)	Building Warrant Reference(s)	Comments
	h50(Rem)	Redheugh / Prestonholm new community remainder	(Old Road Securities Plc) / Barratt Homes	MLP 2008	565	28.06	20.14	Greenfield	15/00045/PPP, 23/00416/MSC (pending)		<ul style="list-style-type: none">23/00416/MSC was submitted after the end of the Audit year. Like 15/00045/PPP, it covers all of h50. It proposes 685 units, including 174 affordable, across 3 phases.This portion of h50 is mainly phases 2 and 3 in 23/00416/MSC, however parts of the site near the B704 are included in phase 1. This is why programming here is aligned with the site h50(1A). Programming is based on communications between the developer and the Council from earlier in 2023.
	h24	Newbyres	Persimmon Homes	MLP 2003	96	4.84	19.83	Greenfield	22/00066/DPP (pending)	22/00407/BDERMD (pending) - 96 units	<ul style="list-style-type: none">22/00066/DPP has been consented since the end of the Audit year.Programming is based on past completions at Persimmon's nearby h36(AreaA) site and follows on from their expected conclusion of building work there.
	h36(AreaA)	North Gorebridge Area A	Persimmon Homes	MLP 2003	176	6.69	26.31	Greenfield	07/00352/FUL, 14/00251/DPP, 18/00671/DPP	07/00251/BWERD - 500 units, 19/00580/BDERMD - 112 units, 21/00125/BDERMD - 6 units	<ul style="list-style-type: none">The marketing name for this site is 'King's Meadow'.This is the last remaining portion of the wider h36 Persimmon site, the whole of which was initially covered by 07/00352/FUL.The plots in Area A are listed at the end of building warrant 07/00251/BWERD and start at number 4010, i.e. plot 4010 is plot 10 on the site plans. There is some overlap of this BW and 19/00580/BDERMD.18/00671/DPP amended the house types of 28 units from 14/00251/DPP but did not change overall numbers. These new units are labelled plots 4201/201 – 4228/228 in building warrants/site plans.
	h51	Robertson's Bank	Carlisson Properties Ltd	MLP 2008	14	2.68	5.22	Brownfield	20/00899/DPP (pending)		<ul style="list-style-type: none">Minded to consent at the February 2023 Planning Committee and has since been consented after the end of the Audit year.A site visit in June 2023 found that the former scrap yard on site was being cleared in advance of development taking place here.
	2022GG	Newbyres Crescent	Cruden Homes	Windfall	75	1.84	40.76	Brownfield	18/00099/DPP	22/00571/BDERMD (pending) - 75 units	<ul style="list-style-type: none">SHIP site.A site visit in June 2023 found that groundworks and infrastructure had commenced. Programming is based on this and what is outlined in the Council's latest SHIP report.
	Small sites				5						<ul style="list-style-type: none">Five units across three sites.Three units are under construction and two units have a pending planning application.
	Gorebridge										
	Mayfield/Newtongrange										
	h48	Bryans	Cruden Homes	MLP 2008	72	2.77	25.99	Brownfield	19/00042/DPP	19/00201/BDERMD - 72 units	<ul style="list-style-type: none">SHIP site also known as 'Conifer Road'.Programming is taken from the Council's latest SHIP report and reflects all the units being released in a single batch rather than all 72 constructed in a single year.A site visit in June 2023 observed that construction has now started here.
	h41	North Mayfield	Lovell Homes	MLP 2003	156	8.47	18.42	Greenfield	19/00981/PPP, 22/00460/MSC	22/00347/BDERMD (pending) - 156 units	<ul style="list-style-type: none">The marketing name for this site is 'Oakwood Edge'.A site visit in June 2023 found that groundworks have now started and an access from Oak Place had been created.Programming for 2025/26 and 2026/27 includes the delivery of the 39 affordable units in those years, which is partly based on expectations in the Council's latest SHIP report.
	h38+	South Mayfield Sites	Springfield	MLP 2003 & MLP 2008	926	70.97	13.05	Greenfield	22/00027/PPP (pending)		<ul style="list-style-type: none">Application 22/00027/PPP was minded to be consented at the February 2023 Planning Committee. Condition 2 of this consent is that no more than 926 units are erected.This proposal covers all of what was h38(Rem), h49, h34(Rem) and h35. As a result, these sites have been consolidated into a single row for the latest HLA. The site may be split up in future audits as its layout and phasing becomes clear after the submission of detailed MSC applications.
	h37	Cockpen	Miller Homes	MLP 2003	141	10.49	13.44	Greenfield	09/00056/OUT, 15/00968/MSC, 16/00601/MSC, 18/00704/DPP, 19/00824/DPP, 21/00608/DPP, 21/00806/DPP (refused)	15/00442/BDERMD - 136 units, 21/00379/BDERMD - 5 units	<ul style="list-style-type: none">The marketing name for this site is 'Lady Victoria Grange'.Application 21/00806/DPP was for 10 additional units on land not allocated as part of h37, but the units would have been an extension of the existing development. These would have taken the total site capacity to 151 if consented. The application was refused at the LRB.Site completed in the current audit year and will not feature in HLA 2024.SHIP site. Known in SHIP documents as 'Morris Road'.Site completed in the current audit year and will not feature in HLA 2024.
	2018MN3	Land South West of Newbattle Community High School	Cruden Homes	Windfall	79	2.67	29.59	Brownfield	18/00308/DPP	18/00394/BDERMD - 79 units	<ul style="list-style-type: none">SHIP site.
	2022MN1	Former Newbattle High School (Phase 1)	Midlothian Council	Windfall	90	4.74	18.99	Brownfield	21/00877/DPP	22/00134/BDERMD - 90 units	<ul style="list-style-type: none">This is phase 1 of a larger development. Phase 2 will be covered by either 21/00876/PPP or 22/00797/DPP, both of which are still pending.Programming is taken from the Council's latest SHIP report and reflects all the units being released in a single batch rather than all 90 constructed in a single year.
	2022MN2	Newtongrange Parish Church	Church of Scotland	Windfall	5	0.13	38.46	Brownfield	21/00701/PPP		<ul style="list-style-type: none">Development by the Church of Scotland, the proceeds of which will be used to refurbish the adjacent church.
	Small sites				3						<ul style="list-style-type: none">Was for seven units, but reduced to five.Three units across two sites.Two units are under construction and one has planning consent and a pending building warrant application.
	Mayfield/Newtongrange										
	Shawfair Area										
	Hs0*	Cauldcoats	(Paladin Ventures Ltd) / Miller Homes	MLDP	430	19.02	22.61	Greenfield	14/00910/PPP, 22/00604/MSC (pending)	22/00593/BDERMD (pending) - 52 units, 22/00594/BDERMD (pending) - 83 units, 22/00596/BDERMD (pending) - 81 units	<ul style="list-style-type: none">14/00910/PPP covers both Hs0 and Hs0 SC and was for up to 650 units, with 485 of these being market and 165 being affordable. The consent however is only for 350 units on Hs0 as phase 1, meaning Hs0 SC would be phase 2. An application to increase the number of units on phase 1 to 430 was approved under 20/00312/S42.22/00604/MSC was received after the end of the Audit year and proposes 369 units built by Miller with 92 affordable. Programming is partly based on that outlined in the phasing plan submitted with this application and the anticipated delivery of the affordable units as outlined in the Council's latest SHIP report.A visit in June 2023 found that site clearing work had taken place and archaeological trenches on site.

	Site Reference	Site Name	Developer (or Owner)	Land Supply Source	Total Units	Site Area (ha)	Density (units/ha)	Brownfield / Greenfield?	Planning Application Reference(s)	Building Warrant Reference(s)	Comments
	Hs1*	Newton Farm	CALA	MLDP	620	38.73	16.01	Greenfield	17/00408/DPP (pending), 17/00409/DPP (pending)	22/00520/BDERMD (pending) - 146 units	<ul style="list-style-type: none">• The marketing name for this site is 'Newton'.• This development includes 506 units at Newton Farm (17/00408/DPP) and 116 at Wellington Farm (17/00409/DPP). These applications have been consented since the end of the Audit year.• CALA are due to begin work on site in August 2023 as well as upgrading of the Old Craighall Road in September 2023 to facilitate the development.
	Hs1 SC	Newton Farm, Safeguarded Capacity	Holder Planning / Wellington Farms Ltd.	MLDP	360	21.10	17.06	Greenfield	20/00774/PPP (pending)		<ul style="list-style-type: none">• Minded to be consented at the March 2022 Planning Committee. The approval is for 'no more than 360' units.• Approval to amend Condition 4 of the neighbouring application 17/00408/DPP was given at the January 2021 Planning Committee. This was to allow access to Hs1 SC from the two proposed vehicle routes in Hs1.• The Committee Report states that the site is 'not capable of delivering homes in five years' and that it should be 'seen as a next phase' of the Hs1 development. Programming takes this into account and also the phasing of Hs1 which shows that access into Hs1SC would not take place until mid-way through construction.
	h43	Shawfair	Shawfair LLP	SLP					02/00660/OUT		<ul style="list-style-type: none">• Where the planning consent type is marked as 'OUT' in the Main Schedule for the Shawfair blocks, this refers to the original outline planning permission for the whole of the Shawfair allocation. Further detailed consents are required for work to start on individual blocks.• Application 19/00112/PPP, for community facilities, covers blocks D, J, N and part of M.<ul style="list-style-type: none">o It resulted in blocks D and J being removed from the Audit and M being removed as shown in the 2022 Shawfair Phasing Plan. There were no residential units planned for block N, so it was not in the Audit beforehand.o A second result of the consent of 19/00112/PPP was a land swap, with residential units going on two sites north and south of Newton Church Road in the gap between Newton Village and Danderhall as per 19/00891/MSC. These are labelled h43(W1) and h43(W2). <p>These two blocks are combined in the Shawfair Phasing Plan, so the HLA follows suit in making them one entry.</p>
	h43(A&E)	Shawfair (Blocks A & E)	Shawfair LLP	SLP	184	5.34	34.46	Greenfield	02/00660/OUT		
	h43(B)	Shawfair (Block B)	Shawfair LLP	SLP	323	12.23	26.41	Greenfield	02/00660/OUT		
	h43(C)	Shawfair (Block C)	Shawfair LLP	SLP	183	4.57	40.04	Greenfield	02/00660/OUT		
	h43(F)	Shawfair (Block F)	Shawfair LLP	SLP	228	3.49	65.33	Greenfield	02/00660/OUT		Application 18/00155/DPP was approved here in October 2018. It is for the storage of soil for five years. An application to extend this for a further five years was submitted in August 2023 (23/00521/S42).
	h43(G)	Shawfair (Block G)	Shawfair LLP	SLP	67	1.12	59.82	Greenfield	02/00660/OUT		Application 18/00155/DPP was approved here in October 2018. It is for the storage of soil for five years. An application to extend this for a further five years was submitted in August 2023 (23/00521/S42).
	h43(H)	Shawfair (Block H)	Shawfair LLP	SLP	78	1.10	70.91	Greenfield	02/00660/OUT		Application 18/00155/DPP was approved here in October 2018. It is for the storage of soil for five years. An application to extend this for a further five years was submitted in August 2023 (23/00521/S42).
	h43(I)	Shawfair (Block I)	Shawfair LLP	SLP	144	4.97	28.97	Greenfield	02/00660/OUT		
	h43(K)	Shawfair (Block K)	Shawfair LLP	SLP	326	6.18	52.75	Greenfield	02/00660/OUT		
	h43(L)	Shawfair (Block L)	Shawfair LLP	SLP	235	3.33	70.57	Greenfield	02/00660/OUT		
	h43(O)	Shawfair (Block O)	Dandara Homes	SLP	83	2.63	31.56	Greenfield	02/00660/OUT, 18/00520/MSC, 21/00340/MSC	19/00378/BDERMD - 58 units, 19/00486/BDERMD - 18 units, 21/00224/BDERMD - 37 units	<ul style="list-style-type: none">• The marketing name for this site is 'Shawfair/Dandara at Shawfair'.• Application 21/00340/MSC added another 7 units to increase the site capacity to 83.• A site visit in June 2023 found that the only units left to be finished were the flats, which were well underway, and one other unit, likely the former show home. This site will therefore be completed in 2023/24.
	h43(P)	Shawfair (Block P)	Shawfair LLP	SLP	220	8.48	25.94	Greenfield	02/00660/OUT		
	h43(R1&R2)	Shawfair (Blocks R1 & R2)	Shawfair LLP	SLP	163	5.62	29.00	Greenfield	02/00660/OUT		<ul style="list-style-type: none">• Application 19/00894/MSC from Barratt proposed 162 units here, composed of:<ul style="list-style-type: none">o 129 units on R1 under building warrants 19/00602/BDERMD and 19/00607/BDERMD; ando 33 units on R2 under building warrant 19/00612/BDERMD.• Though the application was consented after the end of the Audit year, Barratt were no longer pushing the case towards a positive determination. The other co-applicant is a vehicle of Mactaggart & Mickel who are part of Shawfair LLP, the lead developer and plot seller. They confirmed a change of agent and their wish to advance the application towards determination.
	h43(S4)	Shawfair (Block S4)	Shawfair LLP	SLP	49	1.57	31.21	Greenfield	02/00660/OUT, 23/00385/MSC (pending)		23/00385/MSC was submitted after the end of the Audit year and is for a road junction and utilities enabling works here. A Supporting Statement accompanies the application and says that a separate application for a residential development will follow.
	h43(S5)	Shawfair (Block S5)	Shawfair LLP	SLP	60	1.77	33.90	Greenfield	02/00660/OUT		Application 21/00835/MSC for here was from Mactaggart and Mickel for 14 units on a small western part of block S5. It was withdrawn in November 2022. It was associated with building warrant 21/00122/BDERMD.
	h43(T2)	Shawfair (Block T2)	Mactaggart & Mickel / Springfield	SLP	243	10.64	22.84	Greenfield	02/00660/OUT, 17/00858/MSC, 19/00246/MSC, 20/00444/MSC (pending)	18/00278/BDERMD - 195 units	<ul style="list-style-type: none">• The marketing name for this site is 'Millerhill Grange'.• 17/00858/MSC is for 243 units. 19/00246/MSC proposed some minor layout changes but overall numbers and plot numbers remained the same.• Application 20/00444/MSC has been consented since the end of the Audit year and adds a further 5 units (all houses) in the south west corner to bring the site total to 248. All the other plot numbers remain the same – the extra five units are at plots 244 to 248.• This is the second phase of Mactaggart & Mickel's development at Shawfair, the first having been completed in 2021/22.• Roads and utilities construction have started. Programming is based on this and past completions at Mactaggart & Mickel's first phase and figures from them.

	Site Reference	Site Name	Developer (or Owner)	Land Supply Source	Total Units	Site Area (ha)	Density (units/ha)	Brownfield / Greenfield?	Planning Application Reference(s)	Building Warrant Reference(s)	Comments
	h43(W1)	Shawfair (Block Woolmet 1)	Shawfair LLP	SLP	140	6.96	20.11	Greenfield	02/00660/OUT		<ul style="list-style-type: none">• This is part of a land swap agreed under 19/00891/MSC as a compensatory housing site to replace that which went to the school application on Shawfair blocks D, J, M and N. This means it has consent under 02/00660/OUT.• The 2023 Shawfair Phasing Plan gives a combined capacity for h43(W1) and h43(W2) as 210 units. h43(W1) covers about 2/3rds of their combined area. The site capacity in the Main Schedule has been calculated on this basis.• This is part of a land swap agreed under 19/00891/MSC as a compensatory housing site to replace that which went to the school application on Shawfair blocks D, J, M and N. This means it has consent under 02/00660/OUT.• The 2023 Shawfair Phasing Plan gives a combined capacity for h43(W1) and h43(W2) as 210 units. h43(W2) covers about 1/3rd of their combined area. The site capacity in the Main Schedule has been calculated on this basis.
	h43(W2)	Shawfair (Block Woolmet 2)	Shawfair LLP	SLP	70	2.50	28.00	Greenfield	02/00660/OUT		<ul style="list-style-type: none">• The marketing name for this site is 'Shawfair/Stewart Milne at Shawfair'.• The Shawfair Phasing Plan labels this site AA1.• The site is slightly smaller than the full boundaries of the h44 allocation.• 20/00868/MSC is for an amendment to house types and does not change overall numbers or layout. It does not cover the affordable housing area. Building warrant 20/00563/BDERMD corresponds to this application.• 22/00441/MSC amends the affordable house types but does not change overall site numbers.• Programming is based on past completions, observations from a site visit in June 2023 and includes the delivery of the affordable units in 2025/26 and 2026/27, which is partly based on data from the Council's latest SHIP report.
	h44	North Danderhall	Stewart Milne Homes	SLP	143	6.52	21.93	Greenfield	02/00660/OUT, 19/00568/MSC, 20/00868/MSC, 22/00441/MSC	20/00563/BDERMD - 115 units, 22/00419/BDERMD (pending) - 28 units	<ul style="list-style-type: none">• The marketing name for this site is 'Shawfair/Stewart Milne at Shawfair'.• This was consented under 21/00936/MSC to ensure that there is sufficient housing land to accommodate the original 3,990 units indicated in the Shawfair Masterplan.• It is marked as a Shawfair Local Plan site as it is based on amending the Shawfair Masterplan.• 22/00387/MSC for 169 units from Bellway has been approved since the end of the Audit year.• Programming takes into account observations from a site visit in June 2023 that site preparation works were well underway, past completions from Bellway's earlier development in the area and that Bellway state this site will launch in August 2023.
	h45(C&D)	South Danderhall (Plots C & D)	Bellway Homes	SLP	235	8.84	26.58	Greenfield	02/00660/OUT, 16/00673/MSC	17/00073/BDERMD - 188 units, 19/00389/BDERMD - 47 units	<ul style="list-style-type: none">• The marketing name for this site is 'Bellway at Shawfair'.• Building warrant 17/00073/BDERMD is for the market units. 19/00389/BDERMD is for the affordable units.• SHIP site.• A visit in June 2023 found that this site has now been cleared.• Programming follows that outlined in the Council's latest SHIP report.• Five units across three sites.• Two units have a building warrant granted but are not under construction and three units have planning consent but no building warrant application.
	2023SA1	Newton Church Road	Midlothian Council	Windfall	23	0.97	23.71	Brownfield	22/00583/DPP	22/00473/BDERMD (pending) - 23 units	
	Small sites				5						
	Shawfair Area										
	Rosewell										
	Hs14	Rosewell North	David Wilson Homes	MLDP	100	6.59	15.17	Greenfield	18/00403/DPP, 21/00732/DPP	21/00469/BDERMD - 75 units, 21/00578/BDERMD - 25 units	<ul style="list-style-type: none">• The marketing name of this site is 'Rosewell Meadow'.• 21/00732/DPP amends the site layout and unit types.• A site visit in May 2023 found work underway on around 10 units.• The marketing name of this site is 'Hawthornden'.• Expected site completion in 2023/24 based on observations from a site visit in May 2023 and a comparison of units currently remaining with completions from previous years.• Four units across two sites.• All four units have planning consent but no building warrant applications.
	h52&h22	Gorton Loan & Rosewell Mains	Avant Homes	MLP 2008 & Pre-2003 MLP	290	14.26	20.34	Greenfield	14/00371/BDERMD - 25 units, 15/00412/BDERMD - 225 units, 16/00177/BDERMD - 40 units		
	Small sites				4						
	Rosewell										
	Villages and rural remainder (Midlothian East HMA)										
	h59	Crichton Road, Pathhead	Muir Homes	MLP 2008	46	2.36	19.49	Greenfield	20/00538/DPP, 22/00454/DPP (pending)	19/00436/BDERMD - 46 units, 22/00457/BDERMD (pending) - 43 units	<ul style="list-style-type: none">• The marketing name for this site is 'The West Path'.• 22/00454/DPP has been approved since the end of the Audit year and revises the site to 43 units with 11 affordable. The site capacity in the Main Schedule will be revised next year to accommodate this.• A site visit in June 2023 found that groundworks had started.
	2018VR2	Lawfield Farm, near Dalkeith	WS Dunsire & Sons Ltd	Windfall	8	0.80	10.00	Brownfield	15/00376/DPP, 16/00579/DPP, 17/00547/DPP, 17/00878/DPP, 18/00629/DPP, 21/00026/DPP, 21/00511/DPP, 22/00259/DPP	16/00082/BDCOSD - 1 unit, 16/00239/BDERMD - 2 units, 16/00472/BDERMD - 3 units, 19/00532/BDERMD - 2 units	<ul style="list-style-type: none">• This marketing name for this site is 'Lawfield Steading'.• Site completed in the current Audit year and will not feature in HLA 2024.
	2018VR4	Former Cousland Primary School, Cousland	Almond Branch Developments	Windfall	6	0.35	17.14	Brownfield	17/00996/DPP, 17/00945/DPP	18/00120/BDERMD - 4 units, 18/00053/BDERSD - 1 unit, 21/00080/BDERSD - 1 unit	This marketing name for this site is 'Hadfast Road'.
	2019VR2	Airybank House	Midlothian Developments	Windfall	4	1.13	3.54	Brownfield	18/00592/DPP, 18/00593/DPP	19/00311/BDERMD - 4 units	Programming is based on aerial photos and site layouts.
	Small sites				22						<ul style="list-style-type: none">• 22 units across 17 sites.• Five units are under construction, one unit has a planning consent and a building warrant granted but is not under construction, five units have planning consent a pending building warrant application, three units have planning consent but no building warrant application and eight units have a pending planning application or PPP consent only.
	Villages and rural remainder (Midlothian East HMA)										

Site Reference	Site Name	Developer (or Owner)	Land Supply Source	Total Units	Site Area (ha)	Density (units/ha)	Brownfield / Greenfield?	Planning Application Reference(s)	Building Warrant Reference(s)	Comments
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* Indicates that this allocation is accompanied by a 'Safeguarded Site' for future development - see the 'Safeguarded Sites' pages/table for more details.

LARGE WINDFALL APPLICATIONS

Pending Applications						
	Planning Application Reference(s)	Application Description	Address	Settlement	Number of Units	Comments
	11/00755/DPP	Demolition of kennels building and outbuildings; erection of 4 dwellinghouses; and formation of associated access and parking	Silverwitch Kennels, near Penicuik	Villages/rural (west)	4	Stalled site/legacy application that is unlikely to be progressed.
	11/00793/DPP	Erection of 6 dwellinghouses and formation of access road	Land at former Gorebridge Sawmills, Millstone Brow, near Gorebridge	Villages/rural (east)	6	Stalled site/legacy application that is unlikely to be progressed.
	15/00703/DPP	Erection of 5 dwellinghouses; formation of access and associated works	Land 25m west of junction with Lugton Brae, Old Dalkeith Road	Dalkeith	5	• Site was minded to be consented at the LRB of March 2016 but stalled at the legal agreement stage. A new application has been submitted - see below.
	23/00279/DPP	Erection of 5 dwellinghouses; formation of access and associated works	Lugton Brae	Dalkeith	5	• Site has been subject to planning enforcement action to tidy it up in late 2022.
	21/00571/PPP	Application for planning permission in principle for residential development and associated works	Land 100m south of Newlandburn House	Villages/rural (east)	10	• Site also has a stalled application – see above.
	21/00746/DPP	Erection of 6 dwellinghouses; formation of access road and car parking and associated works	Land east of Glenarch Lodge	Dalkeith	6	• Site had consent before but was left to expire (13/00676/DPP).
	21/00876/PPP	Application for planning permission in principle for residential development	Former Newbattle High School	Mayfield/Newtongrange	30	• Current application was due to be determined by the LRB in February 2022, but has stalled.
	22/00797/DPP	Erection of 12 dwellinghouses and 16 flatbed dwellings; landscaping; formation of car parking and access roads; and associated works	Former Newbattle High School	Mayfield/Newtongrange	28	• Carmichael Homes were advertising this site as a future development.
	21/00764/PPP	Application for Planning Permission in Principle for erection of 10 dwellinghouses and associated works	Former Arniston Gas Works	Gorebridge	10	• Council SHIP site linked with application 21/00877/DPP (site 2022MN1 in the Main Schedule) and the two are shown combined on site plans. They show phase 1 at plots 1 to 90 and phase 2 (this application) at plots 91 to 120.
	22/00597/PPP	Application for planning permission in principle for residential development and associated works.	Scotts Touring Caravans, Mayfield Industrial Estate	Mayfield/Newtongrange	78	• Application 22/00797/DPP is for this site too and was submitted in November 2022. It is listed in the row below.
	22/00880/DPP	Conversion of building to form 4 flatbed dwellings and associated external alterations; erection of two flatbed dwellings and associated work	120 High Street	Dalkeith	6	• Building warrant 22/00554/BDERMD.
	23/00213/MSC	Erection of 17 dwellinghouses, workshop; formation of play area, access, car parking, and associated works (Approval of matters specified in conditions 2, 3, 4, 5, 6, 7, 9, 10, 12 and 13 of planning permission 13/00780/PPP)	Land at Fordel	Villages/rural (east)	17	• This is for the same site as 21/00876/PPP, which has not been consented by the time this new application was submitted. That application is in the row above.
	22/00902/DPP	Conversion of and alterations of steading to form 4 dwellinghouses; erection of 8 dwellinghouses, garages and workshop; formation of play area, SUDS and associated works	Cauldcoats Steading	Shawfair Area	12	• Council SHIP site.
Totals for Midlothian					217	• Building warrant 22/00554/BDERMD.

Midlothian Housing Sites

Scale @ A4 - 1:75,000

N 0 1,000 2,000 3,000 m

Legend

- Midlothian Boundary
- Sites Under Construction
- Sites With Consent or Minded to Consent
- Sites Without Consent
- Constrained Sites
- Safeguarded Sites
- Sites Completed in 2022-23

COMMUNICATING CLEARLY

We are happy to translate on request and provide information and publications in other formats, including Braille, tape or large print.

اگر آپ ہم سے درخواست کریں، تو ہم آپ کو دیگر شکلوں میں مثلاً بریل،
لیکچر، یا دیگر شکلوں میں مثلاً بریل، لیکچر، یا دیگر شکلوں میں مثلاً بریل،

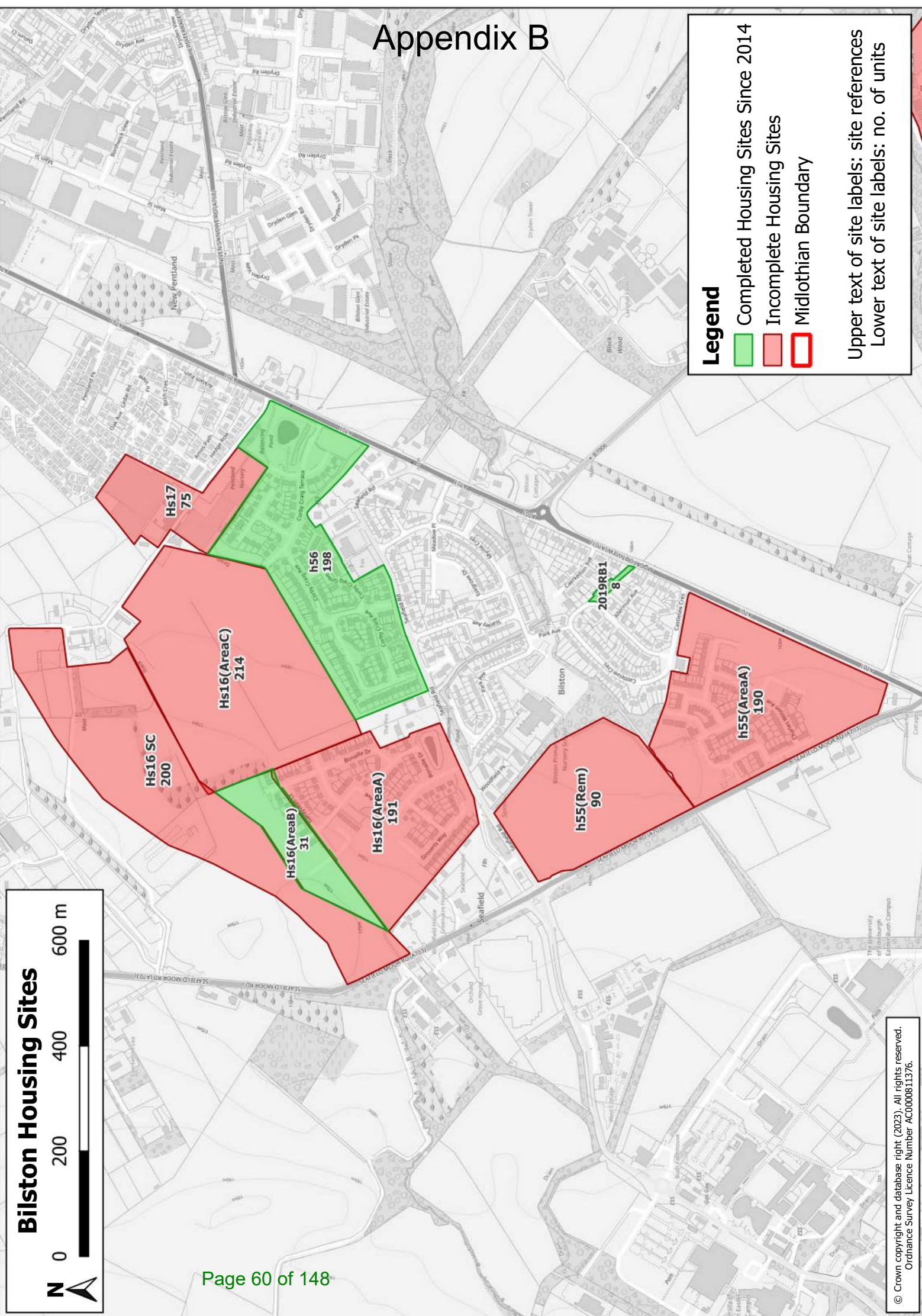
Zapewnimy tłumaczenie na żądanie oraz
dostarczymy informacje i publikacje w
innych formatach, w tym Braillem, na
kasecie magnetofonowej lub dużym drukiem.

ਅਸੀਂ ਮੰਗ ਕਰਨ ਤੇ ਖੁਸ਼ੀ ਨਾਲ ਅਨੁਵਾਦ ਅਤੇ ਜਾਣਕਾਰੀ ਤੇ ਹੋਰ ਰੂਪ ਵਿੱਚ ਪ੍ਰਕਾਸ਼ਨ
ਪ੍ਰਦਾਨ ਕਰਾਂਗੇ, ਜਿਨ੍ਹਾਂ ਵਿੱਚੋਂ ਬਰੈਲ, ਟੇਪ ਜਾਂ ਵੱਡੀ ਛਪਾਈ ਸ਼ਾਮਲ ਹਨ।

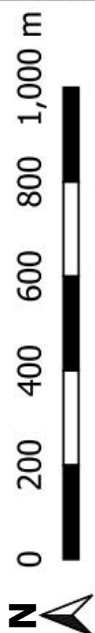
Körler için kabartma yazılar, kaset ve büyük nüshalar da dahil
olmak üzere, istenilen bilgileri sağlamak ve tercüme etmekten
memnuniyet duyuyoruz.

اگر آپ چاہیں تو ہم خوشی سے آپ کو ہر قسم کی معلومات اور شمولیات دیگر شکلوں میں مثلاً بریل
(تاجیٹ) کے لیے، کاسٹ، یا دیگر شکلوں میں مثلاً بریل، لیکچر، یا دیگر شکلوں میں مثلاً بریل،

Appendix B



Bonnyrigg Housing Sites



Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units

Dalkeith Housing Sites



Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units

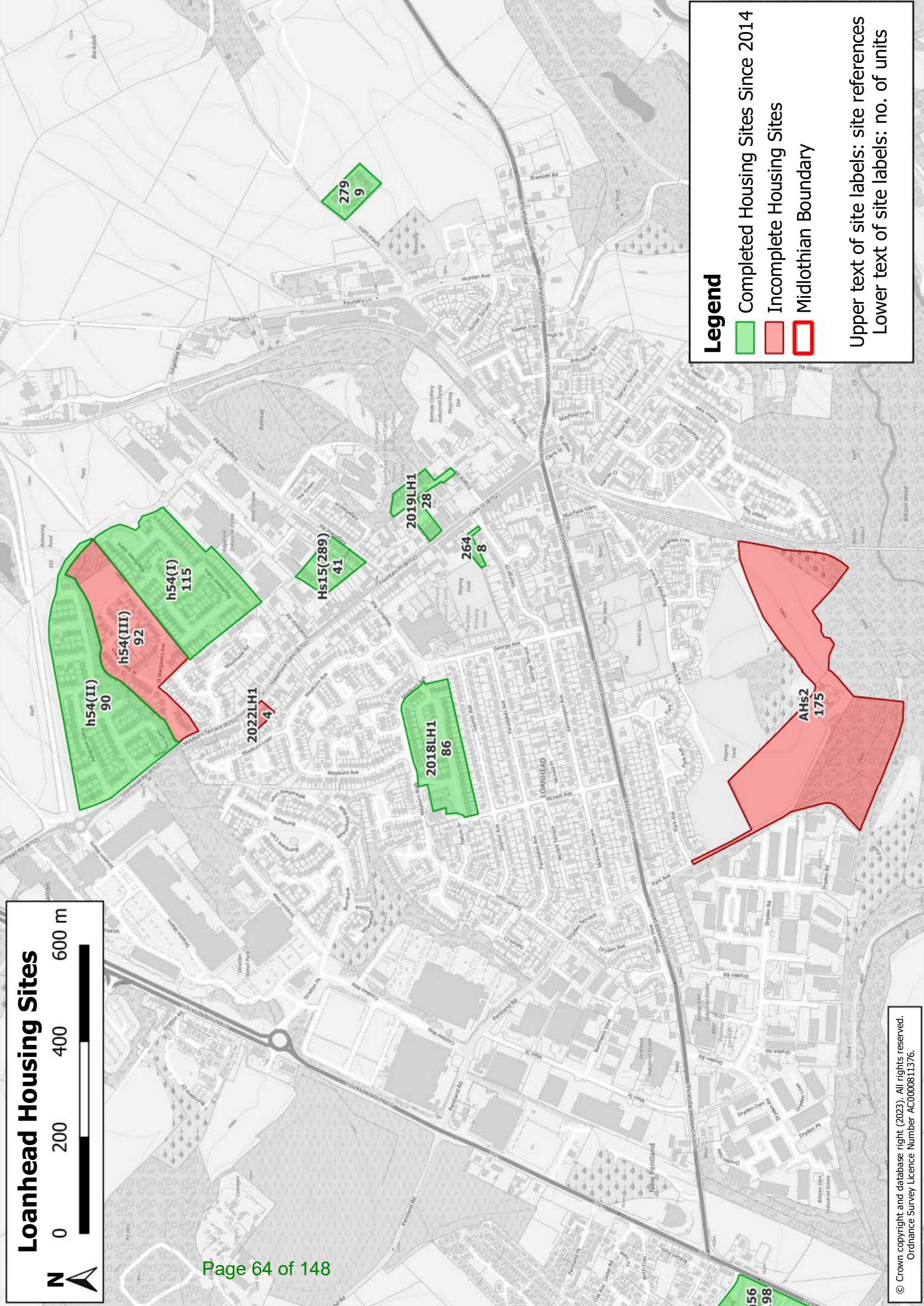
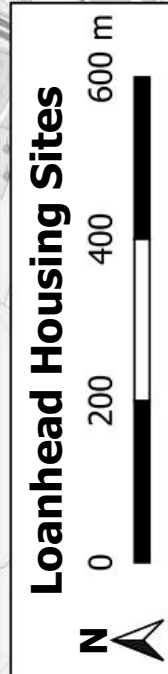
Gorebridge Housing Sites



Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units



Mayfield/Newtongrange Housing Sites



N 0 200 400 600 800 1,000 m

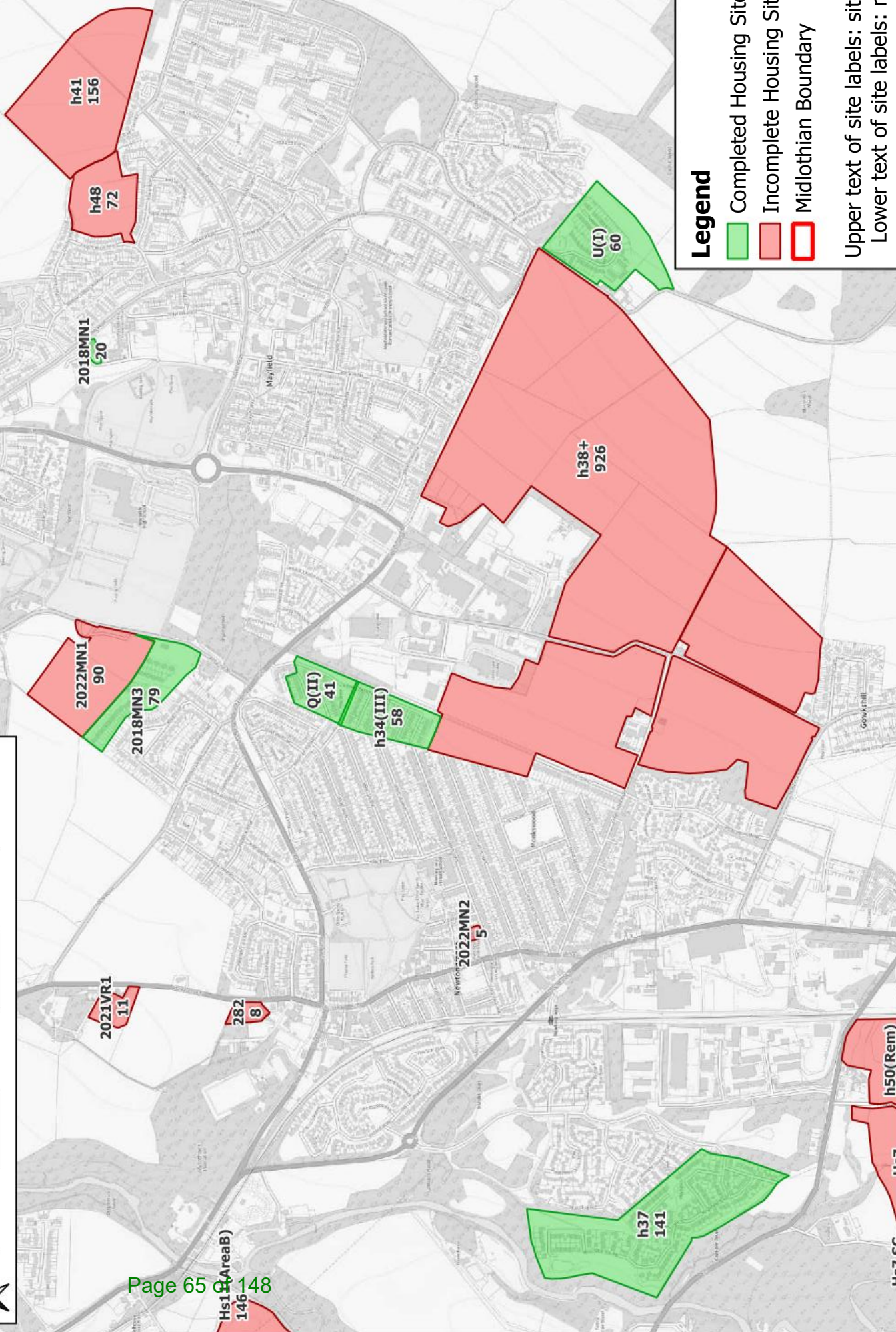


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Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units



Rosewell Housing Sites



0 200 400 600 m



Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units

Roslin Housing Sites



0 100 200 300 m



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Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units

Hs18
304

Hs19(AreaB)
51

Hs19(AreaA)
110

Hs19(AreaC)
53

Hs19(AreaD)
50

h57
79

Shawfair Area Housing Sites

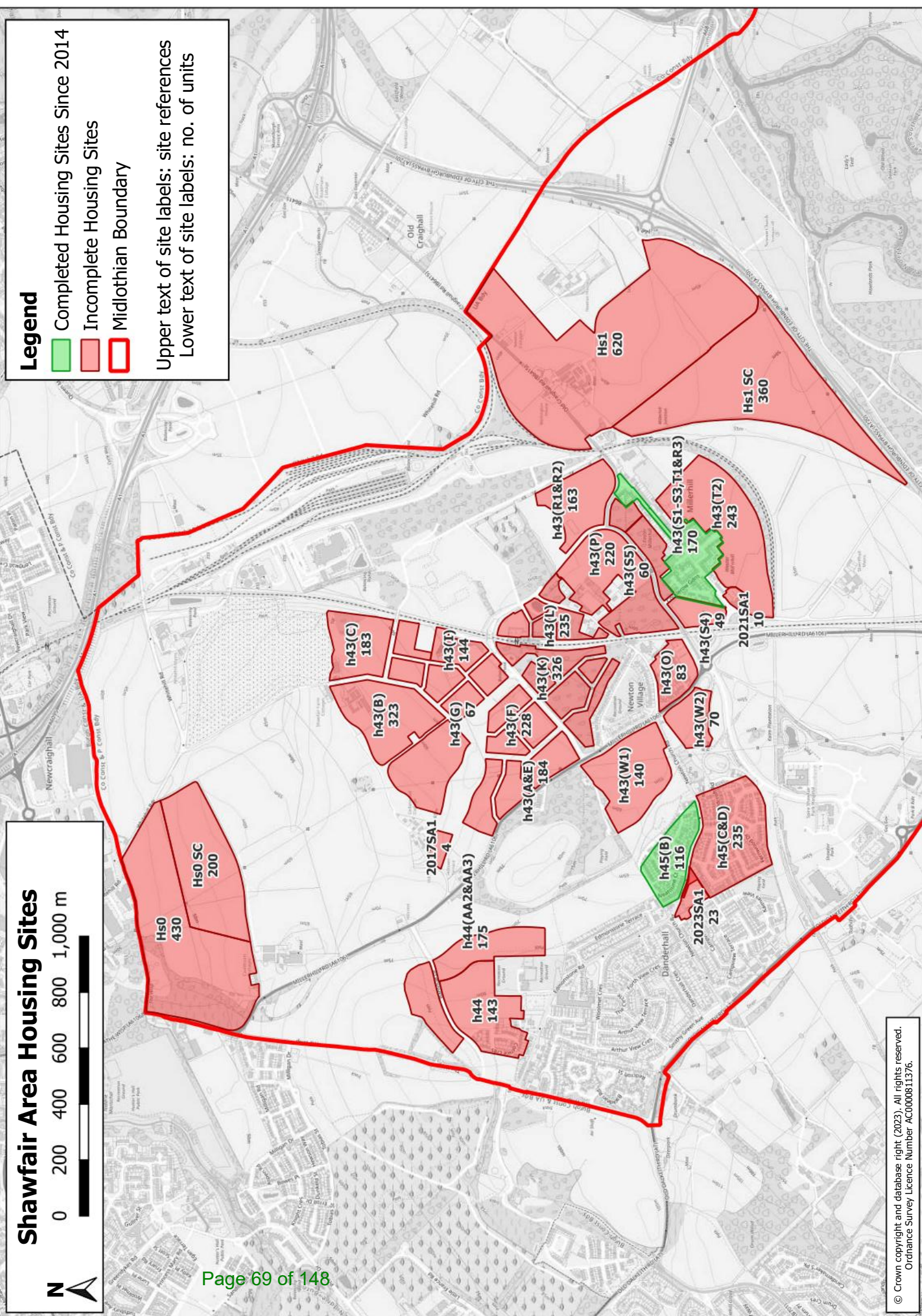
0 200 400 600 800 1,000 m



Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units



Shawfair Area Housing Sites



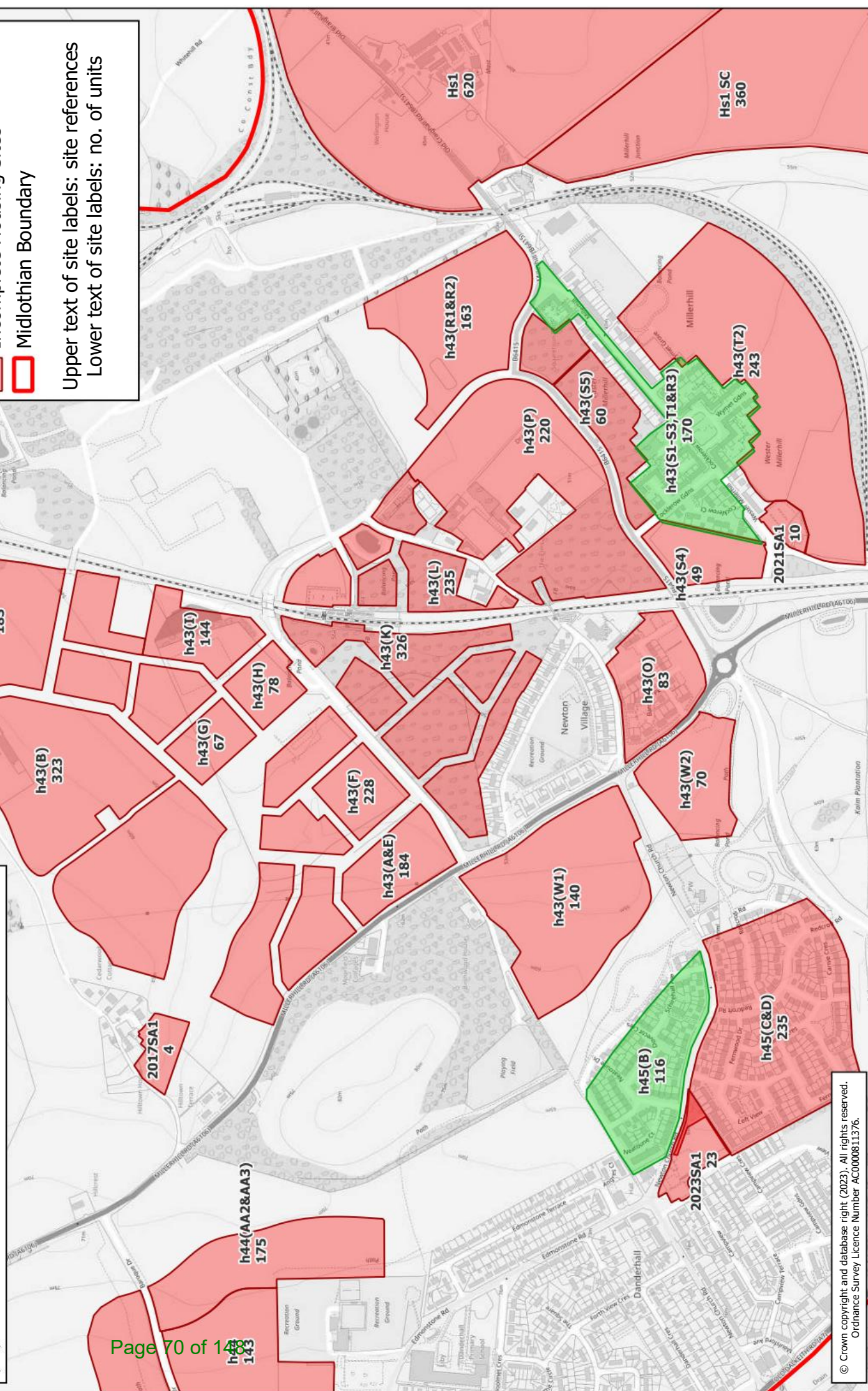
0 200 400 600 m



Legend

- Completed Housing Sites Since 2014
- Incomplete Housing Sites
- Midlothian Boundary

Upper text of site labels: site references
Lower text of site labels: no. of units



Midlothian Housing Sites

0 1 2 3 4 5 km



Legend

■ Completed Housing Sites Since 2014

■ Incomplete Housing Sites

□ Midlothian Boundary



THE UNAUTHORISED DISPLAY OF AN ADVERTISEMENT THAT REQUIRES EXPRESS CONSENT ON LAND ADJOINING THE A68 SLIP ROAD/A720 CITY BYPASS

Report by Chief Officer Place

1 REPORT SUMMARY AND RECOMMENDATION

- 1.1 This report relates to the display of an unauthorised hoarding advertisement on land adjoining the A68/A720 (on) slip road.**
- 1.2 This report recommends that the Committee instruct the Planning, Sustainable Growth and Investment Manager to no longer refer the breach of planning control to the Crown Office and Procurator Fiscal Service (COPFS) following the removal of the unauthorised advertisement in response to the decision of the Committee at its meeting of 12 September 2023 to refer the breach of planning control to the COPFS.**

2 BACKGROUND

- 2.1 The background to the breach of planning control, the legislative position and the planning position was set out in a report presented to Committee at its meeting of 12 September 2023 – a copy of this report is attached as Appendix Z.**
- 2.2 At its meeting of 12 September 2023 the Committee determined to instruct the Planning, Sustainable Growth and Investment Manager (or an alternatively appropriately appointed officer) to refer the case to the COPFS for consideration of prosecutorial action pursuant to Section 186 of the Town and Country Planning (Scotland) Act 1997 as amended.**
- 2.3 In the days following the Committee meeting the unauthorised advertisement was removed and as a consequence the breach of planning control has been resolved. However, the Committee instruction remains and as such it is appropriate to seek the Committee's authority to no longer take prosecutorial action unless the advertisement returns to the site.**

- 2.4 Although the breach of planning control (the siting of an advertisement) has now been resolved an offence had taken place and as such the Council can technically still seek prosecutorial action against that offence. However, as the objective of the planning enforcement system is to resolve breaches of planning control rather than to act as a punitive system, it is considered no longer expedient to pursue prosecutorial action.

3 RECOMMENDATION

- 3.1 It is recommended that the Committee determine to instruct the Planning, Sustainable Growth and Investment Manager (or an alternatively appropriately appointed officer) to no longer refer the case to the Crown Office and Procurator Fiscal Service for consideration of prosecutorial action as original instructed by Committee at its meeting of 12 September 2023.

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 20 October 2023

Contact Person: Peter Arnsdorf - Planning, Sustainable Growth and Investment Manager
peter.arnsdorf@midlothian.gov.uk

Appendix Z: Report regarding unauthorised hoarding advertisement on land adjoining the A68/A720 (on) slip road presented to Committee at its meeting of September 2023.



THE UNAUTHORISED DISPLAY OF AN ADVERTISEMENT THAT REQUIRES EXPRESS CONSENT ON LAND ADJOINING THE A68 SLIP ROAD/A720 CITY BYPASS

Report by Chief Officer Place

1 REPORT SUMMARY AND RECOMMENDATION

- 1.1 This report relates to the display of an unauthorised hoarding advertisement on land within the designated greenbelt adjoining the A68/A720 (on) slip road. The displaying of an advertisement that requires express consent without such consent is an offence.**
- 1.2 This report recommends that the Committee instruct the Planning, Sustainable Growth and Investment Manager to refer the case to the Crown Office and Procurator Fiscal Service for consideration to be given to prosecutorial action in relation to the parties who have displayed an advertisement without expressed consent, pursuant to Section 186 of the Town and Country Planning (Scotland) Act 1997 (by the Planning etc. (Scotland) Act 2006 and the Planning (Scotland) Act 2019). The maximum penalty on successful prosecution is a fine of up to £5,000 per offence plus £500 per day for a continuing offence after conviction.**

2 BACKGROUND

- 2.1 The site the subject of this report is within open countryside and is designated greenbelt. The advertisement in question (a large hoarding) adjoins the point where the A68 on slip road joins the A720 approaching the Sheriffhall junction.**
- 2.2 The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 sets out that various categories of advertisements that require express advertisement consent - the display of such an advertisement is subject to an application being made to, and assessed by, the local planning authority and approved subject to relevant conditions. Town and Country Planning (Scotland) Act 1997 provides that if a person displays an advert in contravention of the regulations, they shall be guilty of an offence.**

- 2.3 In assessing an application for express advertisement consent the local planning authority may only consider two issues: amenity and public safety. The 1984 regulations provide:

When exercising such powers, a planning authority—

- (a) shall, in the interests of amenity, determine the suitability of the use of a site for the display of advertisements in the light of the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest; and when assessing the general characteristics of the locality the authority may disregard any advertisements being displayed therein; and
- (b) shall, in the interests of public safety, have regard to the safety of persons who may use any road, railway, waterway (including any coastal waters), dock, harbour, or airfield affected or likely to be affected by any display of advertisements; and shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

- 2.4 With regard the advertisement the subject of this report, no application has been made for express consent and the advertisement has been in place for a number of months without being removed. As other local authorities have experienced, such unauthorised advertisements can proliferate close to the strategic road network if action is not taken. Over recent months the planning enforcement function have addressed a number of such unauthorised advertisements alongside the A720 City Bypass and secured their removal. It is noted that earlier in 2023 at a different site in the open countryside adjoining a major road in Midlothian the Council took formal enforcement action against the same advertiser that is the subject of this report – the operator has been asked to remove the advert and has failed to do so.

- 2.5 In relation to the two matters to be assessed by the local planning authority with regard an advertisement:
- In relation to amenity, the site is in the countryside/greenbelt which affords the land a high level of protection in terms of national and local planning policy. The erected advertisement, with no locational requirement, is incongruous and distracts from its setting whilst also introducing a commercial sporadic unplanned form to the locality.
 - In terms of public safety, it is considered that the advertisement, situated at a junction of one of the busiest parts of the strategic road network in Scotland is highly likely to provide a situation detrimental to highway safety as a potential distraction to motorist and therefore unacceptable.

3 THE LEGISLATIVE POSITION

- 3.1 Section 182 of the Town and Country Planning (Scotland) Act 1997 provides that; regulations (The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984 which sets out which advertisements required express consent) shall make provision for restricting or regulating the display of advertisements so far as appears to the Secretary of State to be expedient in the interests of amenity or public safety. Section 186 of the Town and Country Planning (Scotland) Act 1997 provides that if any person displays an advertisement in contravention of the regulations they shall be guilty of an offence and liable on summary conviction to a fine of such an amount as may be prescribed, not exceeding level 5 (currently £5,000) on the standard scale and, in the case of a continuing offence, one-tenth of level 5 on the standard scale for each day during which the offence continues after conviction.
- 3.2 In Scotland the Crown Office and Procurator Fiscal Service (COPFS) are responsible for making decisions about prosecutorial actions. In the majority of instances, criminal offences are referred to COPFS by Police Scotland. However, other bodies who are the responsible regulatory organisation for particular legislative areas will also refer cases. This includes the Health and Safety Executive, the Scottish Environmental Protection Agency and local authorities in relation to planning and other matters.

4 OTHER CONSIDERATIONS

- 4.1 The Scottish Government Policy on planning enforcement is contained in Circular 10/2009: Planning Enforcement. It includes the following guidance that is particularly relevant to the consideration of this case:

“Planning authorities should bear in mind the statutory time limits for taking enforcement action and, in particular, the possibility that a referral to the Procurator Fiscal to determine whether to initiate a criminal prosecution may need to be made promptly in those cases where breaches have to be prosecuted within 6 months of the date on which the offence was committed. This is not the date of the alleged breach of planning control but the last date of failure to comply with the Notice requiring the breach to be remedied.”

“The integrity of the development management process depends upon the planning authority's readiness to take effective enforcement action when necessary. Public respect for the development management system is undermined if unauthorised development, which is unacceptable on its planning merits, is allowed to proceed without any apparent attempt by the planning authority to intervene before serious harm to amenity results from the breach.”

5. CONCLUSION

- 5.1 The responsibility of the outstanding breach of planning/advertisement control lies with the landowners, those responsible for placing/erecting the advertisement and those benefiting from the advert.
- 5.2 It is for COPFS to make the final decision with regard prosecutorial action against the unauthorised advertisement. The advisement in question requires express consent but is being displayed without the necessary consent and is therefore unauthorised. In relation to the two matters that that are for the local planning authority to consider in relation to advertisement - public safety and amenity, in relation to both the advertisement in question is considered to give rise to unacceptable harm given its location in open countryside/greenbelt and at the junction of two trunk roads. Despite the Council requesting the removal of the advert, it remains in situ. As noted earlier the displaying of an advertisement that requires express consent without such consent is an offence. Therefore, having regard to the guidance provided by Scottish Minsters in Circular 10/2009, the serious nature of the breach of planning control and the Council's responsibility to uphold confidence and integrity in the planning system and the rule of law, it is considered to be in the public interest for the Council to refer this case to COPFS.

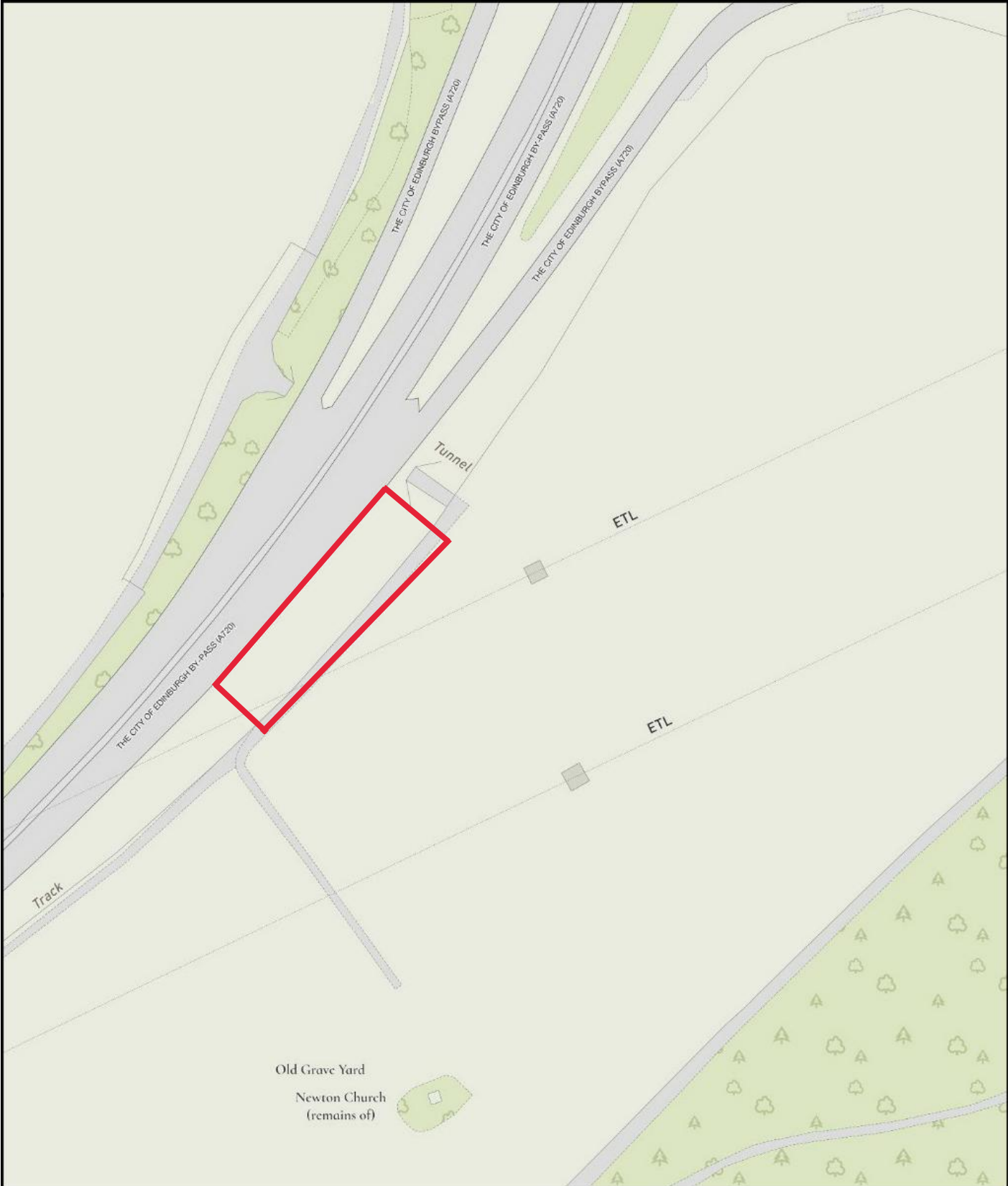
6 RECOMMENDATION

- 6.1 It is recommended that the Committee determine to instruct the Planning, Sustainable Growth and Investment Manager (or an alternatively appropriately appointed officer) to refer the case to the Crown Office and Procurator Fiscal Service for consideration of prosecutorial action pursuant to Section 186 of the Town and Country Planning (Scotland) Act 1997 as amended.

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 1 September 2023
Contact Person: Matthew Atkins, Lead Officer Planning Obligations
matthew.atkins@midlothian.gov.uk
Attached Plan: Location plan
Appendix A: An image of the unauthorised advert.

Location Plan





 <p>Education, Economy & Communities Midlothian Council Fairfield House 8 Lothian Road Dalkeith EH22 3AA</p>	<p>Land adjacent to Millerhill Junction (Slip Road Westbound) A720 Edinburgh City Bypass</p>	
<p>Reproduced from the Ordnance Survey map with the permission of the controller of Her Majesty's Stationary Office. Crown copyright reserved. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings</p> <p>Midlothian Council Licence No. 100023416 (2018)</p>	<p>File No.</p>	
	<p>Scale: 1:2,000</p>	



Image from Google Earth



SECTION 42 APPLICATION 23/00465/S42 TO AMEND CONDITIONS 9, 10 AND 12 (ACCESS ARRANGMENTS) IMPOSED ON A GRANT OF PLANNING PERMISSION 18/00528/S42 (ITSELF A S42 AMENDMENT OF 15/00113/PPP) FOR THE DEMOLITION OF EXISTING DWELLINGHOUSE, ERECTION OF HOTEL, ERECTION OF REPLACEMENT HOUSE PLOT, FORMATION OF THREE HOUSE PLOTS, FORMATION OF ACCESS ROADS, CAR PARKING AND ASSOCIATED WORKS AT LAND AT CALDERSTONES, BIGGAR ROAD, HILLEND

The application is accompanied by an Environmental Impact Assessment report prepared in terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017.

Report by Chief Officer Place

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1** At its meeting of August 2015 the Committee granted planning permission for the demolition of the existing dwellinghouse, erection of hotel and residential development, formation of access roads, car parking and associated works at land at Calderstones, Biggar Road, Hillend (15/00113/PPP). Subsequently, at its meeting of June 2020 the Committee granted planning permission for an amendment to that permission under Section 42 (18/00528/S42) to vary conditions relating to phasing, landscaping, design of buildings, site access roads, approval of the junction to A702 and the timings of its provision and closure of the existing access to the Midlothian Snowsports Centre.
- 1.2** The current application proposes an amendment to Conditions 9, 10 and 12 of 18/00528/S42. The proposed amendments seek to update the planning permission in principle for development of Calderstones to reflect the approved access strategy for the Midlothian Snowsports Centre. This approved access strategy is to be shared with the developers of Calderstones. The applicant proposes to remove reference to alternative access and public transport arrangements in order to ensure the conditions remain precise and enforceable, in accord with NPF4 Policy 18.

- 1.3 **There have been no representations and there have been consultation responses from Transport Scotland and the Senior Manager Neighbourhood Services (Roads).**
- 1.4 **The relevant development plan policies are policies 1, 2, 3, 6, 13, 18 and 23 of the National Planning Framework Policy 4 (NPF4) and policies VIS3 and ENV6 of the Midlothian Local Development Plan 2017 (MLDP).**
- 1.5 **The recommendation is to grant planning permission subject to conditions.**

2 LOCATION AND SITE DESCRIPTION

- 2.1 The application site is 4.95 hectares of a private dwellinghouse set within extensive landscaped grounds. The site is bound on the east by the A702 Biggar Road (trunk road); on the north by the entrance to Midlothian Snow Sports Centre; on the west by landscaped grounds within the applicant's ownership; and, on the south by open countryside. The site is located on the lower part of the northern slope of the Pentland Hills and within the boundary of the Pentland Hills Regional Park.
- 2.2 The Pentland Hills are a designated Special Landscape Area according to the Midlothian Local Development Plan 2017 (MLDP). The site is also located within the Edinburgh Green Belt. The Edinburgh City Bypass is located a short distance to the north. The nearest settlement is Loanhead c.2km to the east, although the Hillend/ Damhead area is home to number of smaller hamlets and individual residential properties.

3 PROPOSAL

- 3.1 The application, made under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc. (Scotland) Act 2006 and the Planning (Scotland) Act 2019) (hereafter referred to as the Act), is to amend the wording of conditions 9, 10 and 12 of planning permission 18/00518/S42, itself a variation of the original planning permission in principle 15/00113/PPP.
- 3.2 Condition 9 as currently drafted is set out below with the proposed deletions shown as a strike through and the proposed additions in bold.

Development shall not commence on the site until an application for matters specified in condition has been submitted to and approved by the Planning Authority in consultation with Transport Scotland (as Trunk Roads Authority), for:

- i. **The means of access to the access onto the A702 via the improved access to the Snowsports Centre illustrated on**

~~drawing no 65200581/SK/005 Revision O to a priority layout standard, compliant with DMRB CD 123 or other means of access to a layout standard compliant with DMRB as may be approved under conditions 10 and 11 of separate planning approval 19/01018/PPP;~~

- ~~ii. The means of closure of the existing vehicular access to the Midlothian Snowsports Centre, the relocation of parking and details of a footway to be provided across the existing access as appropriate in terms of 9 i;~~
- iii. The means of closure of the existing access to Calderstones to vehicular traffic; and,
- iv. The provision of a 2m wide footway formed adjacent to the Trunk Road, or other alignment connecting the new footway across the existing Midlothian Snowsports Centre access other existing Calderstones access as appropriate in terms of 9 i. The footway shall be constructed to adoptable standard.

- 3.3 Condition 10 as currently drafted is set out below with the proposed deletions shown as a strike through and the proposed addition in bold.

No part of the development shall be implemented unless or until:

- i. The new access has been provided on the site in accordance with the approved matters specified in condition ~~s or separate planning permission as detailed in condition 9 i. and is available for use by the Midlothian Snowsports Centre and the Calderstones development;~~ and,
- ii. The existing accesses ~~have been~~ **has** permanently closed, as appropriate, in terms of condition ~~9 ii and~~ 9 iii.

- 3.4 Condition 12 as currently drafted is set out below with the proposed deletions shown as a strike through.

~~Prior to any alterations to the trunk road to create the development junction, a detailed annotated drawing of a revised junction layout, which shall delineate/ demonstrate the existing bus turning circle unaltered and continuing to operate in a satisfactory and safe, manner, shall be submitted to and approved in writing by the Planning Authority in consultation with the bus operators using the existing bus turning area.~~

- 3.5 The application is supported by a Planning Statement (Scott Hobbs Planning Ltd), a Transport Statement (Sweco Ltd), an updated Preliminary Ecological Appraisal (Acorna Ecology Ltd) and an Environmental Impact Assessment (EIA) Review.

- 3.6 The applicant sets out the reasons for, and effects of, the proposed changes to the stated conditions. The three conditions relate to the means of access to the Calderstones site. Condition 9 provides the developer with options to access the site from the A702 Trunk Road. Condition 10 is a restrictive condition relating back to Condition 9 and Condition 12 relates to the protection of the bus turning circle.
- 3.7 The applicant notes the change in circumstances in the eight years since planning permission in principle was first granted. The Council's own proposals for the Midlothian Snowsports Centre have been formed and approved through the planning process (see planning history below). The applicant considers it appropriate to amend the planning permission in principle for Calderstones to reflect this updated position, to give clarity to the local community and potential investors. The applicant argues that the effect of this amendment is positive. The consolidated access arrangements would deliver Trunk Road safety improvements and a reduced environmental impact.
- 3.8 The amended conditions would also bring them in to line with the six tests of a valid condition. These tests are set out in NPF4 Policy 18: Infrastructure First. These tests require a condition to be: necessary, relevant to planning, relevant to the development, enforceable, precise and reasonable in all other respects.
- 3.9 The Transport Statement sets out the technical evolution of access arrangements along this stretch of the A702. It notes the approvals of Drawing No: DMHC-PEV-XX-B1_DR-CE-0703 by Midlothian Council and Transport Scotland as a condition of 22/00169/DPP. The approved arrangement is a signalised junction with pedestrian crossing. The modelling work to assess the impact of these arrangements included potential trips generated by the Calderstones development.
- 3.10 The applicant also provided an updated Preliminary Ecological Appraisal which reviewed the natural assets of the site and the potential effects development could have on these interests. Further surveys of specific interests are noted. A Bat Roost Survey of the existing dwellinghouse is also provided.
- 3.11 Finally, the applicant has submitted a review of the previous EIA Reports. This is a requirement of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 relating to multi-stage consents. It concludes that the amendment to the conditions of the outline consent do not result in any additional likely significant effects on the environment that have not previously been considered.
- 3.12 The proposed development will not result in the closure, or part closure, of any local roads in addition to those ongoing approved works taking place at the entrance to the Midlothian Snowsports Centre.

- 3.13 A Section 42 application, is in itself a planning application - a particular kind of planning application for development without complying with a condition/s previously imposed on an earlier grant of planning permission. A grant of planning permission under Section 42 results in an entirely new planning permission. Granting of the current application would grant planning permission for the temporary use for a further 5 years.
- 3.14 Although a Section 42 application is a new planning application in law the Act states *“on such an application the planning authority shall consider only the question of the conditions subject to which planning permission should be granted”*. The principle, layout and form of development are not subject to assessment. Planning authorities should attach to the new permission all of those conditions from the previous permission, where it is intended these should still apply.

4 BACKGROUND

- 4.1 Planning permission 15/00113/PPP for the demolition of existing dwellinghouse, erection of hotel, erection of replacement house plot, formation of three house plots, formation of access roads, car parking and associated works (EIA Development) was granted with conditions in August 2015. The conditions were never discharged by a further application(s).
- 4.2 The original proposed site access was to connect into the east boundary of the site with the A702 at a point roughly 100m to the south of the existing access to the Midlothian Snowsports Centre. It was then to curve around back out of the north boundary of the site to link in with the existing access road. This is described in the Jacobs Figure 2.3 of the Environmental Statement and Transport Assessment submitted in support of 15/00113/PPP. Although this drawing was not approved as part of 15/00113/PPP, the conditions of the consent relating to access appear to be derived from a broad acceptable of these general arrangements.
- 4.3 Planning permission 18/00528/S42 application to amend Conditions 3 (phasing), 4 (landscaping), 5 (detail of buildings), 6 (roads, access, transportation) and 10 (scheme of lighting) of 15/00113/PPP was granted in July 2020.
- 4.4 Application 18/00528/S42 proposed an amendment to the general access arrangements and shifted the access point at its junction with the A702 further north at the north east corner of the site. This prompted a revision to Conditions 9 and 10 which updates relevant standards for junctions to Trunk Roads and references to specific drawings. Unlike the previous application, 18/00528/S42 included drawing no 65200581/SK/005 as an approved drawing with conditions referring specifically to it.

- 4.5 Application 23/00460/MSC for the erection of a hotel and associated suites (approval of matters specified in conditions 3, 4, 5, 6, 7, 8, 9 and 13 of 18/00528/S42 (EIA Development) is live and pending consideration.
- 4.6 Planning application 18/00628/S42 to amend conditions 4 (landscaping) and 5 (details of buildings) of 15/00113/PPP was granted in October 2019 but has now lapsed.
- 4.7 20/00441/MSC for the demolition of existing dwellinghouse, erection of hotel, erection of replacement house plot, formation of three self-catering units, formation of access roads, car parking and associated works (approval of matters specified in condition 3 of planning permission 18/00628/S42 relating to the phasing of development). This application has been withdrawn.
- 4.8 Application 20/00466/MSC for the demolition of existing dwellinghouse, erection of hotel, erection of replacement house plot, formation of three self-catering units, formation of access roads, car parking and associated works (approval of matters specified in condition 5 of planning permission 18/00628/S42 relating to the siting, design and layout of the proposed replacement house (Phase 1) was granted in November 2021 but has not yet been implemented.
Midlothian Snowsports Centre
- 4.9 The neighbouring land is the subject of a major development - planning permission in principle 19/01018/PPP for redevelopment of existing Midlothian Snowsports Centre to include additional leisure facilities, tourist accommodation, hotel, function suite, ancillary retail and restaurant, formation of access road and car parking (EIA Development) was granted in February 2022.
- 4.10 Application 21/00912/MSC was submitted for matters specified in conditions 4, 6, 9, 10, 21, 28, 30, 32 and 33 (relating to The redevelopment of existing centre to include additional leisure facilities, tourist accommodation, hotel, function suite, ancillary retail and restaurant, formation of access road and car parking) of 19/01018/PPP. These conditions were discharged in August 2022.
- 4.11 Planning application 22/00169/DPP for alterations to existing junction, bus turning area and car park; resurfacing and associated works was a detailed stand-alone application for the works to the site junction with the A702 trunk road which was granted in August 2022 and work has commenced.
- 4.12 The developer has submitted two applications under Section 42 of the planning act to vary the conditions of 19/01018/PPP and 22/00169/DPP. These two applications propose amendments to the timing of works to the site access relative to the wider project. These

applications are registered under reference numbers 23/00532/S42 and 23/00531/S42 respectively and are both currently pending consideration.

5 CONSULTATIONS

- 5.1 **Transport Scotland** does not object to the application/amendments.
- 5.2 The **Council's Senior Manager Neighbourhood Services (Roads)** does not object to the application and makes no comment.

6 REPRESENTATIONS

- 6.1 No representations have been received.

7 PLANNING POLICY

- 7.1 The development plan is comprised of National Planning Framework 4 (2023) and the Midlothian Local Development Plan 2017.

- 7.2 The following policies are relevant to the proposal:

National Planning Framework 4 (NPF4)

- 7.3 Policy **1 Tackling the climate and nature crisis**; sets out to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.
- 7.4 Policy **2 Climate mitigation and adaptation**; sets out to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
- 7.5 Policy **3 Biodiversity**; sets out to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.
- 7.6 Policy **6 Forestry, woodland and trees**; provides protection to trees and aims to facilitate the expansion of forests and woodland.
- 7.7 Policy **13 Sustainable Transport** supports development that prioritises walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.
- 7.8 Policy **18: Infrastructure First** sets out to encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.
- 7.9 Policy **23 Health and Safety** sets out to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

Midlothian Local Development Plan 2017 (MLDP)

- 7.10 Policy **VIS3: Midlothian Snowsports Centre** supports the upgrade and enhancement of the Midlothian Snowsports Centre and ancillary facilities to secure its future as a centre of excellence for artificial skiing and snowboarding.
- 7.11 Policy **ENV6: Special Landscape Areas** requires new development to incorporate high standards of siting and design to mitigate any impact on the special landscape qualities of the area. The site is within the Pentland Hills Special Landscape Area.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The consultation responses received are material considerations.
- 8.2 The applicant proposes to amend the conditions principally on the basis that the access strategy for the collection of developments in the area has changed. The developer of the Midlothian Snowsports Centre has gained approval for a consolidated access by way of alterations to the existing junction onto the A702. This includes capacity analysis incorporating trips generated by the development of Calderstones, amongst others. It would then be for the developer of Calderstones to propose a suitable connection to the existing access road from the north boundary of the site. This would be a technical matter for a detailed application and any other permission, consents or agreements regarding right of access over neighbouring land.
- 8.3 In terms of the tests promoted by NPF4 Policy 18, a further application for details of the access from the site to the public road network is necessary, it serves a planning purpose, it relates to the development and is reasonable in all other respects. The existing conditions around site access would be enforceable in the event of a breach, as are the proposed amendments. The last test is precision. The circumstances of the site have overtaken the original proposal. So it is accepted that, in the interests of maintaining precise conditions over the planning in principle permission, the amendment is acceptable.
- 8.4 The proposed amendment maintains the sequence of development delivery as previously approved, which is to ensure the access arrangements are in place prior to the occupation of the development. This infrastructure first approach is supported by NPF4 Policy 18 a). It is also important to maintain this sequence to ensure construction traffic does not use the existing site access direct from the A702.

- 8.5 NPF4 Policy 13 b) vi. requires development proposals to be designed to incorporate safety measures including safe crossings for walking and wheeling. Similarly, Policy 23 intends to ensure developments protect people and places from environmental harm.
- 8.6 Transport Scotland have reviewed the application and are satisfied the approved arrangements described in 22/00168/DPP offer the optimal solution in terms of road safety for all users. As the access strategy for development at Calderstones is aligned with that for the redevelopment of Midlothian Snowsports Centre, Transport Scotland are happy with the amendment to Condition 9 and Condition 10. It is also accepted that Condition 12 is no longer relevant and can be removed.
- 8.7 On this basis, the proposed amendment to conditions of the planning permission in principle for Calderstones reflects an improved position from a road safety perspective. The proposed amendment therefore accords with Policy 23 from a safety perspective and Policy 13 from a design perspective. The amendment does not inhibit the detail of development in Calderstones from meeting the wider objectives of Policy 13 in relation to sustainable modes of transport.
- 8.8 NPF4 Policy 6 is part of a set of policies which protect existing environmental assets in the interests of climate change adaption and reversing biodiversity loss. Policy 6 is concerned with trees, forestry and woodland and presumes against loss. The tree cover on the site contributes positively to the wider area as landscape elements within the Pentland Hills Special Landscape Area. Tree cover is at its most dense at the site edges.
- 8.9 The original approved access arrangements for development of Calderstones proposed two insertion points, one on the east boundary and one on the north. The approved junction to the Midlothian Snowsports Centre which also supports development at Calderstones removes the need for an insertion on the east boundary. This is considered a significant benefit to the tree cover on the site and in accord with NPF4 Policy 6's intent to protect and expand forests, woodland and trees. The proposed amendment also represents a betterment in terms of landscape impacts from development in accord with Midlothian Local Development Plan Policy ENV6.
- 8.10 In general terms, the amendment to the development ensures the planning permission for the development of this site remains live and is more clearly defined for interested parties. The presence of a live application for detailed matters under 23/00460/MS is noted. Furthermore, it would be for any future developer to provide the detail of site access, amongst other considerations, under this new planning permission in principle. The details of access would also need to be extended to provide connections to the public road network as these are not detailed in the drawings approved under 22/00169/DPP.

- 8.11 During the determination of this application, the developer of the Midlothian Snowsports Centre submitted S42 applications to vary conditions relating to the shared access. Given the potential change to the specific reference to the planning permission of this development, it is prudent to add in to Condition 9 reference to subsequent developments related to 19/01018/PPP in case this is superseded.
- 8.12 On the basis of the above, the proposed amendment to Conditions 9 and 10, alongside the removal of Condition 12 is accepted. The new wording of these conditions are given below for clarity:

9. Development shall not commence on the site until an application for matters specified in conditions has been submitted to and approved by the Planning Authority in consultation with Transport Scotland (as Trunk Roads Authority), for:

- i. The means of access to the A702 via the improved access to the Snowsports Centre approved under Conditions 10 and 11 of separate planning approval 19/01018/PPP or related consents approved by the planning authority;
- ii. The means of closure of the exiting access to Calderstones to vehicular traffic; and
- iii. The provision of a 2m wide footway formed adjacent to the Trunk Road, or other alignment connecting the new footway across the existing Midlothian Snowsports Centre access to the existing Calderstones access as appropriate in terms of 9 i. The footway shall be constructed to adoptable standard.

Reason: To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished. In addition to ensure appropriate footpath access and parking is provided. Further to ensure appropriate means of closure of existing access at or adjacent to the site.

10. No part of the development shall be implemented unless or until:
- i. The new access has been provided on the site in accordance with the approved matters specified in condition 9 i; and,
 - ii. The existing access has been permanently closed, as appropriate in terms of condition 9 ii.

Reason: To ensure that the new access to the site is implemented within an appropriate phase of the development, use of the existing access is discontinued and the safety of traffic on the trunk road is improved.

- 8.13 The removal of some conditions necessitates a re-numbering of the conditions of the planning permission in principle.

9 RECOMMENDATION

9.1 That planning permission be granted for the following reason:

The proposed amendment to the conditions of 18/00528/S42 bring the planning permission in principle up-to-date with neighbouring developments and approved shared transport infrastructure. This amendment would deliver a reduced environmental impact and an overall improvement in the quality of development outcomes in the area. The proposed amendments accord with the development plan and there are no material considerations which justify an alternative conclusion.

Subject to the following conditions:

1. The illustrative site layout plan and prospective images submitted with the application are not approved.

Reason: *The application is for planning permission in principle only and the details delineated within the illustrative site layout plan prospective images are for illustrative purposes only.*

2. Notwithstanding that delineated on application drawings/stated in documents submitted with the application the three new 'house' plots are not approved; but instead, each of these three plots shall only contain a building occupied solely as self-catering tourist accommodation ancillary to the principal hotel use on the site; or alternatively, as staff accommodation incidental to the operation of, the hotel.

Reason: *In the interests of safeguarding the character and amenity of the green belt as new private dwellings erected on the site would be contrary to Policy RP2 of the Midlothian Local Development Plan.*

3. Development shall not begin until an application for approval of matters specified in conditions regarding the phasing of the development has been submitted to and approved in writing by the planning authority. The phasing schedule shall include the construction of the hotel and the replacement dwelling and the three plots to accommodate three self-catering units, the provision, of landscaping, SUDS provision and transportation infrastructure. Development shall thereafter be carried out in accordance with the, approved phasing unless agreed in writing with the planning authority.

Reason: *To ensure the development is implemented in a manner which mitigates the impact of the development process on existing land users and the future occupants of the development and in the interest of safeguarding the character and amenity of the area.*

4. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority for that phase. Details of the scheme shall include:
- i existing and finished ground levels and floor levels for all, buildings and roads in relation to a fixed datum;
 - ii existing trees, landscaping features and vegetation to be, retained; removed, protected during development and in the, case of damage, restored;
 - iii proposed new planting in communal areas and open space, including trees, shrubs, hedging and grassed areas;
 - iv location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
 - v schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - vi programme for completion and subsequent maintenance of all soft and hard landscaping;
 - vii drainage details and sustainable urban drainage systems to manage water runoff;
 - viii proposed car park configuration and surfacing;
 - ix proposed footpaths and cycle paths (designed to be unsuitable for motor bike use); and,
 - x proposed cycle parking facilities.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority and the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

Reason: *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with the Midlothian Local Plan and national planning guidance and advice.*

5. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for the siting, design and external appearance of all buildings and other structures has been submitted to and approved in writing by the planning authority for that phase. The application shall include samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures. No building shall have an under-building that

exceeds 0.5 metres in height above ground level. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

Reason: *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with the Midlothian Local Plan and national planning guidance and advice.*

6. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for the site access, roads, footpaths, cycle ways and transportation movements has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

- i existing and finished ground levels for all roads, footways and cycle ways in relation to a fixed datum;
- ii the proposed vehicular, cycle and pedestrian accesses into the site;
- iii the proposed roads (including turning facilities), footpaths and, cycle ways including suitable walking and cycling routes linking the development with the local public transportation network;
- iv proposed visibility splays, traffic calming measures, lighting and signage;
- v proposed construction traffic access and haulage routes;
- vi proposed car parking arrangements; and
- vii a programme for completion for the construction of access, roads, footpaths and cycle paths.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing, with the planning authority.

Reason: *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

7. Development shall not begin until an application for approval of matters specified in conditions for a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:

- i. the nature, extent and types of contamination and/or previous mineral workings on the site;

- ii. measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
- iii. measures to deal with contamination and/or previous mineral workings encountered during construction work; and,
- iv. the condition of the site on completion of the specified, decontamination measures.

Before any part of the site is occupied for residential purposes, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

Reason: *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.*

8. Development shall not begin until an application for approval of matters specified in conditions for proposed lighting within the site including of the car parking areas, service areas, roads and footpaths have been submitted to and approved in writing by the, planning authority in consultation with Transport Scotland, as Trunk Roads Authority. The scheme shall be designed to minimise the spread of light in the night sky. Development shall therefore be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *To reduce light pollution to the night sky and to ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.*

9. Development shall not commence on the site until an application for matters specified in conditions has been submitted to and approved by the Planning Authority in consultation with Transport Scotland (as Trunk Roads Authority), for:
 - i. The means of access to the A702 via the improved access to the Snowsports Centre approved under Conditions 10 and 11 of separate planning approval 19/01018/PPP or related consents approved by the planning authority;
 - ii. The means of closure of the exiting access to Calderstones to vehicular traffic; and
 - iii. The provision of a 2m wide footway formed adjacent to the Trunk Road, or other alignment connecting the new footway across the existing Midlothian Snowsports Centre access to

the existing Calderstones access as appropriate in terms of
9 i. The footway shall be constructed to adoptable standard.

Reason: *To ensure that the standard of access layout complies with the current standards and that the safety of the traffic on the trunk road is not diminished. In addition to ensure appropriate footpath access and parking is provided. Further to ensure appropriate means of closure of existing access at or adjacent to the site.*

10. No part of the development shall be implemented unless or until:

- i. The new access has been provided on the site in accordance with the approved matters specified in condition 9 i; and
- ii. The existing access has been permanently closed, as appropriate in terms of condition 9 ii.

Reason: *To ensure that the new access to the site is implemented within an appropriate phase of the development, use of the existing access is discontinued and the safety of traffic on the trunk road is improved.*

11. The fences erected on the site; the details of which are required by condition 4(iv), shall include a stock proof anti-climb fence provided and maintained by the developer along the boundary of the site with the trunk road. The type and position of this fence shall be approved by the planning authority in consultation with Transport Scotland, as Trunk Roads Authority. The approved fence shall be erected in its entirety prior to the new access off the trunk first coming into use

Reason: *To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents.*

12. Development shall not begin until an application for approval of matters specified in conditions for a programme of archaeological works (Evaluation) of no less than 5% of the total site area focussing on those areas unaffected by woodland and existing buildings, has been submitted to and approved in writing in by the planning authority. The approved programme of works shall be carried out by a professional archaeologist prior to any construction works, demolition or pre commencement ground works take place unless otherwise agreed in writing by the planning authority.

Reason: *To ensure this development does not result in the unnecessary loss of buried archaeological material in accordance with Policy RP28 of the Midlothian Local Development Plan.*

13. The recommended mitigation contained within the specific Environmental Management Plan (EMP) detailed in Section 7.0, (Ecology & Habitats) of the Environmental Impact Assessment Report shall be carried out in full.

Reason: *In the interests of safeguarding bats, badgers and breeding birds.*

14. Prior to the commencement of the development, other than the replacement dwellinghouse or the demolition of the existing dwellinghouse, either the widened footway along the frontage of the site or the new remote footway shall be constructed at the site, and shall be available for use. The widened or remote footway shall accord with the details approved in terms of the matters approved in terms of condition 9.iii) above and it shall be constructed to adoptable standard.

Reason: *The applicant has referred to the improvement of the path along the frontage of the site with the A702. There is concern that works to this footpath will adversely impact on the trees along the frontage of the site and therefore it may be appropriate to form a, new remote footpath through the site to link the existing public footway with the new development and the new access to the site. The condition allows the replacement dwelling house to be built and the existing dwellinghouse to be demolished prior the construction and availability of the widened or new footpath at the site.*

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 20 October 2023

Application No: 23/00465/S42
Applicant: Mr and Mrs Omar Almubarak, c/o agent
Agent: Sheila Hobbs, Sheila Hobbs Planning, 24 Stafford Street, Edinburgh, EH3 7BD
Validation Date: 18 July 2023
Contact Person: Martin Patrick
Contact details: martin.patrick@midlothian.gov.uk
Background Papers: 15/00113/PPP; 18/00528/S42



SECTION 42 APPLICATION 23/00521/S42 TO AMEND CONDITION 1 (TO ALLOW A FURTHER TEMPORARY PERIOD FOR ON-SITE SOIL STORAGE) IMPOSED ON A GRANT OF PLANNING PERMISSION 18/00155/DPP FOR THE STORAGE OF SOIL AT SHAWFAIR SITE F, MONKTONHALL COLLIERY ROAD, DALKEITH

Report by Chief Officer Place

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1** In October 2018 planning permission was granted for the storage of soil (top soil and sub soil) at the application site for a temporary period of 5 years. The current application seeks to amend condition 1, which restricts the use to a temporary period of 5 years, in order to allow the storage use to continue for a further 5 years.
- 1.2** There have been no representations and consultation responses from the Coal Authority, Network Rail, the Scottish Environment Protection Agency (SEPA), the Council's Ecological Advisor, the Council's Senior Manager Neighbourhood Services (Roads) and the Council's Senior Manager Protective Services (Environmental Health).
- 1.3** The relevant development plan policies are policies 1, 2, 3, 5, 6, 9, 12, 22 and 23 of the National Planning Framework 4 (NPF4) and policies STRAT1, ENV7, ENV9, ENV10, ENV11, ENV16, ENV17, ENV18 and IMP3 of the Midlothian Local Development Plan 2017 (MLDP).
- 1.4** The recommendation is to grant planning permission subject to conditions.

2 LOCATION AND SITE DESCRIPTION

- 2.1** The application site is a 9.48 hectare area of land which was formerly used as a coal depot and prior to that the site formed part of the Monktonhall Colliery complex. The site is located to the west of Danderhall and to the north of Newton Village. It comprises two separate sections of concrete hard standing, one located in the centre-west of the site and the second located in the eastern part of the site.

The majority of the site is overlain by coal blaes which has been gradually vegetated with self-seeded trees and bushes.

- 2.2 The site has been used for limited amounts of soil storage over the majority of the last five years, however the last 18 months have seen a significant increase in soil storage. There are currently 5 piles of soil on the site measuring between 2 and 6 metres in height. There is a concrete surfaced yard at the eastern side of the site, this yard measures approximately 1.5 hectares in area and is currently being used for skip storage. There is no planning history for the skip storage use.
- 2.3 Vehicular access to the site is via the unclassified road leading from the A6106 to Shawfair railway station. The majority of the site boundary is defined by established tree planting. The only significant break in the tree planting is a 170 meters long section on the southeastern boundary of the site where the vehicular access to the site is located. A bund of 1 to 2 metres in height provides some screening of the site at the break in the trees and the embankment that carries the public road up to the road bridge over the Borders railway line also provides screening of the site in views from the south.
- 2.4 To the north and west of the site are agricultural fields. To the east is an area of open ground adjoining the Borders railway. To the southeast the site is bounded by the road to Shawfair station beyond which are agricultural fields and a sustainable urban drainage system (SUDS) basin.
- 2.5 The site is located within the wider Shawfair development area and comprises the majority of Site F, all of Site H and portions of Sites G and I. Site F is identified in the Shawfair Masterplan as being primarily medium density residential use with high density mixed use (residential or offices above ground floor shops or civic/community uses) at its southern edge. The settlement statement in the Midlothian Local Development Plan identifies the area in the vicinity of Site F as the location for a secondary school. Site G is identified in the Masterplan as the site of a primary school. Site H is identified as being high density mixed use with offices above ground floor leisure, retail or civic uses and flats above ground floor shops. Site I is identified as being medium to high density residential use.

3 PROPOSAL

- 3.1 The application, made under Section 42 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc. (Scotland) Act 2006 and the Planning (Scotland) Act 2019) (hereafter referred to as the Act), is to amend the wording of condition 1 of planning permission 18/00155/DPP. The condition currently reads as follows:

Planning permission for the storage of topsoil and subsoil on the site is granted for a temporary period of 5 years from the date of the grant of this planning permission. The use shall cease and any stored material on the land shall be removed by 22 October 2023.

- 3.2 It is proposed that the condition be amended to read as follows:

Planning permission for the storage of topsoil and subsoil on the site is granted for a temporary period of 5 years from the date of the grant of this planning permission. The use shall cease and any stored material on the land shall be removed by 22 October 2028.

- 3.3 Development in the Shawfair area has not proceeded as quickly as was envisaged at the time of the 2018 application and consequently the site is still required in order to accommodate the excess soils from development sites over the next five years.
- 3.4 As part of the wider Shawfair development a materials management plan is used to ensure that all soils generated during the development works are handled and used in an appropriate way. Due to the complex development timelines and phasing requirement a longer-term site storage facility is required to allow soils to be stored until such time as they can be reused on development sites.
- 3.5 The soils stored at the site are placed directly on the current site surface with the bottom 250mm designated as sacrificial. The soil stockpiles are proactively managed to ensure the materials are clearly identifiable and available for reuse when the phasing of the development areas require. Subsoil is stored in a stockpile with a maximum height of eight metres and topsoil is stored in stockpiles with a maximum height of three metres.
- 3.6 The proposed development will not result in the closure, or part closure, of any local roads.
- 3.7 A Section 42 application, is in itself a planning application - a particular kind of planning application for development without complying with a condition/s previously imposed on an earlier grant of planning permission. A grant of planning permission under Section 42 results in an entirely new planning permission. Granting of the current application would grant planning permission for the temporary use for a further 5 years.
- 3.8 Although a Section 42 application is a new planning application in law the Act states “*on such an application the planning authority shall consider only the question of the conditions subject to which planning permission should be granted*”. The principle, layout and form of development are not subject to assessment. Planning authorities should attach to the new permission all of those conditions from the previous permission, where it is intended these should still apply.

4 BACKGROUND

- 4.1 Outline planning Application 02/00660/OUT for residential, industrial and commercial floor space, community facilities (including new primary schools), associated landscaping with the provision for sport and recreation and new transport facilities at land bounded by A720, Old Dalkeith Road and The Wisp, Millerhill was granted planning permission in August 2014. The application site, Site F, is a component part of the wider Shawfair development.
- 4.2 The Pre Application Consultation 17/00859/PAC regarding the use of Shawfair Site F, Monktonhall Colliery Road, Dalkeith for the storage of soil was reported to the Committee at its meeting in February 2017. Section 42 applications are exempt from the formal pre-application consultation process and consequently no consultation was required prior to the submission of the current application.
- 4.3 A Section 42 application (reference 17/00650/S42) was submitted in August 2017 and granted planning permission in September 2019. The application amended condition 4 of planning permission 02/00660/OUT and thereby changed the means by which the Master Plan and Design Guide (and related addenda) for Shawfair can be amended. This Section 42 application in effect became the new planning permission in principle for the Shawfair development.
- 4.4 Planning permission 18/00155/DPP for the storage of soil (top soil and sub soil) was granted in October 2018 for a temporary period of 5 years.
- 4.5 Whilst the soil stored at the site meets the definition of waste in Article 3(1) of the Waste Framework Directive 2008/98/EC, the operations meet the definition of recovery (Article 3(15)) and not disposal (Article 3(19)). The project is therefore not an installation for the disposal of waste (as per Category 11 (b) of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017) and hence it is not Schedule 2 development. The application does not require screening for an Environmental Impact Assessment.
- 4.6 The application site exceeds 2 hectares and therefore the application would ordinarily be treated as a Major Development as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. In this instance as the application relates to facilities for managing secondary materials and would otherwise be considered to be a Major Development it is considered to be a National Development under National Planning Framework 4. All applications for National Development must be determined by the Planning Committee.

5 CONSULTATIONS

- 5.1 The **Coal Authority** does not object to the application subject to a condition to ensure the provision of a 25 metre buffer zone around the recorded mine entry sited within the application site.
- 5.2 **Network Rail** does not object to the application and considers the development will have no impact on railway infrastructure.
- 5.3 The **Scottish Environment Protection Agency (SEPA)** does not object to the application - the site is already licensed for the storage of soils from the wider Shawfair development and has been operating in a way that has not caused any problems.
- 5.4 The **Council's Ecological Advisor** does not object to the application. The Council's biodiversity screening process has identified the biodiversity protections that apply to the site and due to the nature of the application the proposal will not have any effect on the biodiversity issues highlighted.
- 5.5 The **Council's Senior Manager Neighbourhood Services (Roads)** does not object to the application. The proposed extension of time does not raise any transportation or road safety issues.
- 5.6 The **Council's Senior Manager Protective Services (Environmental Health)** does not object to the application subject to conditions being used to restrict the height of topsoil stockpiles to no more than 3 metres in height and subsoil stockpiles to no more than 8 metres in height.
- 5.7 **Danderhall and District Community Council** was consulted on the application but offered no comment on the proposal.

6 REPRESENTATIONS

- 6.1 No representations have been received.

7 PLANNING POLICY

- 7.1 The development plan is comprised of National Planning Framework 4 (2023) and the Midlothian Local Development Plan 2017.

- 7.2 The following policies are relevant to the proposal:

National Planning Framework 4 (NPF4)

- 7.3 Policy 1 **Tackling the climate and nature crisis**; sets out to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

- 7.4 Policy **2 Climate mitigation and adaptation**; sets out to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.
- 7.5 Policy **3 Biodiversity**; sets out to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.
- 7.6 Policy **5 Soils**; sets out to protect carbon-rich soils, restore peatlands and minimise disturbance to soils from development. The policy also sets out acceptable scenarios for development on prime agricultural land.
- 7.7 Policy **6 Forestry, woodland and trees**; sets out to protect and expand forests, woodland and trees.
- 7.8 Policy **9 Brownfield, vacant and derelict land and empty buildings**; sets out to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.
- 7.9 Policy **12 Zero Waste**; sets out to encourage, promote and facilitate development that is consistent with the waste hierarchy.
- 7.10 Policy **22 Flood risk and water management**; sets out to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.
- 7.11 Policy **23 Health and Safety**; sets out to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

Midlothian Local Development Plan 2017 (MLDP)

- 7.12 Policy **STRAT 1: Committed Development** seeks the early implementation of all committed development sites and related infrastructure, facilities and affordable housing, including sites in the established housing land supply. Committed development includes those sites allocated in previous development plans which are continued in the MLDP. The site is part of a larger site identified in the MLDP as established strategic housing site h43 (Shawfair) with an indicative capacity of 3,500 dwellings.
- 7.13 Policy **ENV7: Landscape Character** states that development will not be permitted where it significantly and adversely affects local landscape character. Where development is acceptable, it should respect such character and be compatible in terms of scale, siting and design. New development will normally be required to incorporate proposals to maintain the diversity and distinctiveness of the local

landscapes and to enhance landscape characteristics where they have been weakened.

- 7.14 Policy **ENV9: Flooding** presumes against development which would be at unacceptable risk of flooding or would increase the risk of flooding elsewhere. It states that Flood Risk Assessments will be required for most forms of development in areas of medium to high risk but may also be required at other locations depending on the circumstances of the proposed development. Furthermore, it states that sustainable urban drainage systems will be required for most forms of development, so that surface water run-off rates are not greater than in the site's pre-developed condition, and to avoid any deterioration of water quality.
- 7.15 Policy **ENV10: Water Environment** requires that new development pass surface water through a sustainable urban drainage system (SUDS) to mitigate against local flooding and to enhance biodiversity and the environment.
- 7.16 Policy **ENV11: Woodland, Trees and Hedges** states that development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees (including trees covered by a Tree Preservation Order, areas defined as ancient or semi-natural woodland, veteran trees or areas forming part of any designated landscape) and hedges which have a particular amenity, nature conservation, biodiversity, recreation, landscape, shelter, cultural, or historical value or are of other importance.
- 7.17 Policy **ENV16: Vacant, Derelict and Contaminated Land** states that the redevelopment of vacant and derelict land will be supported provided it does not conflict with other local development plan policies. It also states that the use of the land must be suitable in relation to any potential risks from prior contamination and land instability.
- 7.18 Policy **ENV17: Air Quality** states that the Council may require further assessments to identify air quality impacts where considered requisite. It will refuse planning permission, or seek effective mitigation, where development proposals cause unacceptable air quality or dust impacts.
- 7.19 Policy **ENV18: Noise** requires that where new noise sensitive uses are proposed in the locality of existing noisy uses, the Council will seek to ensure that the function of established operations is not adversely affected.
- 7.20 Policy **IMP3: Water and Drainage** require sustainable urban drainage systems (SUDS) to be incorporated into new development.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan

policies, unless material planning considerations indicate otherwise. The planning history and consultation responses received are material considerations.

National Developments

- 8.2 As noted in paragraph 4.6 the application site exceeds 2 hectares and therefore the application would ordinarily be treated as a Major Development as defined in the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. National Developments are defined in Annex B of NPF4 which sets out 18 National Developments. Some of these are very area specific such as number 9 which is the Edinburgh Waterfront, but some relate to Scotland wide development. One such National Development is number 4 which relates to Circular Economy Materials Management Facilities and defines National Developments as:

A development contributing to ‘Circular Economy Materials Management Facilities’ in the location described, within one or more of the Classes of Development described below and that is of a scale or type that would otherwise have been classified as ‘major’ by ‘[The Town and Country Planning \(Hierarchy of Developments\) \(Scotland\) Regulations 2009](#)’ is designated a national development:

- a) Facilities for managing secondary materials; and*
- b) Recycling facilities.*

- 8.3 The definition of *Facilities for managing secondary materials* can be found in Annex F – Glossary of NPF4 and reads as follows:

Facilities where materials can be collected and sorted into the various component parts or consolidated into bulk quantities for re-use either in their original or an alternative function and for recovery.

- 8.4 The supporting letter submitted with the current application explicitly refers to “the keeping/storing of waste soils (topsoil and subsoil) for reuse on the Shawfair Development area”. That description clearly falls within Class a) as defined by NPF4 and consequently the proposal must be considered to be a National Development.

- 8.5 The key difference between a National Development and a Major Development is the need to comply with Regulation 27 (Pre-determination hearings) of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. Regulation 27 states:

27. - (1) Before determining an application for planning permission for a development within the classes of development specified in paragraph (2), the planning authority are to give to the applicant and to persons who submit representations to the planning authority in respect of that

application in accordance with these Regulations an opportunity of appearing before and being heard by a committee of the authority.

(2) The classes of development prescribed for the purposes of section 38A(1) of the Act (pre-determination hearings) are developments within the categories of—

(a) national developments; and

(b) major developments which are significantly contrary to the development plan.

- 8.6 The applicant was offered the opportunity to take part in a pre-determination hearing and to appear before and be heard by a committee of the planning authority. The applicant has declined this offer and consequently the application has passed straight to determination by the Committee. The application has not received any representations and therefore there are no representors who can be offered the opportunity of a pre-determination hearing.

Principle of Development

- 8.7 The principle of this form of development at this location was established by the granting of planning permissions 18/00155/DPP. Whilst NPF4 has come into force since the granting of the original permission, the policies in NPF4 do not represent material change in planning circumstances which would warrant refusal of the Section 42 application on the grounds of the principle of development.

Other Matters

- 8.8 The site has operated for the purposes of soil storage in recent years without causing any loss of amenity to residential properties in the surrounding area or disruption to the surrounding road network. The soil stockpiles are in keeping with the scale of development in the surrounding area and are not unduly prominent features. Conditions can be used to secure a safe buffer zone from the recorded mine entries and to secure road cleaning.

9 RECOMMENDATION

- 9.1 That planning permission be granted for the following reason:

The development site is an integral part of a committed development site, as allocated in the Midlothian Local Development Plan 2017, and the temporary use is an operational requirement to facilitate the wider development of Shawfair. The distance of the site from existing dwellinghouses, the nature and scale of the proposed development, the use and operations on the site and the temporary nature of the use means the development does not give rise to an unacceptable impact on amenity. The development does not conflict with the relevant

policies of National Planning Framework 4 and the Midlothian Local Development Plan 2017.

Subject to the following conditions:

1. Planning permission for the storage of topsoil and subsoil on the site is granted for a temporary period of 5 years. The use shall cease and any stored material on the land shall be removed by 22 October 2028.

Reason: *The temporary use is only acceptable on the site as it will facilitate the implementation of committed development sites at Shawfair including established strategic housing site h43 (Shawfair) of which the site lies within.*

2. No stockpile of topsoil shall exceed 3 metres in height above the ground level, prior to the soil storage use commencing.
3. No stockpile of subsoil shall exceed 8 metres in height above the ground level, prior to the soil storage use commencing.

Reason for 2 & 3: *In the interests of safeguarding the landscape character and visual amenity of the area and for the stability of the stored material.*

4. No soil shall be stored within 25m all recorded mine entries or within 25 metres of the boundary of the application site.

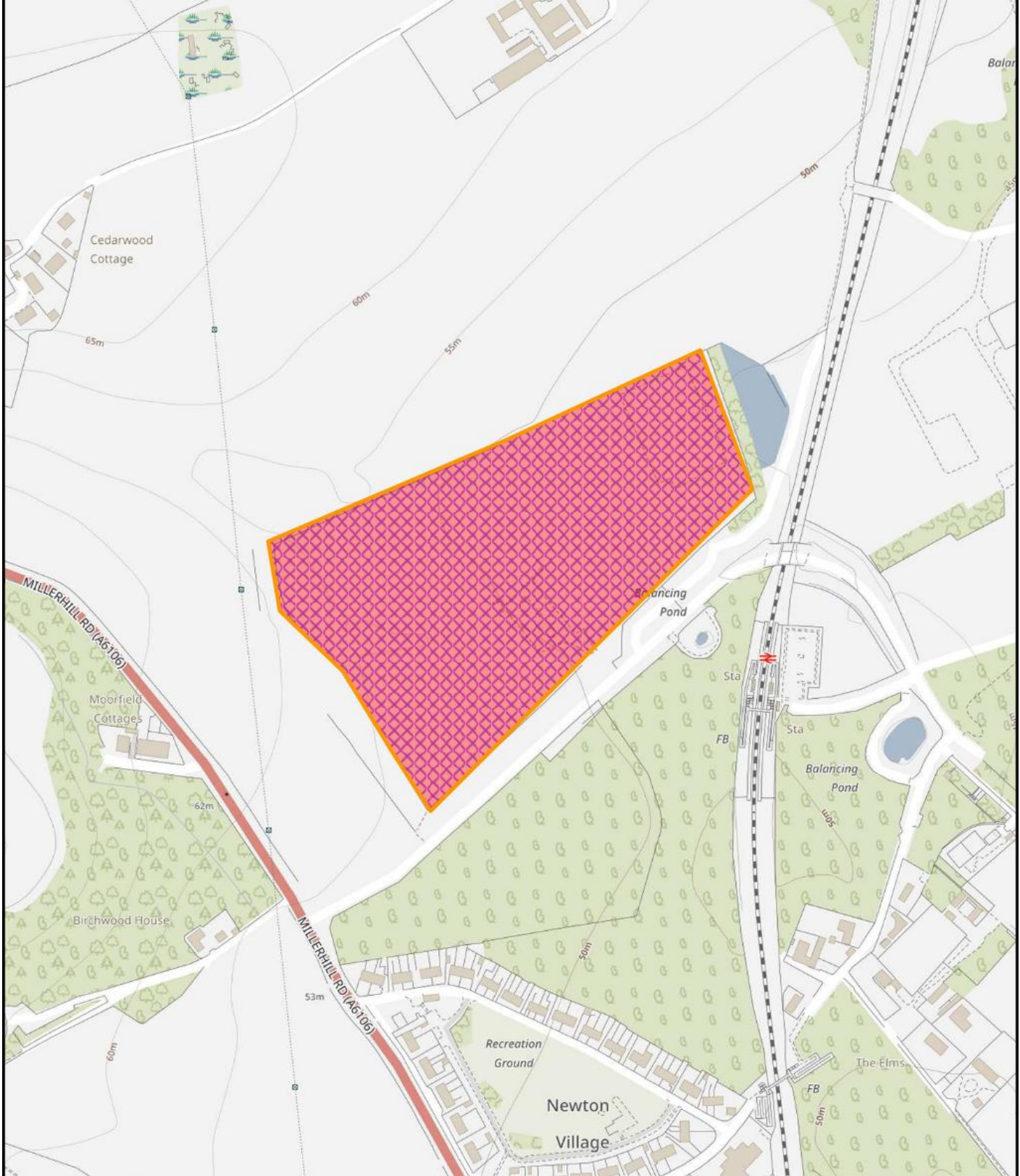
Reason: *In the interests of safety.*

5. A scheme of road washing/clearing shall be put into operation at times when material is being imported or exported to or from the site (when this planning permission is being implemented). The road washing operation shall ensure all sections of road within 100m of the boundary of the site are kept free from mud and debris.

Reason: *In the interests of road safety.*

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date:	20 October 2023
Application No:	23/00512/S42
Applicant:	Shawfair LLP
Agent:	Holly Gillingham, Colliers International
Validation Date:	14 August 2023
Contact Person:	Graeme King
Contact details:	graeme.king@midlothian.gov.uk
Background Papers:	17/00859/PAC, 18/00155/DPP



**Education, Economy
& Communities**
Midlothian Council
Fairfield House
8 Lothian Road
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EH22 3AA

Amend condition 1 of 18/00155/DPP Shawfiar Site F, Monktonhall Colliery Road, Dalkeith

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Scale: 1:5,001





APPLICATION FOR PLANNING PERMISSION 23/00289/DPP FOR THE ERECTION OF A CARE HOME WITH ANCILLARY ACCOMMODATION AND ERECTION OF RETAIL UNIT; FORMATION OF CAR PARKING, LANDSCAPING; AND ASSOCIATED WORKS AT LAND AT GREENLAW MAINS, MAURICEWOOD ROAD, PENICUIK

Report by Chief Officer Place

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The application is for the erection of care home with ancillary accommodation and retail unit, the formation of car parking and landscaping and associated works at land at Greenlaw Mains, Mauricewood Road, Penicuik.**
- 1.2 There have been 71 representations and consultation responses from Scottish Water, the Coal Authority, the Council's Senior Manager Neighbourhood Services (Roads), the Council's Senior Manager Protective Services and the Midlothian Health and Social Care Partnership.**
- 1.3 The relevant development plan policies are policies 1, 2, 3, 13, 14, 15, 16, 20, 22, 23, 24, 25, 27 and 28 of the National Planning Framework 4 (NPF4) and policies STRAT1, DEV2, DEV5, DEV6, DEV7, TRAN5, IT1, TCR2, ENV9 and ENV18 of the Midlothian Local Development Plan 2017 (MLDP).**
- 1.4 The recommendation is to grant planning permission subject to conditions.**

2 LOCATION AND SITE DESCRIPTION

- 2.1 The application site forms part of a larger housing development site located to the northwest of the built up area of Penicuik, on land between Deanburn and Mauricewood Road. The development site was originally allocated for residential development in the 2003 Midlothian Local Plan. Detailed planning permission 12/00745/DPP for the erection of 422 dwellinghouses and 36 flatted dwellings and associated works at the wider housing site (site h25 'Greenlaw and adjacent land') in the MDLP was granted permission in 2016. There have been a number of subsequent applications to amend the approved layout.**

- 2.2 The site comprises rectangular parcel of land measuring approximately 0.39 hectares. The land within the site slopes from west to east.
- 2.3 The application site is surrounded by recently erected housing and associated roads except to the northwest where there is a steep embankment sloping up from the site to residential properties on a neighbouring development. There is a footpath running along the top of this embankment from southwest to north. The embankment has not been landscaped but the approved plans for the wider development show this to be a tree lined corridor. The application site was previously used as a construction site compound related to the residential development surrounding the site.
- 2.4 The existing built form within the area comprises two storey detached, semi-detached and terraced residential properties. There is a three storey building to the east which accommodates flatted dwellings. The buildings in the surrounding area are generally finished in render, reconstituted stone and concrete rooftiles.

3 PROPOSAL

- 3.1 Detailed planning permission is sought for the erection of a 54 bed care home, retail unit and vehicular accesses, along with associated works including car parking, drainage, ground level works, open space and landscaping.
- 3.2 The proposed care home has an L shaped footprint, with the longest elevations facing northwest and northeast. The care home building is to be three storeys (10.5 metres) high with a slight pitched roof behind a parapet wall. The care home would be accessed from the south where there is car parking with 23 spaces, including two electric vehicle charging points. The building would be externally finished in buff multi facing brick with dark grey uPVC window frames and doors, with a single ply membrane roof.
- 3.3 A patio area and private garden is to the northeast of the building, with a sensory garden to the south. Ground floor residents on the northwest elevation have private outdoor patio space. Balconies are at first and second floor of the internal east and south facing elevations. The care home includes dining rooms, quiet rooms, day rooms, bathing facilities, plant room and laundry. Residents and visitors would have access to a café, visitor's room, hair salon and cinema.
- 3.4 The proposed retail unit is single storey with a pitched roof and faces southeast. The retail floorspace is 218sqm. Eight parking spaces are proposed to the front of the retail unit, as well as a service bay to facilitate deliveries.
- 3.5 The application is accompanied by:

- A Planning Statement;
- Design and Access Statement;
- Noise Impact Assessment;
- Transport Statement;
- Coal Mining Risk Assessment;
- Drainage Impact Assessment; and
- Energy Report.

4 BACKGROUND

- 4.1 The application site forms part of a larger residential allocation, site h25, in the MLDP. The site was included in the 2008 Midlothian Local Plan (MLP) as site h16, having originally been allocated for housing in the 2003 Midlothian Local Plan.
- 4.2 The wider housing development site located to the north west of the built up area of Penicuik is referred to as 'Greenlaw and adjacent land' (site h25 allocated for 324 units in the 2008 MLP). Detailed planning permission 12/00745/DPP for the erection of 422 dwellinghouses and 36 flatted dwellings; formation of associated access road and parking areas; provision of open space incorporating footpaths, areas for play and sport, sustainable urban drainage features and landscaping; and other associated works at the wider allocated housing site (h25 allocated for 458 units in the MLDP) was granted planning permission in January 2016.
- 4.3 As part of application 12/00745/DPP the principle of a local centre to provide local facilities was approved. The current application site was identified as the location for this local centre. Conditions were attached to 12/00745/DPP stating:

Prior to the commencement of any construction work on plots 277 to 458, details for the proposed local centre shall be submitted to and approved in writing by the Planning authority. The submission will comprise a formal Planning application in accordance with Development Management Regulations.

And ...

Prior to the construction of the 325th residential unit on the site, work shall commence on the construction of the local centre, in accordance with the details approved under condition 9 above.

- 4.4 Further to the approval of 12/00745/DPP, there have been a number of amendments to the approved layout. The following applications have been approved with conditions and implemented. These did not include any proposed changes to the application site:
- 19/00263/DPP for the erection of 45 dwellinghouses (amendment to design approved in terms of planning permission 12/00745/DPP).

- 19/00256/DPP for the erection of 38 dwellinghouses (amendment to design approved in terms of planning permission 12/00745/DPP).
 - 18/00014/DPP for the erection of 13 dwellinghouses (amendment to house types approved in terms of planning permission 12/00745/DPP).
- 4.5 Application 22/00673/DPP, for the erection of care home with ancillary accommodation and retail unit, associated car parking and landscaping, was submitted in 2022 at the current site. This was subsequently withdrawn.
- 4.6 The application has been called-in to be considered by the Planning Committee by Councillor Imrie. Councillor Imrie has called this planning application in to be determined by Planning Committee as many of the objectors have written to all members of the Council and there is a presumption, by these representors, that it will be discussed at the Planning Committee.

5 CONSULTATIONS

- 5.1 **Scottish Water** does not object to the application. The water supply will be fed from Rosebery Water Treatment Works. The foul water drainage will be dealt with by the Edinburgh PFI Waste Water Treatment Works. Both have sufficient capacity at present. However it is not possible to reserve capacity for future developments. This will be subject to a separate regulatory process between the applicant and Scottish Water.
- 5.2 For reasons of sustainability, and to protect Scottish Water customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into the combined sewer system. There may be limited exceptional circumstances where Scottish Water allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical and technical challenges.
- 5.3 In order to avoid costs and delays where a surface water discharge to the combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. The evidence will be assessed in a robust manner and any decision will reflect the best option from environmental and customer perspectives.
- 5.4 The **Coal Authority** does not object to the application.
- 5.5 The **Council's Senior Manager Neighbourhood Services (Roads)** does not object to the application. The level of parking proposed for

the care home is in line with the operational requirements of other care homes and given the location within a residential area, there would be opportunities for any visitors unable to find a parking place within the development to find suitable parking in the surrounding area. The proposed retail unit has an appropriate parking arrangement. The surface water drainage arrangements do not raise any flooding concerns. Conditions should be attached to any grant of planning permission securing cycle parking, details of the vehicle access and details of the proposed Care Home Travel Plan.

- 5.6 The **Council's Senior Manager Protective Services** does not object to the application subject to conditions being attached to any grant of planning permission to mitigate noise from associated plant equipment and to address ground contamination.
- 5.7 The **Midlothian Health and Social Care Partnership** does not object to the application and offer no comments.

"Midlothian has been experiencing the highest rate of population growth in with the extensive house building programme across the region. The planned housing developments and associated increase in the population is beginning to have a disproportionate impact on some medical practices compared to others. GPs are already under considerable pressure, regularly completing between 10,500 – 16,300 clinical contacts each week, with approximately 50% of the workload 'on the day' unscheduled demand. This proposed development would see an increase in residents with potentially complex needs and multi-morbidities, invariably leading to more demand on already stretched GP Practices.

We have no viable option to increase the footprint of any GP premises across Midlothian, and there is currently no funding mechanism available to link development of new General Practice premises to population expansion. Nationally, there is a shortage of qualified General Practitioners, which makes recruitment and retention extremely challenging. In respect to the GP practice in the vicinity of this proposed development there is a current recruitment pressure (3 GP vacancies) - resulting in reduced capacity & risk of list closure - so any new/imminent housing development in this area would be likely to exacerbate that pressure further.

In conclusion we are of the opinion that this proposed development would place considerable demand on already pressurised GMS services, with the potential risk of list closure."

- 5.8 The consultation responses are available to view in full on the online planning application but raise the following concerns:

6 REPRESENTATIONS

6.1 There have been 71 representations received, which can be viewed in full on the online planning application case file. All representors objected to the application. A summary of the main points raised are as follows:

- The proposal is contrary to MLDP, Scottish Planning Policy and NPF4 in terms of 20 minute neighbourhoods, climate mitigation, design quality and place, sustainable transport and health policies;
- A care home was not the use originally specified by Taylor Wimpey or Avant. This was to be a local centre, single storey retail unit and nursery/crèche with outdoor space for use by the community. The proposals show a lack of trust and integrity by the housebuilders;
- A care home is not a use the surrounding community needs;
- A care home is not a suitable use in a residential area;
- People may not have moved to surrounding houses if they knew the site was to be a three storey care home;
- The proposal is contrary to the approval 12/00745/DPP where the site was to be a local centre;
- The wider site is already over the allocated housing numbers so 54 additional units is contrary to the MLDP;
- The proposal will have a detrimental impact on the estate;
- A three storey building will be out of keeping with the surrounding area;
- Other three storey buildings in the area were designed with consideration to the surrounding area and properties;
- The building will be out of scale with the area and too close to neighbouring properties and their boundaries;
- The building would directly overlook existing houses and impact on privacy to these occupants;
- The building will have an overbearing impact on existing houses;
- The building will result in loss of light to existing houses;
- The location of the retail unit appears as an afterthought and will impact on views from existing houses;
- The proposed tree planting will take decades to mature and offer any privacy;
- The gardens for the care home are small and either surrounded by parking or close to other houses, to the detriment of existing and future occupants;
- The three storey building will reduce the views of many occupants;
- Insufficient parking is proposed;
- The proposed parking is inadequate. Council standards require 0.75 spaces per bed plus 0.33 spaces for staff and insufficient spaces are proposed for these. Other visitor parking (for healthcare workers etc) has not been provided for;
- The lack of parking will likely lead to inconsiderate parking;
- The additional traffic would exacerbate existing traffic and lack of parking in the area;

- The traffic generated by this use will be unsafe with children in the area, with the site being close to a play area and route to school;
- The site is not easily accessed by public transport or by people with mobility issues;
- The topography, climate and roads in the surrounding area are not conducive to cycling;
- Disruption during construction from traffic and time to build would be detrimental to the quality of life on the estate;
- The condition of the roads are not good;
- The proposal will increase noise, pollution and reduce air quality as a result of the increase in traffic;
- Noise from staff changeovers and deliveries;
- The acoustic calculations for the external plant does not take into account openable windows in proximity to the plant area. This would have a detrimental impact on local and care home residents;
- The ventilation to the kitchen will be an eyesore and will have more visual impact than shown on the plans. This will also result in smell to the area;
- Light pollution as a result of the 24/7 nature of the care home;
- Noise, smells and fumes from the boiler room and refuse area;
- The bin collection area at Rosebank Place is outside the care home boundary and will increase commercial bin lorries in the residential area. Any bins not collected will attract vermin and result in smells. The bins would be unsightly and noisy which will disturb residents;
- Drainage and flooding concerns to the surrounding properties and area, which gets waterlogged regularly;
- There are factual inaccuracies in the transport statement including speed limits in the area, details of the surrounding roads and city bypass which raises questions over the credibility of this document;
- All comparable examples in the transport statement have a nearby train station and close to a centre which is not the case here;
- The design and access statement includes an out of date map and incorrect information, more relating to the previous application at this site rather than the current proposal;
- The submissions are inaccurate and misleading;
- The submissions state market research shows a need for the care home in the area, however this is not the case as care homes struggle to attract employees. The care home jobs add to an already stretched service will not only cause problems for the proposed care home but exacerbate the issue for existing facilities. Also GP appointments, pharmacy services, and dental care are already operating at capacity;
- Construction works may affect the ground conditions in the area;
- The impact on local infrastructure needs to be considered;
- Neighbour notification needs to be reviewed as all houses in the estate should have been consulted as most properties will be affected by the proposal;

- There was no information issued to local residents or meetings before the application was submitted, which should have been a normal requirement. This is a lack of transparency;
- The proposal is very similar to and has not addressed the concerns raised in the previous application;
- The previous similar application for a care home was widely objected to and rejected;
- The proposal should not even be considered and there should be no similar future submissions;
- There is no clarity on why the previous application was withdrawn. It is queried if there were any consultation between the developer and the Council before this was withdrawn;
- No details of the proposed ASHPs and solar panels are submitted;
- There are rooms within the thermal calculation shown as overheating at significant periods of the year, which do not comply with current regulations;
- The recent tactics undertaken by the Council are deeply unfair towards the community and the Council as a public institution should prioritise the community needs not the businesses;
- The submissions include amenities such as cafés, a celebration suite, a hair salon, a cinema, and a library. However, these are intended solely for the care home's residents, friends, and visitors. These do not contribute resources to the local community as initially suggested;
- The area is lacking in amenities and a care home will exacerbate this;
- More affordable housing is needed, not a care home;
- The Council has a responsibility to put existing residents first and ensure amenities are in walking distance;
- The proposal provides short term gain for the developer and no long term gain for local residents;
- Green spaces should be prioritised;
- The 24/7 nature of a care home will impact on people's mental health and sleep;
- Potential issues with people at the care home leaving the site to smoke, creating privacy, noise and litter problems;
- The site is not brownfield but retains much of its previously agricultural characteristics;
- The planning statement has not been prepared by a member of the local community so how do they know what is needed;
- Objection to a private care home when elderly residents are made to sell their house to pay the fees;
- No information on how the applicant will be contributing to the upkeep of the estate is submitted. As residents, staff and visitors will be using the roads, and possibly green spaces they should pay for a proportion of the upkeep;
- The proposed retail unit appears to be a token gesture intended to secure a favourable outcome;

- The submitted planning statement states the retail unit may not attract a tenant;
- If the Council wants a care home, do they not have appropriate land for this which can be given to the developer; and
- Residents have brought a lot to the local area through developer contributions, council tax payments, spending in local shops etc. There is a lot of interest in making this site a place for the community. However, the delays in determining the application impede the community's ability to take action and look at solutions on how residents can own and run the site, to add value to the community and make a better place for those who live within the surrounding housing developments.

7 PLANNING POLICY

7.1 The development plan is comprised of National Planning Framework 4 (2023) and the Midlothian Local Development Plan 2017.

7.2 The following policies are relevant to the proposal:

National Planning Framework 4 (NPF4)

7.3 Policy **1 Tackling the climate and nature crises**; sets out to encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

7.4 Policy **2 Climate mitigation and adaptation**; sets out to encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

7.5 Policy **3 Biodiversity**; sets out to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

7.6 Policy **13 Sustainable Transport**; sets out to encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

7.7 Policy **14 Design, quality and place**; sets out to encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

7.8 Policy **15 Local Living and 20 minute neighbourhoods**; sets out to encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

- 7.9 Policy **16 Quality homes**; sets out to encourage, promote and facilitate the delivery of more high quality, affordable and sustainable homes, in the right locations, providing choice across tenures that meet the diverse housing needs of people and communities across Scotland.
- 7.10 Policy **20 Blue and green infrastructure**; sets out to protect and enhance blue and green infrastructure and their networks.
- 7.11 Policy **22 Flood risk and water management**; sets out to strengthen resilience to flood risk by promoting avoidance as a first principle and reducing the vulnerability of existing and future development to flooding.
- 7.12 Policy **23 Health and Safety**; sets out to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.
- 7.13 Policy **24 Digital Infrastructure**; sets out to encourage, promote and facilitate the rollout of digital infrastructure across Scotland to unlock the potential of all our places and the economy.
- 7.14 Policy **25 Community wealth building**; sets out to encourage, promote and facilitate a new strategic approach to economic development that also provides a practical model for building a wellbeing economy at local, regional and national levels.
- 7.15 Policy **27 City, town, local and commercial centres**; sets out to encourage, promote and facilitate development in our city and town centres, recognising they are a national asset. This will be achieved by applying the Town Centre First approach to help centres adapt positively to long-term economic, environmental and societal changes, and by encouraging town centre living.
- 7.16 Policy **28 Retail**; sets out to encourage, promote and facilitate retail investment to the most sustainable locations that are most accessible by a range of sustainable transport modes.

Other National Policy

- 7.17 **Designing Places, A Policy Statement for Scotland** sets out the six key qualities which are at the heart of good design namely identity, safe and pleasant environment, ease of movement, a sense of welcome, adaptability and good use of resources.
- 7.18 The **Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design.

Midlothian Local Development Plan 2017 (MLDP)

- 7.19 Policy **STRAT1: Committed Development** seeks the early implementation of all committed development sites and related infrastructure, facilities and affordable housing, including sites in the established housing land supply. Committed development includes those sites allocated in previous development plans which are continued in the MLDP.
- 7.20 Policy **DEV2: Protecting Amenity within the Built-Up Area** states that development will not be permitted within existing and future built-up areas where it is likely to detract materially from the existing character or amenity of the area.
- 7.21 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.22 Policy **DEV6: Layout and Design of New Development** states that good design and a high quality of architecture will be required in the overall layout of development proposals. This also provides guidance on design principles for development, materials, access, and passive energy gain, positioning of buildings, open and private amenity space provision and parking.
- 7.23 Policy **DEV7: Landscaping in New Development** requires development proposals to be accompanied by a comprehensive scheme of landscaping. The design of the scheme is to be informed by the results of an appropriately detailed landscape assessment.
- 7.24 Policy **TRAN5: Electric Vehicle Charging** seeks to support and promote the development of a network of electric vehicle charging stations by requiring provision to be considered as an integral part of any new development or redevelopment proposals.
- 7.25 Policy **IT1: Digital Infrastructure** supports the incorporation of high speed broadband connections and other digital technologies into new homes, business properties and redevelopment proposals.
- 7.26 Policy **TCR2: Location of New Retail and Commercial Leisure Facilities** states that the Council will apply a sequential town centre first approach to the assessment of applications. This directs retail developments to the following areas in order:
- Town Centre - Bonnyrigg, Dalkeith, Gorebridge, Loanhead, Mayfield, Newtongrange, Penicuik, Shawfair
 - Commercial centre – Straiton Commercial Centre
 - Potential out of centre location - Main corridor from Gorebridge/Redheugh to Newtongrange

- Local Centres - Danderhall, Bonnyrigg/Hopefield, Bonnyrigg/Poltonhall, Dalkeith/Thornycroft, Dalkeith/Wester Cowden, Dalkeith/Woodburn, Eskbank Toll, Gorebridge/Hunterfield Road, Bilston, Penicuik/Edinburgh Road, Roslin and Pathhead

- 7.27 Policy TCR2 also states that new shopping facilities, up to a scale of 1,000sqm gross floor area, will be permitted within local centres, provided they do not undermine the vitality and viability of any of Midlothian's town centres. It also states that elsewhere within the built-up area such facilities will be supported where new housing developments are not adequately served by existing centres. Any such development should not have a negative effect on the amenity of the adjoining residential area, including traffic and parking considerations.
- 7.28 Policy **ENV9: Flooding** presumes against development which would be at unacceptable risk of flooding or would increase the risk of flooding elsewhere. It states that Flood Risk Assessments will be required for most forms of development in areas of medium to high risk, but may also be required at other locations depending on the circumstances of the proposed development. Furthermore it states that sustainable urban drainage systems will be required for most forms of development, so that surface water run-off rates are not greater than in the site's pre-developed condition, and to avoid any deterioration of water quality.
- 7.29 Policy **ENV18: Noise** requires that where new noise sensitive uses are proposed in the locality of existing noisy uses, the Council will seek to ensure that the function of established operations is not adversely affected.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies, unless material planning considerations indicate otherwise. The planning history, representations and consultation responses received are material considerations.

Principle of development

- 8.2 The site is located within the built-up area of Penicuik where there is a presumption in favour of appropriate development. The proposal would not lead to the loss of valuable open space.
- 8.3 The concept of a local centre being established on the part of the development site which comprises this planning application site is well established. While the occupants/operators of the local centre were not specifically defined (nor could they be) through the conditions attached to planning permission 12/00745/DPP the provision, and phasing of the delivery, of a local centre were covered. At the time of

the 2012 planning application it was expected that the local centre would not include housing and would be made up of commercial uses, such as retail, a crèche and other uses appropriate to a local centre.

- 8.4 The principle of delivering a class 1 retail unit on the site is established through the extant planning permission ref: 12/00745/DPP and therefore the spatial requirements of policy TCR2 of the MLDP do not prohibit this development. The original 2012 consent does condition the requirement for a “Local Centre”, implying the provision of multiple local facilities for the nearby residents.
- 8.5 The provision of a single retail unit is considered to be a use which is acceptable in principle within a local centre. It is not quite as clear that the provision of a private care home (Class 8) would contribute to local facilities provided within a local centre. However, as stated previously there is no definition, or list, of the commercial uses which would be acceptable within the local centre. The care home will potentially provide accommodation for members of the community who no longer can live independently in their own home. It would provide scope for elderly members of the community to remain in the same community. In addition, the care home will have a café, hair salon, cinema and function room which will be available for the general public to use. These are considered to be local facilities which the local community can utilise and are commercially viable because of the care home use.
- 8.6 A number of objectors have stated that the housebuilder advised that the site would be a single storey retail unit and creche/nursery. Application 12/00745/DPP included general proposals for the provision of land for a small commercial centre. However the detail of the local centre was to be subject to a separate planning application and it was not conditioned what this would include, only that this development was to provide local facilities. The Council was not party to discussions between the housebuilder and house purchasers during the sale and purchase of the nearby homes. However, it is the case that there was, and still is, no approved detail relating to the local centre.
- 8.7 With regard to the policies NPF4, although the site is allocated for housing in the MLDP, consideration still needs to be given to the site’s location in terms of sustainability. In this regard the site is in close proximity to a large number of residential properties, facilities that care home residents would use, public transport options and active travel connections and as such is considered to be in a sustainable location in compliance with NPF4.
- 8.8 As a result of the above, the creation of a local centre comprising a care home, on the basis of what has been submitted (including all of the facilities), and a retail unit comply with the terms of the 2012 planning permission and are acceptable in principle.

Design, Scale and Layout

- 8.9 The majority of the surrounding buildings are two storey detached, semi-detached and terraced housing of traditional scale and form. There is a three storey flatted block to the east.
- 8.10 The care home is positioned at the rear (west) of the application site, with parking close to existing parking in the area. The retail unit is sited at the front (east) of the application site, occupying the prominent site frontage. There are small areas of open space within the site.
- 8.11 The proposed care home is three storeys high and therefore larger in scale than some of the surrounding buildings. The scale and design of the proposed development is distinctly different from the surrounding area, with a contemporary flat roof appearance and larger window openings. While this design approach contrasts with the surroundings it identifies the site as being distinctly different in use from the surrounding residential buildings and provides an urban design point of focus.
- 8.12 The design of the care home has been altered from that proposed in the previously withdrawn application, largely through the removal of the hipped roof and replacement with a shallow pitched roof. This has markedly reduced the overall scale, form and impact the building would have on the amenity of the surrounding area and properties. This, combined with the care home being positioned to the rear of the site behind the retail unit, limits the visual impact of the care home in the area and responds to comments made on the earlier planning application. The scale and design are appropriate despite being of a larger massing at third storey level, compared to pitched roofs at similar heights.
- 8.13 The proposed retail unit is single storey with a pitched roof parallel to the adjacent road, matching the orientation of houses in the area.
- 8.14 The two proposed buildings are to be finished in facing brick. Details of the brick can be required by condition, however the use of buff brick as suggested would not be appropriate. Other types of brick have been used effectively elsewhere in the area and in Midlothian, which can be effective in delivering textured detailing which break up larger elevations.
- 8.15 There are a number of flues on the care home, with the largest appearing to be serve a kitchen that projects 2 metres high. This is positioned on a 10.5 metre high building and set back over 6 metres from the nearest elevation. The combination of the height of the building with the flue being set back from the wall means that the visual impact of this will be limited. The position means that any fumes will be easily dispersed in the area.

- 8.16 Due to the levels within the site and surrounding area, some retaining walls are proposed. The highest is to the south of the care home, between the open space and parking area. This retaining feature is proposed to be 1.1 metres to 1.3 metres high with a 1.1 metre high steel railing above. While this will be a large feature it will be separated from existing properties by open space and a road. The use of a lightweight railing above will limit the visual impact of this structure.
- 8.17 The levels also mean the retail unit will have an under-build of 0.45 metres at the east elevation. The visual impact of this is limited through the use of large areas of glazing on this elevation. In this instance this is acceptable.
- 8.18 Overall, the proposed design approach is a logical urban design solution to accommodate a local centre, with facilities available to the community, within a wider residential development.

Amenity Space

- 8.19 The care home provides communal outdoor amenity space in the form of communal balconies, private garden/patios and a sensory garden. There is almost 300 square metres of amenity space to the north of the care home, forming garden ground and an external terrace enclosed by a 1.8 metre high timber fence. The sensory garden by the building's entrance includes a seating area and small putting green. This is approximately 150 square metres. There is also 5 metres of open space to the west boundary between the care home and the boundary fence, separating the site from the steep slope up to the footpath and neighbouring properties. Therefore there is adequate amenity space provided for the development.

Impact on Surrounding Properties

- 8.20 The neighbouring two storey houses could be affected by the proposal in terms of impact on privacy, loss of light and the care home in particular having an overbearing impact. The house to the north, 13 Rosebank Place, would be most affected along with the houses to the west and the house to the south at 61 Porterfield Crescent.
- 8.21 The north elevation of the care home is 10.7 metres from the side elevation of 13 Rosebank Place and 9 metres to the shared boundary. While this is relatively close, tests carried out during the assessment of the planning application have demonstrated that the care home would not significantly adversely affect light to the garden or house to a degree to warrant refusal. There would be some loss of light during the afternoon, mainly between the hours of 2pm and 3pm. However more than half the garden ground would remain unaffected, which is acceptable.

- 8.22 There is potential for overlooking from the care home to the garden ground of 13 Rosebank Place, especially as the care home is proposed to be three storeys in height. However the layout of the care home means the section of the elevation facing the garden at 13 Rosebank Place has no windows which directly overlook this garden. The closest windows to this garden serve halls and stairwells, which would further limit overlooking as compared to if these served living accommodation. Given this, there is no significant overlooking from the care home to the house or garden at 13 Rosebank Place.
- 8.23 There are two windows at 13 Rosebank Place facing the care home, which serve a bathroom and en-suite. Given the uses of these rooms, the proposal would not have an overbearing impact on the outlook of these rooms. Also, the use of these rooms limits any impact on privacy between properties.
- 8.24 The house to the south, at 61 Porterfield Crescent, is 19 metres from the site boundary and 26 metres from the closest point of the care home. There are two windows on the elevation facing the care home, again serving a bathroom and ensuite. Given the orientation of the site, the distance from the care home, and the window arrangement of this property there would not be a significant impact on the amenity of the occupants of this property as a result of the proposal.
- 8.25 The boundary of the houses to the west are 34 metres from the care home, with the closest elevations 47 metres away. Although the care home is three storeys high and could overlook these houses and gardens, the distance between buildings exceeds the accepted distances of 25 metres between rear elevations of properties, which means there would not be significant adverse impact on the amenity of existing and future residents.
- 8.26 Due to the position, size and scale of the retail unit, this would not have significant adverse impact on the amenity of nearby residential properties.
- 8.27 The proposed bin collection area is from a public road, close to a parking area and opposite houses. This will not have an additional adverse impact on residential amenity as compared to the existing situation.

Parking and Road Safety Issues

- 8.28 The Council's Senior Manager Neighbourhood Services (Roads) has considered this proposed development and has not raised any road safety concerns regarding the proposed care home and retail use. The use of the site as a care home and retail unit would not result in additional road safety issues as compared to those that could arise from an alternative development of the application site.

- 8.29 There is some concern, raised by representors, regarding the level of staff and visitor parking proposed for the care home. Given the specialised nature of care homes, the standard parking ratio for 'Residential Homes' would not be appropriate and sufficient parking for staff, with additional spaces for visitors, is more appropriate. The submitted Transport Statement (TS) states that 23 parking spaces are provided for the care home, however only 19 spaces are shown. It is assumed that the four spaces accessed from Meikle Drive are allocated to the care home, providing the 23 parking spaces stated.
- 8.30 The TS states that 20 staff would be based on site and indicates that some could live locally and may travel to work by foot or public transport. The TS also provides information on the parking arrangements at existing care homes operated by the developer. The majority of these have lower levels of staff and visitor parking than proposed and the TS indicates these are operating without any parking issues. The TS also includes a Framework Travel Plan for the care home which indicates the type of measures that the management would use as part of their own Travel Plan, with the aim to encourage staff and visitors to use more sustainable travel options.
- 8.31 The proposed 23 parking spaces are in line with the operational requirements of other care homes. Given the location, within a residential area, there would be opportunities for any visitors unable to find a parking place within the development to find suitable parking in the surrounding area. Therefore the parking provision for the care home is considered acceptable. Any illegal parking would be a matter for the Police.
- 8.32 The parking for the retail unit is acceptable.
- 8.33 Further detail of the proposed cycle parking is required, as are details of the proposed Care Home Travel Plan.
- 8.34 Any disruption during construction from traffic, noise, pollution or reduction in air quality is unlikely to be at an unacceptable level and would not be significantly different to that caused by an alternative development of the site.
- 8.35 The applicant's agent has confirmed it is not the intention to close any roads in the area during development.

Noise

- 8.36 The Senior Manager Protective Services considered the Noise Impact Assessment and plans. These have addressed previous noise concerns and so there are no noise concerns arising from the proposal. The only comments on noise relate to requiring an acoustic fence to be erected around the air source heat pump (ASHP). The ASHP has subsequently been withdrawn from the proposal. There are no

concerns regarding noise, smells or fumes from the boiler room and refuse area.

- 8.37 Any noise from staff changeovers and deliveries would not be significantly different for the proposed development compared to other commercial proposal at this site.

Landscaping and Biodiversity

- 8.38 The proposed landscaping is generally acceptable. However, there should be additional planting to integrate the site into the surrounding area. This additional planting would also connect the site with the emerging green network in the wider area, such as the landscape corridor on the embankment to the west and open space to the southeast. The use of rain gardens, to allow for infiltration of rainwater from roofs, hard surfaces and to optimise the biodiversity value of the site, should be secured by condition. Additional planting could be in the form of climbers and/or ivy screens to soften the impact of fencing, adding interest and benefiting wildlife. The submissions include bat and bird boxes, which is welcomed. These details can be secured by condition.

Developer Contributions

- 8.39 Due to the uses proposed and their scale and location, in this instance there is no requirement for developer contributions.

Other Matters

- 8.40 The drainage information submitted is acceptable. The proposal would not increase flood risk in the area.
- 8.41 Privacy, noise and litter problems from people leaving the site to smoke would not be significantly different for the proposed development compared to other commercial proposals at this site.
- 8.42 Should permission be approved, details of the proposed solar panels would be required to be submitted for approval.
- 8.44 The proposal includes lighting within the garden ground of the care home and the car parks. This is a combination of streetlights, wall lights and bollards. There are bollard lights to the north of the care home which could have some impact on the amenity of the adjacent properties, as there are windows on the side elevations of these houses. However the windows serve bathrooms and a hall and so any impact is limited and not significant. There are lights that may affect the houses to the south, however this is separated from the site by a road and existing streetlights so this is not considered significant.

- 8.45 From an economic development perspective the development would support Community Wealth Building principles and create employment opportunities - promoting local business development through the retail and other opportunities presented by this development, such as hair salon, cinema, cafe and function room. The retail and other opportunities should complement local services provided by the nearby local shops, and superstore.
- 8.46 The Midlothian Health and Social Care Partnership (MHSCP) have expressed both a general concern over the scale of housing/population growth in Midlothian and its resulting impact on health provision services, and a concern at a local level, identify three GP vacancies in Penicuik.
- 8.47 The applicant has also contacted MHSCP and the local GP practice to make them aware of the proposal. The applicant has provided the following information in relation to the impact of the development on local NHS services based on their engagement:
- . The Care Home will have 24hr on-site Registered Nurse cover, this on-site presence will reduce the requirement to seek an appointment at the local GP practice or have a GP visit to the Care Home,
 - . Alignment between a local GP practice and Care Home has proved hugely successful in other areas. Clinical staff on-site liaise with the practice and assist when rolling out programmes such as flu & covid vaccines. On-site nurses will provide nursing and dementia care which includes palliative care. Nurses will be trained and have the clinical skills to deliver the necessary care without needing constant input from the local GP practice,
 - . It is the case that concerns for residents doesn't always result in the need for a GP visit to the Care Home or appointment at the GP practice. Telephone consultations along with NHS 24 are used to triage and make decisions about next steps.
 - . It is anticipated that a significant proportion of residents within the care home will be from the local area and therefore already registered with local healthcare services.
- 8.48 The measures set out by the applicant would in part (but not completely) address the concerns regarding the potential impact on local NHS services. Furthermore, the Council as the local planning authority has to balance the need and demand for housing and facilities such as the proposed care home against the well documented pressure on all health care services. In this case the pressure on services are outwith the control and influence of the planning authority or the applicant – for example the MHSCP identify three vacant GP posts in Penicuik, filling these posts cannot be secured via a planning application and the vacancies cannot be used as a reason to refuse planning permission as it is considered not to be a material planning consideration. The Planning system can help to identify sites and

secure infrastructure through the development plan process if a facility deficiency (not staffing) is identified and evidenced – no such deficiency was identified in the preparation of the MLDP, the basis of assessment for the current application.

Consideration of Representor Comments Not Addressed Above

- 8.49 Neighbour notification was carried out in line with the relevant regulations, which is to all notifiable neighbours within 20 metres of the application site. The application was also advertised in the local press. While it may be useful for agents to issue information to local residents or hold meetings in advance of an application being submitted, there is no statutory requirement for this to be done for a development of this scale.
- 8.50 There is no requirement for supporting documents to be prepared by people local to an area.
- 8.51 Payment of care home fees is not a planning matter/consideration.
- 8.52 Any contribution to the upkeep of the estate by the care home would be a private legal matter between the relevant parties and is not a planning consideration.
- 8.53 The Council can only determine the application that has been submitted, rather than require the site to be used for an alternative use, such as affordable housing.
- 8.54 While the proposed development may limit the view from some residential properties the Council cannot protect views from private properties. It is not a material consideration in the assessment of planning applications
- 8.55 The Coal Authority has not raised any objection to the proposal. Any concerns over ground conditions in the area would be addressed through the Building Warrant process. Any non-compliance with Building Warrant regulations would be addressed by the Building Standards process.

9 RECOMMENDATION

- 9.1 That planning permission granted for the following reason:

The proposed development is in keeping with the surrounding residential area and would not have an adverse impact on the character or appearance of this or the amenity of nearby residential properties. The proposed detailed scheme of development in terms of its layout, form and design is acceptable and as such accords with development plan policies. The presumption for development is not outweighed by any other material considerations. As such the proposal

complies with policies STRAT1 and DEV2 of the Midlothian Local Development Plan 2017 and the aims of National Planning Framework 4.

Subject to the following conditions:

1. The development to which this permission relates shall commence no later than the expiration of three years beginning with the date of this permission.

Reason: *To accord with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning (Scotland) Act 2019).*

2. Development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
 - i. the nature, extent and types of contamination and/or previous mineral workings on the site;
 - ii. measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
 - iii. measures to deal with contamination and/or previous mineral workings encountered during construction work; and
 - iv. the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied for commercial or residential purposes, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

3. On completion of the decontamination/remediation works required in condition 2 and prior to any unit being occupied on site, a validation report or reports shall be submitted to the planning authority confirming that the works have been carried out in accordance with the approved scheme. No part of the development shall be occupied until this report has been approved by the planning authority.

Reason for conditions 2 and 3: *To ensure that any contamination on the site/ground conditions is adequately identified and that appropriate decontamination measures/ground mitigation measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped*

areas, and the wider environment; to ensure the remediation works are undertaken.

4. Prior to the commencement of development, the following details shall be submitted to and approved in writing by the planning authority:
- a) Details and samples of all proposed external materials;
 - b) Details of the materials of all areas of hardstanding;
 - c) Details of the electric vehicle charging equipment;
 - d) Details of the proposed cycle parking;
 - e) Details of the position, design, materials, dimensions and finish of all walls, fences, gates or other means of enclosure;
 - f) Details of the sprinkler tank, including dimensions, elevations, materials and finish;
 - g) Details of a scheme of landscaping for the site. Details shall include the a planting schedule with plant species, sizes and landscape specification, including ground preparation, topsoil, subsoil, soil ameliorants, pot sizes/ root condition for trees and hedging, details of planting density and/or numbers, and details of plant protection;
 - h) Details of a sustainability/biodiversity scheme for the site, including the provision of house bricks and boxes for bats and swifts and small mammal passage points in any fencing;
 - i) Details of the proposed hours of operation of the retail unit; and
 - j) Details of the proposed Care Home Travel Plan.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *These details were not submitted as part of the application: to ensure the development is finished in high quality materials; to protect the visual amenity of the surrounding area; to ensure the development is provided with adequate amenity; to help integrate the proposal into the surrounding area.*

5. The use of buff brick is not approved. The details required in condition 4a) hereby approved shall include details of an alternative brick finish.

Reason: *To ensure the proposal is finished in materials appropriate to the surrounding area.*

6. The areas of hardstanding agreed in terms of condition 4b) shall be surfaced in a porous material.

Reason: *To ensure that the site is adequately drained; in the interests of the amenity of the area*

7. Before the care home or retail unit is occupied or completed, whichever is first, the installation of the means of drainage treatment and disposal hereby approved shall be completed to the satisfaction of the planning authority.

Reason: *To ensure that the development is provided with adequate drainage facilities prior to occupation.*

8. The landscape plan approved in condition 4g) shall investigate the use of rain gardens to allow for infiltration of rainwater, such as from roofs and hard surfaces. If this is not possible, details of why shall be provided for approval.

Reason: *To optimise the biodiversity value of the site.*

9. The landscape plan approved in condition 4g) shall include a planting schedule which includes native planting.

Reason: *To ensure the planting is appropriate for the site, native and promotes biodiversity.*

10. The landscape plan approved in condition 4g) shall include shrub planting between the care home and retail unit car parks.

Reason: *To reduce the visual impact of parked vehicles.*

11. The landscape plan approved in condition 4g) shall include living screens or native flowering climbing plants or ivy screens on tensioned wire trellis systems attached to the buildings hereby approved unless otherwise approved in writing by the planning authority.

Reason: *To soften the impact of fencing, add interest and benefit wildlife.*

12. The scheme of landscaping approved in accordance with condition 4g) shall be carried out and completed within six months of the care home or retail unit either being completed or brought into use, whichever is the earlier date. Any trees or hedgerow removed, dying, severely damaged or becoming seriously diseased within five years of planting shall be replaced in the following planting season by trees or hedge planting of a size and species similar to those originally required.

Reason: *To ensure the landscaping is carried out and becomes successfully established.*

13. Development shall not begin until details, including a timetable of implementation, of superfast broadband have been submitted to and approved in writing by the planning authority. The details shall

include delivery of superfast broadband prior to the occupation of the care home. The delivery of superfast broadband shall be implemented as per the approved details.

Reason: *To ensure the quality of the development is enhanced by the provision of appropriate digital infrastructure in accordance with the requirements of policy IT1 of the Midlothian Local Development Plan.*

14. The vehicle access to the retail parking area shall be formed as a vehicle 'drop kerb' crossing rather than the standard 'bell mouth' arrangement.

Reason: *To give priority to pedestrians using the public footway.*

15. The design and installation of all plant, machinery and equipment shall be such that the combined noise level shall not exceed NR 30 daytime (07:00 to 23:00 hrs) or NR 25 if the noise is tonal and NR 25 night-time (23:00 to 07:00 hrs) or NR 20 if the noise is tonal as measured from within any living apartment in any neighbouring noise-sensitive premises.

16. Development shall not begin until an application for approval of matters specified in conditions for a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the planning authority. The CEMP shall include:

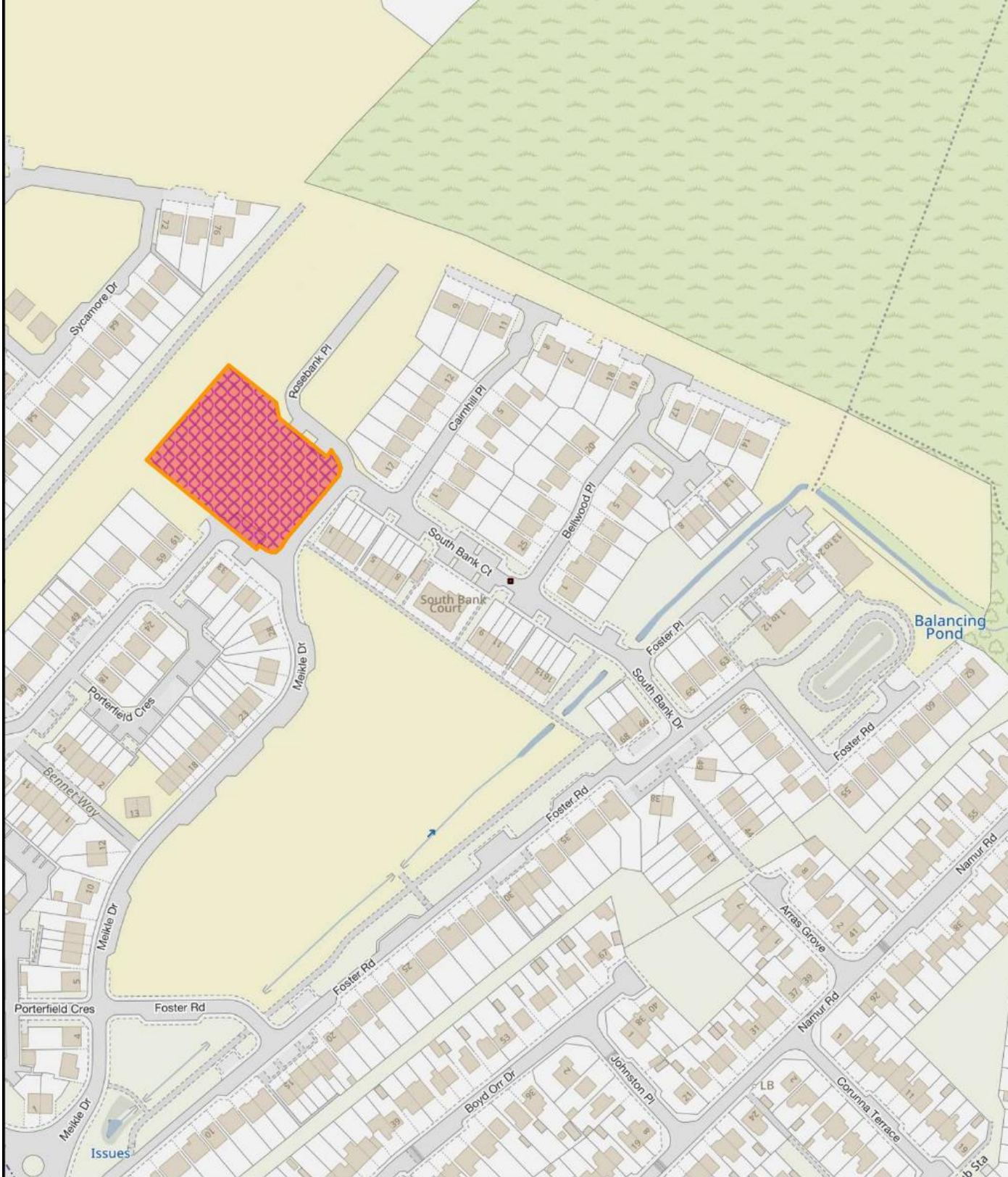
- i. Details of construction access routes;
- ii. signage for construction traffic, pedestrians and other users of the site;
- iii. controls on the arrival and departure times for construction vehicles, delivery vehicles and for site workers (to avoid school arrival/departure times);
- iv. details of piling methods (if employed);
- v. details of any earthworks;
- vi. control of emissions strategy;
- vii. a dust management plan strategy;
- viii. waste management and disposal of material strategy;
- ix. a community liaison representative will be identified to deal with the provision of information on the development to the local community and to deal with any complaints regarding construction on the site;
- x. prevention of mud/debris being deposited on the public highway;
- xi. material and hazardous material storage and removal; and
- xii. controls on construction, engineering or any other operations or the delivery of plant, machinery and materials (to take place between 0700 to 1900hrs Monday to Friday and 0800 to 1300hrs on Saturdays).

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

Reason: *In order to control the construction activity on the site, ensure environmental impact during the construction period is acceptable and to ensure appropriate mitigation is in place.*

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date:	20 October 2023
Application No:	23/00289/DPP
Applicant:	Morrison Community Care (Penicuik) Devco Limited
Agent:	Callum Fraser, Icen Projects
Validation Date:	4 May 2023
Contact Person:	Mhairi-Anne Cowie, Planning Officer
Email:	mhairi-anne.cowie@midlothian.gov.uk
Background Papers:	Planning applications 12/00745/DPP and 22/00673/DPP
Attached Plans:	Location plan, site plan and elevations.



**Education, Economy
& Communities**
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3AA

Erection of care home and associated works Land at Greenlaw Mains, Penicuik

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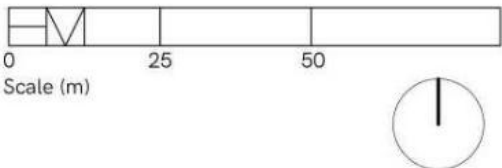
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File No.23/00289/DPP

Scale: 1:2,500



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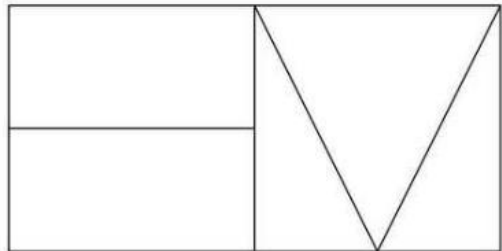


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APPLICATION
BOUNDARY



P01 First Issue OM MH 08.08.22
Rev Notes Drawn Appr Date



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Project 5066
Greenlaw Mains, Penicuik

Drawing Name
Location Plan

Scale @ A1 1: 1250
Checked MH
Revision P01

Drawing Number
5066-HML-ZZ-ZZ-D-A-10001

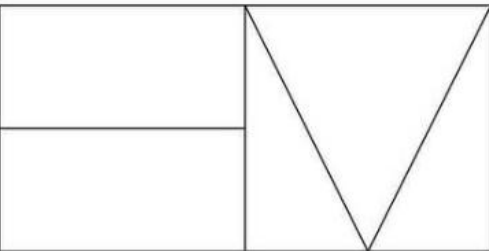
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- APPLICATION BOUNDARY
- PROPOSED GRASS AREA
- SHRUB PLANTING - SPECIES TBC
- PROPOSED HEDGING
- PROPOSED TREE
- PAVING SLABS - COLOUR BUFF
- MULTI-SIZED TEGULA PAVING
- BLOCK PAVING
- WOODEN BENCH
- RAISED PLANTER
- SPRINKLER TANK
- MESH FENCE 1.1M HIGH
- VERTICAL TIMBER PLANK FENCE 1.8M HIGH
- EV CHARGING BAY
- EXISTING UNALLOCATED VISITOR PARKING SPACE
- BOLLARD LIGHT
- 5m LIGHTING POLE

P10	ASHP Reference Removed, sheet re-plotted	NM	DJ	01.09.23
P09	Scale Bar Updated	NM	DJ	17.08.23
P08	ASHPs Removed, retaining wall layout revised	NM	MH	02.06.23
P07	Retaining wall annotated	IR	DJ	09.05.23
P06	Retaining wall layouts revised, bike store re-located	NM	DJ	19.04.23
P05	Retaining wall added at parking bays	NM	DJ	14.04.23
P04	amended for revised layouts, site context added, entrance landscaping revised	NM	DJ	29.03.23
P03	Site plan updated, ASHP added.	NM	DJ	17.03.23
P02	Surrounding context updated & increased area shown. FFLs updated. Additional parking provided. Residents garden updated. Layout provided	MH	DJ	27.10.22
P01	FIRST ISSUE	DJ	MH	07.09.22
Rev	Notes		Drawn	Appr. Date



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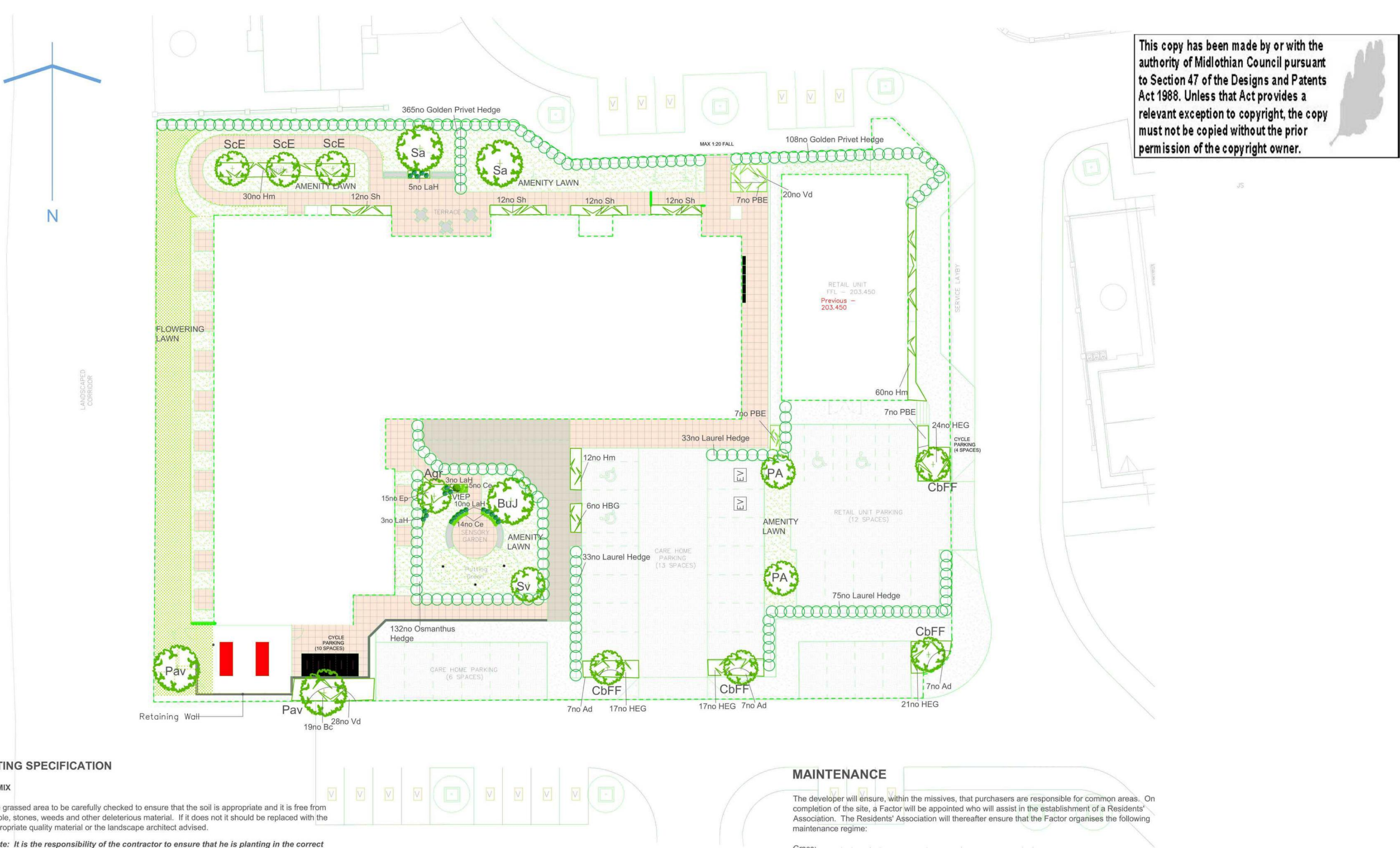
Project 5066
Greenlaw Mains, Penicuik
Care Home and Retail

Drawing Name
Proposed Site Plan

Scale @ A1	Checked	Revision
As indicated	DJ	P10

Drawing Number
5066-HML-ZZ-ZZ-D-A-10100

Site Plan Proposed
1 : 200



PLANTING SPECIFICATION

GRASS MIX

- The grassed area to be carefully checked to ensure that the soil is appropriate and it is free from rubble, stones, weeds and other deleterious material. If it does not it should be replaced with the appropriate quality material or the landscape architect advised.
(Note: It is the responsibility of the contractor to ensure that he is planting in the correct quality of material)
- Where topsoil is to be added the subsoil should be fully broken up to ensure adequate drainage and a layer not less than 150mm deep applied.
- The topsoil should be cultivated to a fine, even tilth with no undulations or bumps.
- All grass area to be turfed or seeded in accordance with guide-lines set out in BS 4428: Code of Practice for general landscape operations: 1989.
- Flowering Lawn areas to be sown in late Autumn as per manufacturers instructions.

SHRUBS

- The whole planting bed to be carefully set out and the soil checked to ensure that it meets the standards set out in BS 3882: 2007. If it does not it should be replaced with the appropriate quality material or the landscape architect advised.
(Note: It is the responsibility of the contractor to ensure that he is planting in the correct quality of material)
- If new topsoil is required the subsoil base should be fully broken up to ensure adequate drainage.
- Planters and troughs to be filled with suitable drainage at the base and soil for permanent planting such as John Innes no 3 or similar approved.
- The bed should be inspected after the subsoil base is broken up and before topsoil cultivation for any signs of flooding. If there are signs and these cannot be resolved the landscape architect should be advised.
(Note: It is the responsibility of the contractor to ensure that he is not planting in a waterlogged bed)
- Planting should not be undertaken below 2 degrees centigrade or when the ground is snow covered or frozen.
- The topsoil should be cultivated throughout the bed to a depth of 300mm. It should be left with a central ridge 150mm above the edges of the bed.
- When then bed has been fully cultivated and formed, the planting holes shall be dug 150mm wider than the root spread. Bare-root plants shall have the roots carefully teased out and pot-grown plants shall have the roots carefully loosened from the soil. 2 to 2.5litres, depending on the size of the plant, of Fison's Peat-Free Planting Compost or similar approved shall be worked into the backfill. The plants shall be planted so that the finished topsoil level is at the nursery level on the stem of the plant.
- The plants shall be well firmed in and, after planting, a slow acting fertiliser shall be carefully worked into the top 50mm of soil round each plant taking care to avoid contact with the stem.
- Immediately after planting the whole bed shall be well watered in.
- All work shall be carried out in accordance with best horticultural practice.

TREES

- Trees shall be planted at the appropriate season depending on root-grown or bare-root.
- Tree pits to be dug not less than 1m cube and not smaller than 250mm larger than the overall root spread. Care to be taken to ensure that all sides are permeable and have not been "polished" and that all pits are free draining with 50mm of washed round pea gravel to the base of the tree pits.
- A pressure-treated timber stake 75 x 75mm shall be used. It shall extend 500mm above the finished soil level, with a proprietary tie set 100mm below the top of the stake.
- One tie shall be used on standard and feathered trees up to 2m high. Two will be required for Heavy and Extra-Heavy Standard trees up to 18cm girth. Above this three will be required unless an underground guying system is used.
- Backfill for the tree pits to be 20% Peat-free Compost, Fison's or similar approved.
- The backfill to be a raised mound at the top with the centre 150mm above the edges. Care to be taken to ensure that the finished backfill level is at the nursery level on the tree and that level is at the centre of the mound 150mm above the edges of the pit when the tree has been well firmed in.
- On completion of the planting the tree shall be well watered in with not less than 10gallons of water. Thereafter it should be watered as required, following periods of any more than three consecutive hot, dry days, until the tree is fully established.

HEDGES

- Hedge planting should be as for the shrubs, set out above. However, the planting bed should be established by using the line of the hedge as the length. After achieving the correct quality topsoil and, with the base broken up, if topsoil is imported, the soil shall be cultivated to ensure a ridge, into which the hedge is planted, set 150mm above the edge of the bed.
- Thereafter all of the above, fertiliser shall be applied and the hedge well watered in.
- After planting the hedge should be trimmed back to an even line, to encourage growth, with the amount of trimming depending on species.

MAINTENANCE

The developer will ensure, within the missives, that purchasers are responsible for common areas. On completion of the site, a Factor will be appointed who will assist in the establishment of a Residents' Association. The Residents' Association will thereafter ensure that the Factor organises the following maintenance regime:

- Grass:
- Fine grass cut 16 times per year.
- Flowering lawn to be cut in April and left to grow in May June and July. Cut two weekly thereafter until the end of the growing season. Allow for 6 cuts a year.

- Shrubs:
- The objective is to provide a full even cover and prevent overcrowding. To that end the site should be inspected once per year by a suitably qualified horticulturalist and the following regime followed:
- The shrub beds shall be kept clear of weeds, either mechanically or by using an approved herbicide.
 - Shrubs shall be pruned up to twice per year, in Spring and Autumn depending on the species, to maintain their natural shape and habit. Any damaged diseased or broken branches should be removed.
 - In the first five years all dead and dying shrubs should be replaced by shrubs of similar size and species to those originally planted
 - From the second year beds should be inspected and thinned out where appropriate. Where suitable, these shrubs can be used to fill gaps in the planting area. Otherwise gaps should be infilled with appropriate new plants as for 'e' above.
 - After 10 years a systematic programme of replacement should be established.

- Trees:
- Trees have been chosen for their appropriateness to their individual location. Pruning, other than for health and safety reasons, should not be necessary. They should, however, be inspected by a suitably qualified arboriculturalist annually.
- An area 1m diameter at the base of the trees shall be kept clear of weed and grass either mechanically or by using an approved herbicide.
 - Tree stakes and ties should be inspected 3 times per year (Autumn, Winter and Spring).
 - All dead and diseased branches, or those broken due to malicious action or wind damage should be cleanly removed and the scar cleaned up.
 - All trees which have been removed or which are found to be dying, severely diseased or damaged will be replaced by trees of similar size and species to those originally planted. These should be replaced as soon as seasonal weather conditions allow.

- Garden hedges:
- The objective is to produce a thick, healthy, impenetrable hedge. Pruning should be undertaken where necessary to achieve a neat and compact finish.
- Hedges to be pruned back to an even hedge line to encourage thickening twice within the first growing season after planting and twice a year thereafter.

Herbaceous Planting:

- The flowers on the herbaceous plants to be cut back after flowering annually
- Leaf die back to be removed annually, in March prior to regrowth.
- Plants should be divided every three years to rejuvenate. Additional planting occurring from this can be used elsewhere on site at an agreed location.

- Hardsurface:
- Six visits per year to remove weeds from shrub beds and between pavements and within other hard standing areas. All weeds to be removed from the site. Where herbicides are used extreme care should be taken to avoid damage to surrounding grass and avoid spray drift.

PLANTING SCHEDULE

CARE SHOULD BE TAKEN TO ENSURE THAT ALL TREES ARE PLANTED A MINIMUM OF 1M AWAY FROM ALL FOOTPATHS AND SERVICE STRIPS.

Where possible, plants which are particularly attractive to bees have been used.

PROPOSED TREES

Agr	Acer griseum (Paper barked maple)	1no
BuJ	Betula utilis 'Jacquemontii' (White Birch)	1no
CbFF	Carpinus betulus 'Frans Fontaine' (Fastigate Hornbeam)	4no
PA	Prunus amanogawa(Flag pole cherry)	2no
Pav	Prunus avium(Bird cherry)	2no
Sa	Sorbus aria (Rowan)	4no
ScE	Sorbus commixta ' Embley' (Chinese Rowan)	3no
Sv	Sorbus vilmorinii (Rowan)	1no

All of the above trees to be Heavy Standard size (12 to 14cm girth) double short-staked and root balled. Where trees are planted into turf, an area 1m dia, at the base of the tree, should be mounded and kept clear of weeds and grass and other deleterious material.

PROPOSED HERBACOUS PERENNIALS

Ad	Aster dumosus	20 to 30cm 3L	5/m2	21no
Bc	Bergenia cordifolia	30 to 40cm 3L	4/m2	19no
Ce	Carex evergold	20 to 30cm 3L	as spec	14no
Ep	Epimedium pinnatum	30 to 40cm 3L	4/m2	15no
PBE	Pulmonaria 'Blue Ensign'	30 to 40cm 3L	5/m2	21no

PROPOSED SHRUBS

LaH	Lavandula angustifolia 'Hidcote'	7.5L as spec		21no
HBG	Hebe 'Blue Gem'	30 to 40cm 5L	4/m2	6no
HEG	Hebe 'Emerald Globe'	30 to 40cm 5L	4/m2	79no
Hm	Hydrangea macrophylla	30 to 40cm 5L	3/m2	102no
Sh	Sarcococca humilus	30 to 40cm 3L	4/m2	48no
Vd	Viburnum davidii	30 to 40cm 3L	4/m2	48no
VIEP	Viburnum tinus 'Eve Price'	15L as spec.		1no

LAUREL HEDGE

Prunus lusitanica	60 to 80cm 5L	135no
-------------------	---------------	-------

Hedge to be planted in one row, evenly spaced, at 300mm centres. To be trimmed immediately to an even hedge line.

OSMANTHUS HEDGE

Osmanthus burkwoodii	30 to 50cm 5L	132no
----------------------	---------------	-------

Hedge to be planted in one row, evenly spaced, at 300mm centres. To be trimmed immediately to an even hedge line.

GOLDEN PRIVET HEDGE

Ligustrum ovalifolium 'Aureum'	80 to 100cm 2L	473no
--------------------------------	----------------	-------

Hedge to be planted staggered row at 6 per linear metre. To be trimmed immediately to an even hedge line.

AMENITY GRASS MIX

British Seed Houses A19 (Lawns and Landscaping) available from:
<http://www.bshamenity.com>

FLOWERING LAWN MIX

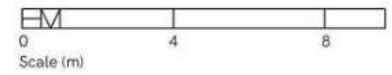
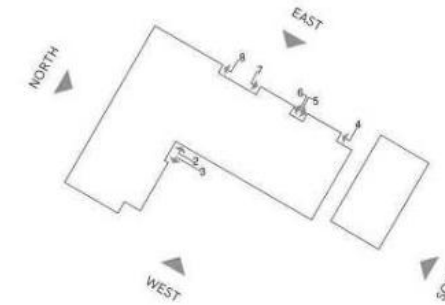
available from:
<http://www.scotiaseeds.com>

Revision					
Drawing: LANDSCAPE PROPOSAL					
Job: GREENLAWMAINS CARE HOME					
Client: CCG					
No: 660.02.01					
Date: Apr 2023	Scale: 1:200	Drawn: JS	Checked: AM		

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EXTERNAL FINISHES KEY

- ① FACING BRICK
- ② UPVC WINDOW / DOOR - DARK GREY COLOUR
- ③ GLASS BALUSTRADE
- ④ SOLAR SHADING LOUVRES
- ⑤ ACOUSTIC TIMBER FENCE
- ⑥ RETAINING WALL
- ⑦ CONCRETE ROOF TILES - DARK GREY COLOUR
- ⑧ DARK GREY SINGLE PLY MEMBRANE
- ⑨ DARK GREY PPC ALUMINIUM PARAPET
- ⑩ DARK GREY STEEL DOOR
- ⑪ BIRD/BAT BOX



Notes

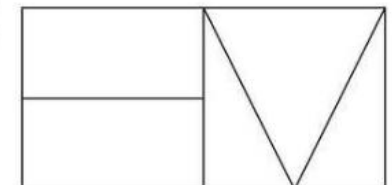
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● - EXTERNAL LIGHT



PD4	Inner Elevations added	IR	DJ	02/06/23
PD3	Layouts updated for resubmission for planning	NM	DJ	29.03.23
PD2	Elevations revised, ASHP added, Solar shading added	NM	DJ	17.03.23
PD1	FIRST ISSUE	DJ	NH	07.09.22
Rev	Notes	Drawn	Appr	Date



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Project 5066

Greenlaw Mains, Penicuik
Care Home and Retail

Drawing Name

Proposed East Elevation

Scale @A3	Checked	Revision
As indicated	DJ	P04

Drawing Number

5066-HML-ZZ-ZZ-D-A-10302

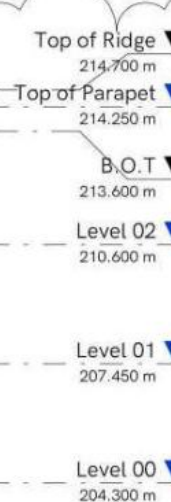
East Elevation
1:200



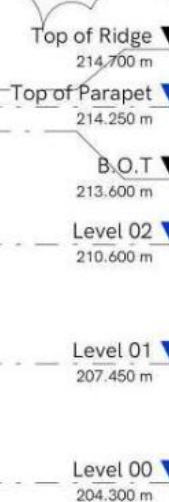
④ Inner Elevation - 4
1 : 200



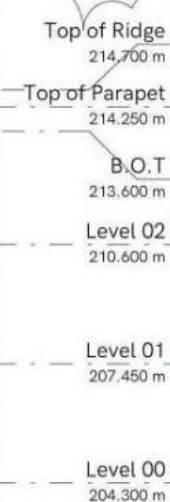
⑤ Inner Elevation - 5
1 : 200



⑥ Inner Elevation - 6
1 : 200



⑦ Inner Elevation - 7
1 : 200



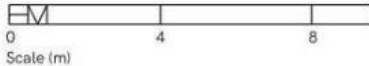
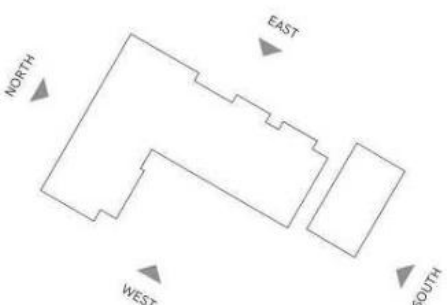
⑧ Inner Elevation - 8
1 : 200

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EXTERNAL FINISHES KEY

- ① FACING BRICK
- ② UPVC WINDOW / DOOR - DARK GREY COLOUR
- ③ GLASS BALUSTRADE
- ④ SOLAR SHADING LOUVRES
- ⑤ ACOUSTIC TIMBER FENCE
- ⑥ RETAINING WALL
- ⑦ CONCRETE ROOF TILES - DARK GREY COLOUR
- ⑧ DARK GREY SINGLE PLY MEMBRANE
- ⑨ DARK GREY PPC ALUMINIUM PARAPET
- ⑩ DARK GREY STEEL DOOR
- ⑪ BIRD/BAT BOX

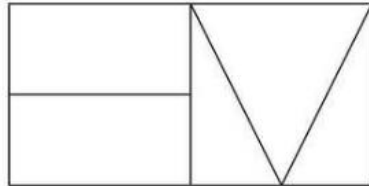


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North Elevation
1:200

P03	Layouts updated for resubmission for planning	NM	DJ	29.03.23
P02	Elevations revised, ASHP added, Solar shading added	NM	DJ	17.03.23
P01	FIRST ISSUE	DJ	NH	07.09.22
Rev	Notes	Drawn	Appr	Date



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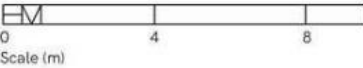
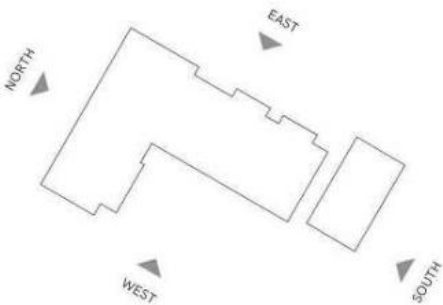
Drawing Name
Proposed North Elevation

Scale @A3	Checked	Revision
1 : 1500	DJ	P03

Drawing Number
5066-HML-ZZ-ZZ-D-A-10301

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 - ⑤ ACOUSTIC TIMBER FENCE
 - ⑥ RETAINING WALL
 - ⑦ CONCRETE ROOF TILES - DARK GREY COLOUR
 - ⑧ DARK GREY SINGLE PLY MEMBRANE
 - ⑨ DARK GREY PPC ALUMINIUM PARAPET
 - ⑩ DARK GREY STEEL DOOR
 - ⑪ BIRD/BAT BOX

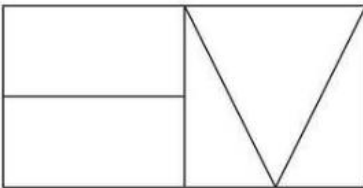


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EL
● - EXTERNAL LIGHT



PD4	Ground levels updated	NM	DJ	14.04.23
PD3	Layouts updated for resubmission for planning	NM	DJ	29.03.23
PD2	Elevations revised, ASHP added, Solar shading added	NM	DJ	17.03.23
PD1	FIRST ISSUE	DJ	NH	07.09.22
Rev	Notes	Drawn	Appr	Date



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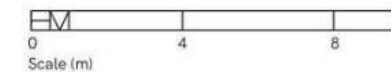
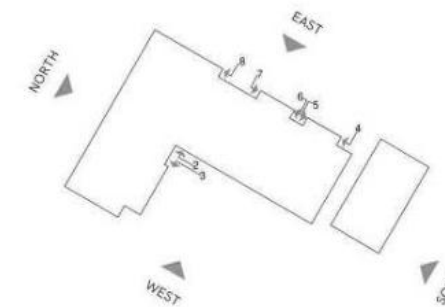
Drawing Name
Proposed South Elevation -
Care Home

Scale @A3	Checked	Revision
As indicated	DJ	P04

Drawing Number
5066-HML-ZZ-ZZ-D-A-10303

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 - ③ GLASS BALUSTRADE
 - ④ SOLAR SHADING LOUVRES
 - ⑤ ACOUSTIC TIMBER FENCE
 - ⑥ RETAINING WALL
 - ⑦ CONCRETE ROOF TILES - DARK GREY COLOUR
 - ⑧ DARK GREY SINGLE PLY MEMBRANE
 - ⑨ DARK GREY PPC ALUMINIUM PARAPET
 - ⑩ DARK GREY STEEL DOOR
 - ⑪ BIRD/BAT BOX

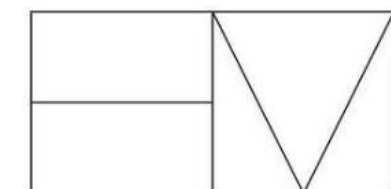


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EL
● - EXTERNAL LIGHT



P05	Inner Elevations added	IR	DJ	02/05/23
P04	Ground levels updated, entrance updated, retail unit signage updated	NM	DJ	14/04/23
P03	Layouts updated for resubmission for planning	NM	DJ	29/03/23
P02	Elevations revised, ASHP added, Solar shading added	NM	DJ	17/03/23
P01	FIRST ISSUE	DJ	NH	07/09/22
Rev	Notes	Drawn	Appr	Date



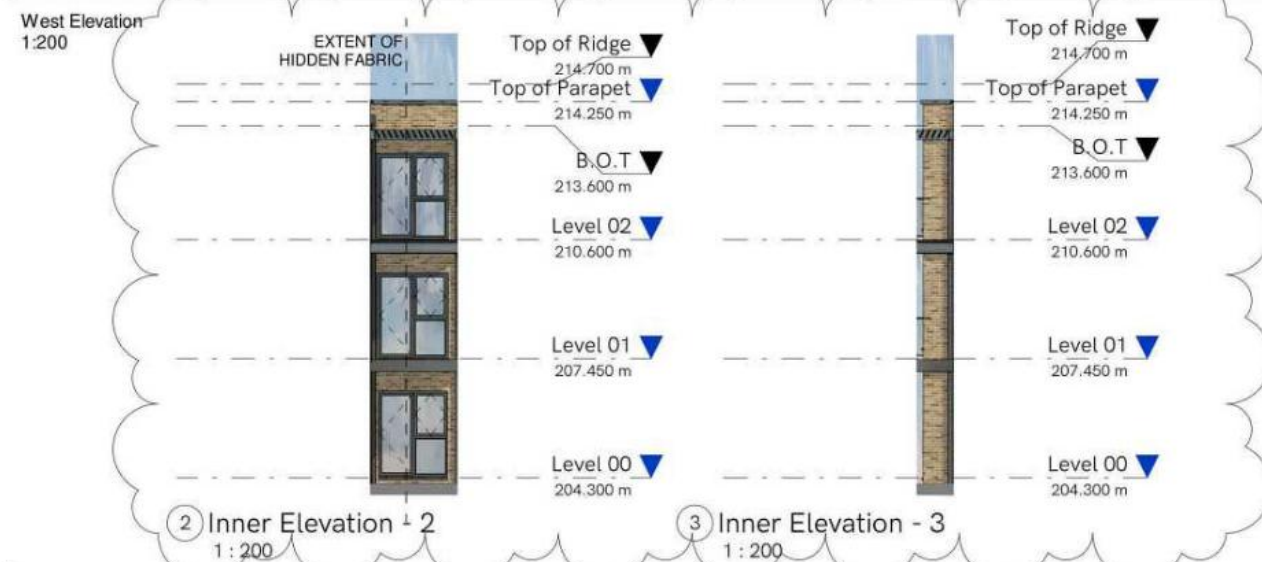
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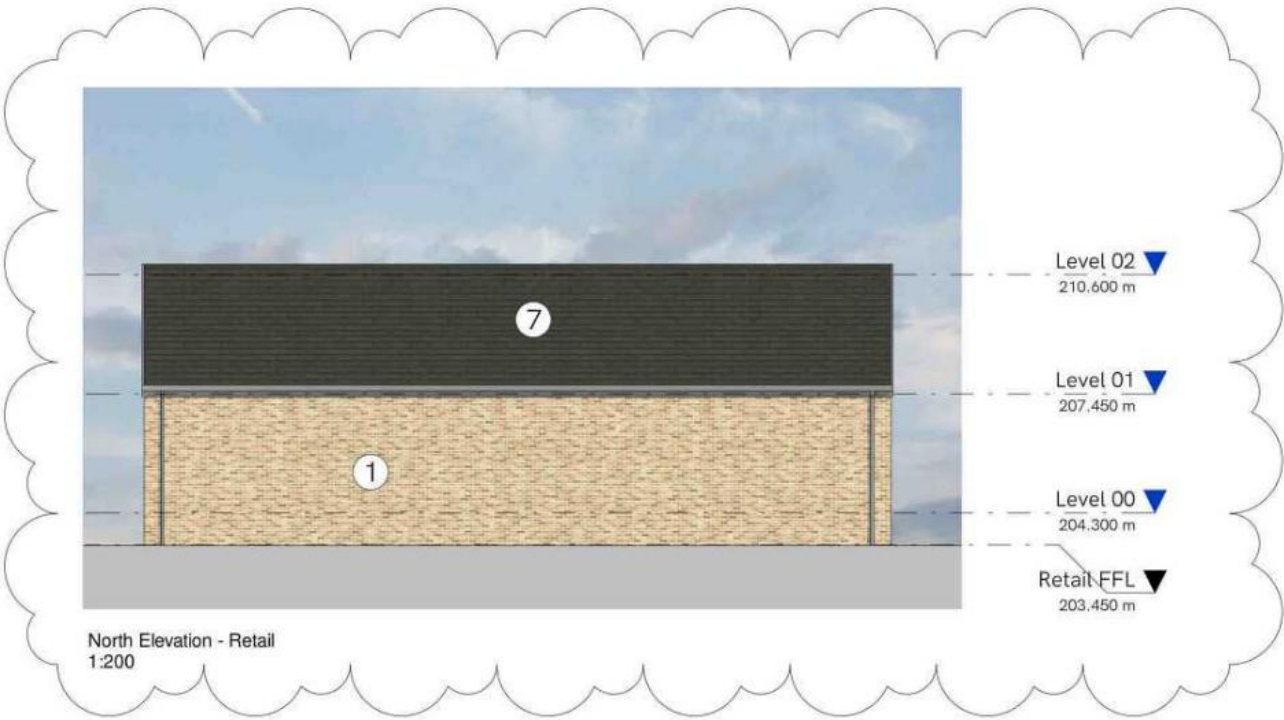
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Drawing Name
Proposed West Elevation

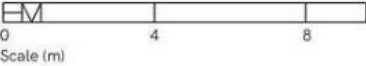
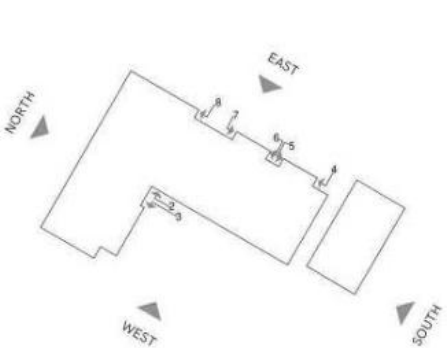
Scale @A3	Checked	Revision
As indicated	DJ	P05

Drawing Number
5066-HML-ZZ-ZZ-D-A-10300





- EXTERNAL FINISHES KEY
- ① FACING BRICK
 - ② UPVC WINDOW / DOOR - DARK GREY COLOUR
 - ③ GLASS BALUSTRADE
 - ④ SOLAR SHADING LOUVRES
 - ⑤ ACOUSTIC TIMBER FENCE
 - ⑥ RETAINING WALL
 - ⑦ CONCRETE ROOF TILES - DARK GREY COLOUR
 - ⑧ DARK GREY SINGLE PLY MEMBRANE
 - ⑨ DARK GREY PPC ALUMINIUM PARAPET
 - ⑩ DARK GREY STEEL DOOR
 - ⑪ BIRD/BAT BOX

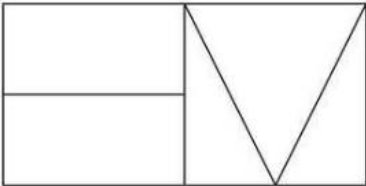


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P03	Retail North Elevation Added: Retail downpipes Added:	JM	DJ	02/05/23
P02	Drawing revised	NM	DJ	14.04.23
P01	FIRST ISSUE	DJ	NM	07.09.22
Rev	Notes	Drawn	Appr	Date



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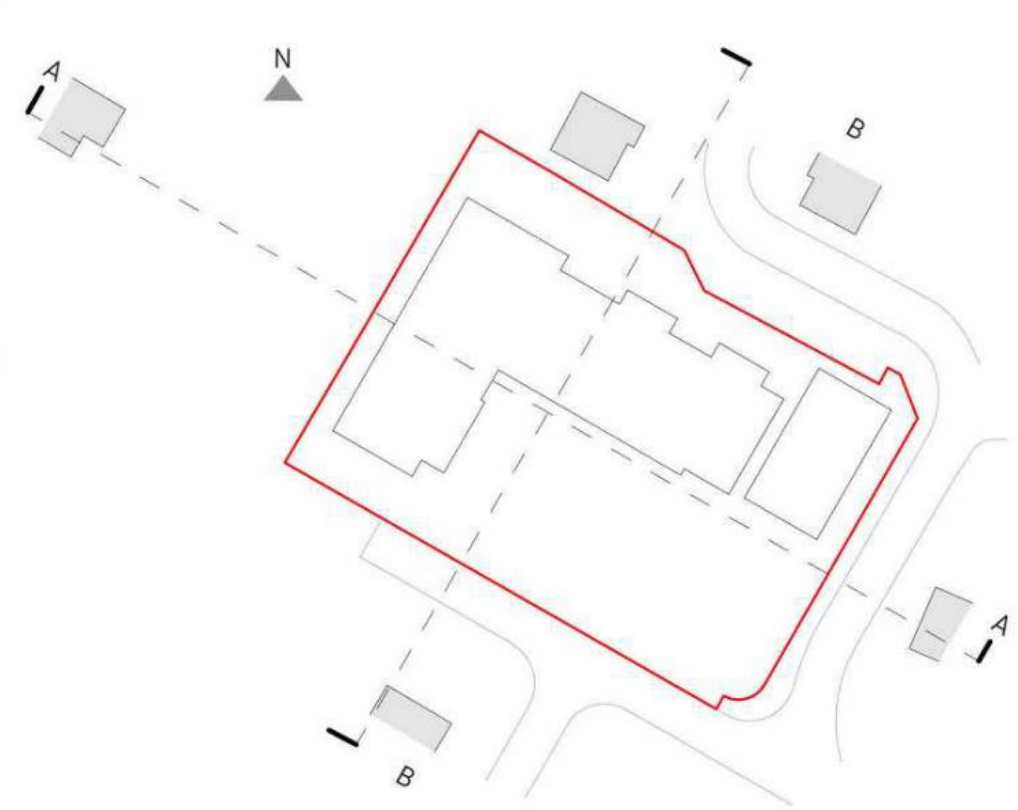
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Drawing Name
Proposed North and South
Elevations - Retail

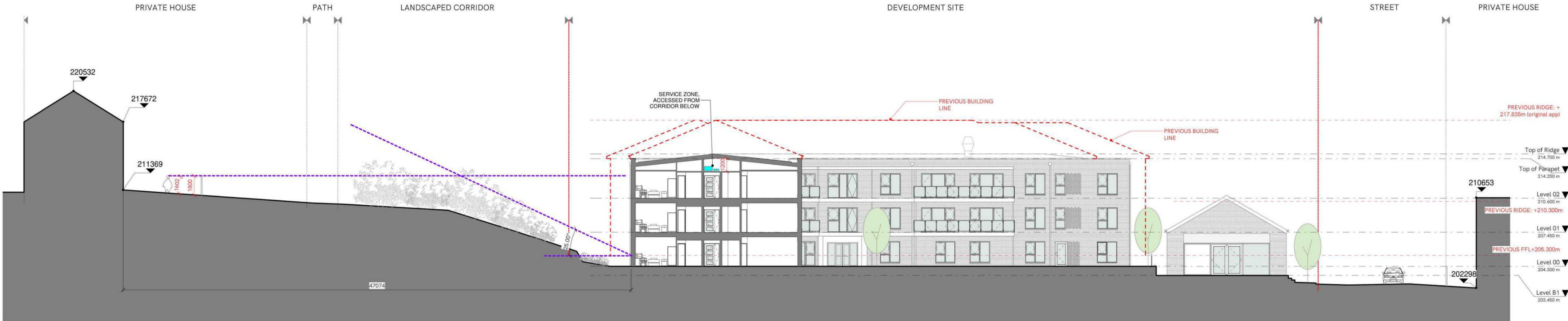
Scale @A3	Checked	Revision
As indicated	DJ	P03

Drawing Number
5066-HML-ZZ-ZZ-D-A-10304

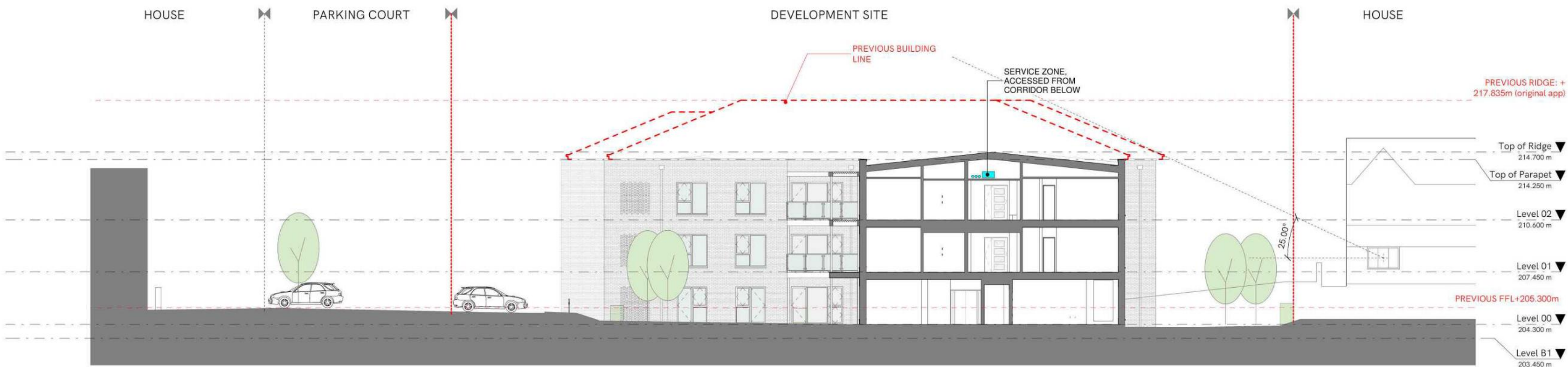
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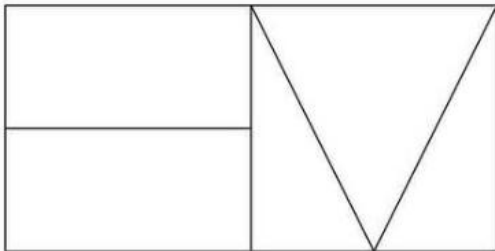
③ Site Section A-A
1:200



④ Street section B-B
1:200

P03	Sections updated following revisions to layouts	NM	DJ	28.03.23
P02	Ridge levels updated. Daylight analysis noted on Section B-B. Topography updated. Retail unit updated. Extent of section cuts extended & neighbouring housing levels indicated	MH	DJ	27.10.22
P01	First Issue	OM	MH	26.08.22

Rev Notes Drawn Appr Date



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Drawing Name
Proposed Site Sections

Scale @ A1	Checked	Revision
As indicated	DJ	P03

Drawing Number
5066-HML-ZZ-ZZ-D-A-10200

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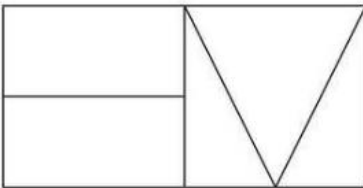
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P02	Updated to align with latest layouts	NM	DJ	14.04.23
P01	FIRST ISSUE	DJ	NH	07.09.22
Rev	Notes	Drawn	Appr	Date



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Drawing Name
3D View Looking North

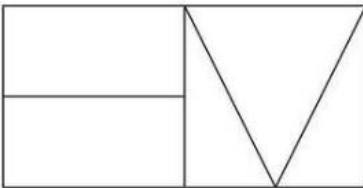
Scale @A3	Checked	Revision
1 : 20	DJ	P02

Drawing Number
5066-HML-ZZ-ZZ-D-A-10400

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P03	Updated to align with latest layouts	NM	DJ	14.04.23
P02	Care home ridge & FFL level lowered. Retail FFL raised. Retention between care home & retail reduced. Landscaping updated	MH	DJ	27.10.22
P01	FIRST ISSUE	DJ	MH	07.09.22
Rev	Notes	Drawn	Appr	Date



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Drawing Name
3D View Looking West

Scale @A3	Checked	Revision
1 : 20	DJ	P03

Drawing Number
5066-HML-ZZ-ZZ-D-A-10401

