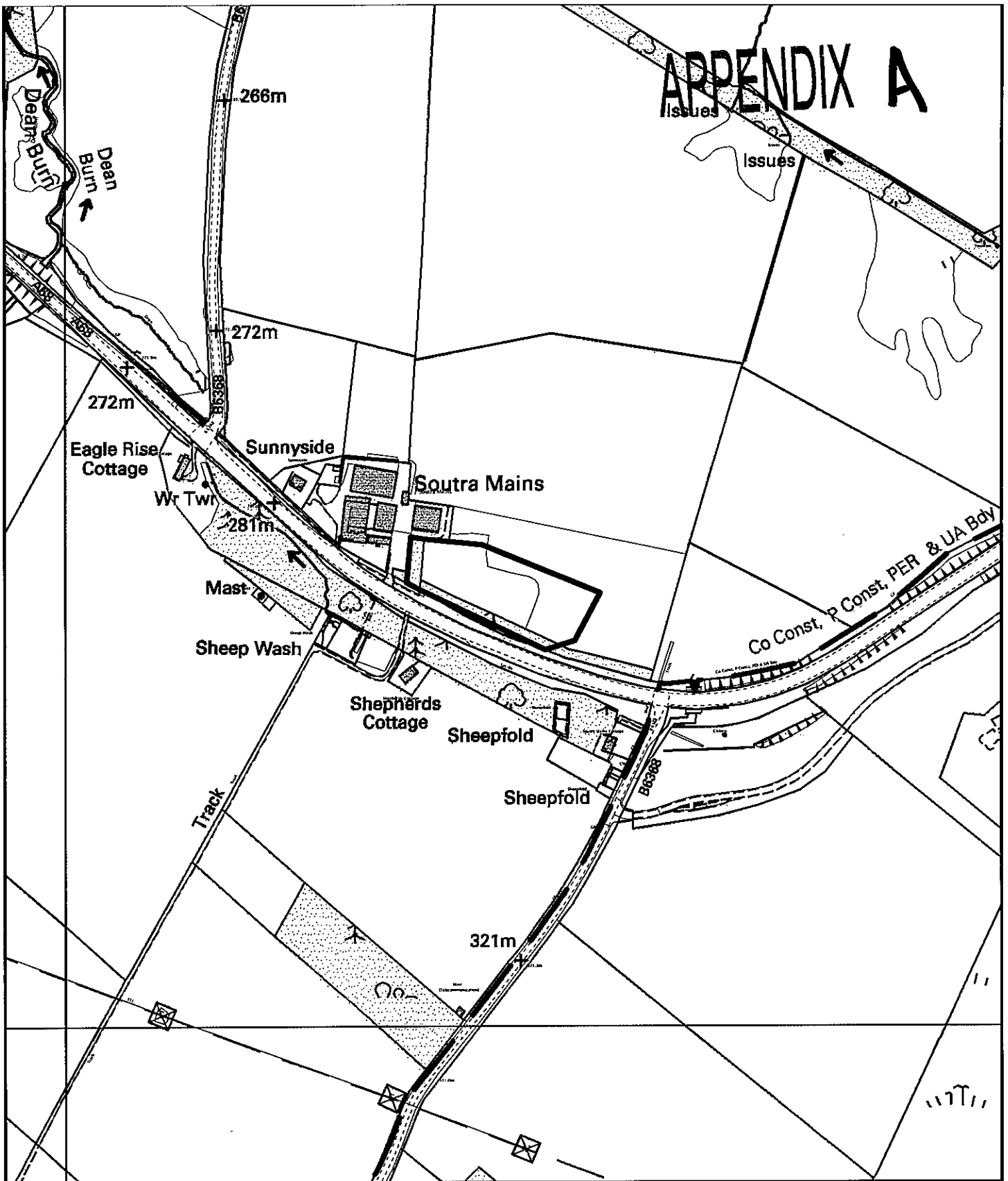


# APPENDIX A



Midlothian

**Ed, Comm & Econ**  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3ZQ

Erection of four retail units (part retrospective) at Soutra Mains Farm, Blackshiels, Pathhead

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Midlothian Council Licence No. 100023416 (2013)

File No. 13/00370/DPP

Scale: 1:5,000



## NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect  
of Decisions on Local Developments

The Town and Country Planning (Schemes Delegation and Local Review Procedure) (SCOTLAND)  
Regulations 2008

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2008

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS  
ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	George	Forename	Alastair
Surname	Russell	Surname	Bell
Company Name		Company Name	McLean Bell Consultants Ltd
Building No./Name		Building No./Name	33
Address Line 1		Address Line 1	Miller Park
Address Line 2		Address Line 2	Polmont
Town/City		Town/City	Falkirk
Postcode		Postcode	FK2 0UJ
Telephone		Telephone	
Mobile		Mobile	07803 591530
Fax		Fax	01324 720732
Email		Email	mcleanbell@btconnect.com
<b>3. Application Details</b>			
Planning authority		Midlothian Council	
Planning authority's application reference number		13/00370/DPP	
Site address			
Soutra Mains Farm, Blackshiels, Pathhead, EH37 5TF			
Description of proposed development		CORPORATE RESOURCES	
		FILE:	
Change of Use of Holiday Cottages to Farm Shops		RECEIVED 03 DEC 2013	

Date of application 4th June 2013

Date of decision (if any) 6th September 2013

**Note.** This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

#### 4. Nature of Application

- Application for planning permission (including householder application) ☒
- Application for planning permission in principle ☐
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition) ☐
- Application for approval of matters specified in conditions ☐

#### 5. Reasons for seeking review

- Refusal of application by appointed officer ☒
- Failure by appointed officer to determine the application within the period allowed for determination of the application ☐
- Conditions imposed on consent by appointed officer ☐

#### 6. Review procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions ☐
- One or more hearing sessions ☒
- Site inspection ☒
- Assessment of review documents only, with no further procedure ☐

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

The appellant considers the Local Review Body would benefit from hearing from him and his agent about his plans for a small economic development at this location which would provide a service for both local residents and passing motorists on A68. This will also provide local employment opportunities.

#### 7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land? ☐
- Is it possible for the site to be accessed safely, and without barriers to entry? ☒

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

as the site is an active construction site, it is considered that an accompanied site visit would be preferable.

## 8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

See attached sheet.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☒ No ☐

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

The appellant has submitted a petition of support for the development together with individual letters of support. These were obtained after the appointed officer determined the application. In addition a recent article in the Herald is submitted. This article also post dates the refusal notice.

It is considered these provide the members of the Local Review Body with evidence of support for this proposal and as such should now be considered.

## 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

MB - 1 Petition of Support [22 pages]  
MB - 2 Letter from Head Chef and other staff of House of Soutra  
MB - 3 Letter from Ewan Ogden  
MB - 4 Letter from Ben Ewing  
MB - 5 Article in Business section of the Herald 25th November 2013  
MB - 6 Extract from Trip Advisor website with reviews of House of Soutra.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

## 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form ☒

Statement of your reasons for requesting a review ☒

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☒

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

## DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

McLean Bell Consultants Ltd

Date:

29th November 2013

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

## Supporting Statement

### Notice of Review regarding Soutra Mains Farm, Blackshiels, Pathhead

- Mr Russell [the appellant] operates a number of businesses in Central Scotland, including a small construction company. However, he also owns over 600 hectares [1500 acres] of farmland in 3 locations, including at Soutra.
- It is accepted that this site lies within the countryside as defined in the Development Plan for the area. However, as this proposal is principally for "Farm Shops" which would retail various types of farm produce as well as other appropriate goods then a countryside location is precisely where it should be located. The proposal is not a major retail development which fits into the categories normally referred to in the Development Plan. In addition, the four retail units are seen as complimentary to the existing small restaurant/café recently opened at the location. A small number of retail units will allow passing motorists the opportunity to break their journey with some refreshments and also provide the opportunity to spend a short time browsing these shops.
- The proposal is of such a small scale that it does not trigger the normal size that a sequential test is required. Each unit is approximately 80 sq. metres [320 sq. metres in total]. At that size there is no likelihood of any adverse impact on the turnover of any other shopping centre such as Dalkeith. The nearby village of Pathhead has only 2 retail units and the appellant has spoken to both of the owners. Neither has voiced any opposition to this proposal being granted planning permission. There would be no adverse impact on the turnover of either shop from this proposal.
- The appellant has already built a restaurant/café called the House of Soutra at the site. He has commenced constructing the 4 holiday cottages granted planning permission on the site but the potential market for that development has diminished and he wishes to convert these buildings into shops. He has already invested around £½ million in the development of the House of Soutra and the 4 Units including infrastructure and access improvements. Mr Russell has also had a number of "expressions of interest" in renting these 4 units.
- The House of Soutra currently employs 7 staff [all local]. Documents MB 2 – 4 are from staff of the café.
- It principally uses locally sourced produce.
- Users of the House of Soutra appear to be generally satisfied with the facility. Document MB – 6 is an extract from a website where people can place a review.
- Users of the existing facility have signed a petition in support of the development of 4 small retail units – document MB – 1. The appellant is not aware of any objections being lodged to his proposal.
- The House of Soutra provides local residents of the area a modern facility which does not otherwise exist in the area. It also provides users of the A68 a facility to take a break from their journey with both some refreshments and an opportunity to stretch their legs. As drivers are frequently reminded "tiredness can kill".
- The development would use the existing access onto the A68. This was approved by Transport Scotland for use both by the existing café and the 4 holiday cottages. Transport Scotland has no objection to this proposal for 4 retail units and simply requests the imposition of a condition. The access has been improved by Mr Russell and the sightlines are adequate for this development. Clearly any driver exiting the site to turn right will have to exercise the same care that all motorists require when turn at all the other junctions on A68. There is no evidence that this cannot be done in a safe manner.

McLean Bell Consultants Ltd.

CORPORATE RESOURCES	
FILE:	
RECEIVED	03 DEC 2013



MB-2

# THE STAFF AT HOUSE OF SOUTRA

FULL TIME LOCALLY - AND MOVING IT!

JULIE AMOS  
(MANAGER/SS)

We are continually asked if the buildings will become shops. Many customers have stated that they would love to have a place to stop for a coffee & browse local crafts. There are no other similar places in the vicinity.

[REDACTED]  
ALICE MCCRAW

HEAD CHEF & LOCAL RESIDE

Still studying, working part time locally at House of Soutra. Fantastic!

Also EMPLOYED HERE -

SUSIE GRIGOR	PART TIME (30 hrs)
MICHELLE OUTERSON	PART TIME
KAREN AMOS	WEEKENDS
FRANCIS DICKMAN	PART - TIME

CORPORATE RESOURCE

FILE:

RECEIVED 03 DEC 2013



MB-3

I AM 24 YEARS OLD AND <sup>HAVE</sup> ~~HAD~~ JUST  
RETURNED FROM TRAVELLING IN  
AUSTRALIA.

I WAS IN NEED OF LOCAL WORK AND  
APPLIED FOR A ~~PART~~ TIME POSITION


AS A BARISTA MAKING COFFEE AND  
SERVING THE PUBLIC.

I AM NOW IN A FULL TIME JOB

WHICH COMPLIMENTS MY ~~TRAINING~~  
EXPERIENCE IN THE HOSPITALITY  
INDUSTRY.

SINCE OPENING I HAVE SEEN A  
STEADY INCREASE IN CUSTOMERS  
BOTH REGULAR + TRAVELLING  
THROUGH.

I FEEL THAT IF HOUSE OF SOUTRA  
COULD EXPAND IT COULD GIVE  
OTHER EXPERIENCED YOUNG PEOPLE  
LIKE MYSELF STEADY EMPLOYMENT.

  
EWAN CUDEN.

MB-4.

My NAME IS BEN

I HAD JUST LEFT COLLEGE AND  
WAS LOOKING FOR EMPLOYMENT.

I SAW A NEW BUSINESS WAS  
OPENING UP IN MY AREA. I APPLIED  
AND GOT A JOB.

I AM 19 YEARS OLD AND I'M  
LEARNING LOTS OF NEW SKILLS.

THIS HAS BEEN EXCELLENT  
FOR EMPLOYING LOCAL PEOPLE.

I ENJOY BEING INVOLVED WITH BOTH  
LOCAL CUSTOMERS AND TOURISTS AND  
WAS SURPRISED BY HOW MUCH LOCAL  
PRODUCE IS AVAILABLE IN OUR AREA,  
WHICH WE ARE KEEN TO SUPPORT,  
AND HAVE BEEN USING.



# The Herald Business

business@theherald.co.uk



**Eyes on prizes**  
Ceremony to  
recognise top  
entrepreneurs  
Page 21

X?  
IT error  
NVT solut  
www.nvtgro

## Briefing

### 'To be floated on stock exchange in mid-2014'

Group  
to float its  
in the middle  
appease  
on state aid.  
chief  
SB, said  
initially sell 30%  
business.  
initial public  
will include a  
small  
as with the  
Direct Line  
offer share  
on.  
has 551  
launched as a  
and in  
erking a  
streets after

an 18-year absence. It is  
being offloaded in line with  
EU rules following the  
£20 billion state bail out of  
Lloyds at the height of the  
financial crisis, although it  
has had to ask for a  
extension to the timetable  
after an initial deal to sell  
the branches to the  
embattled Co-operative  
Bank fell through in April.  
TSB could reportedly be  
valued at between £1.5bn to  
£2bn when it lists on the  
stock exchange.  
Mr Pester said the group  
may begin City  
presentations with  
potential institutional  
investors in January.

### Simulation firm raises funding

firm that has  
simulation  
which can be  
used in  
ated £75,000  
funding from  
tors ahead of a  
in  
markets.  
ulation has  
a production  
lignate where it  
reputational

displays featuring a  
spherical projection screen.  
Founded by Alexander  
Brody last year, the firm is  
targeting flight simulation  
markets which are expected  
to triple in value to \$9.6  
billion (£6bn) by 2018. It  
moved into production early  
this year. The company won  
£7500 funding from Scottish  
Enterprise and Scottish  
Development International.

### ND'S TOP 30 SHARES

	Current price	Base price	±/∓ on week	±/∓ on time
Microsoft	394	100	-1	+204.00
Google	737	387	+2	+350.00
Amazon	254	199	+4	+55.00
Facebook	310	238	-5	+72.00
Alphabet	475	267	+46	+208.00
Twitter	960	762	-17	+198.00
LinkedIn	381	310	-11	+71.00
Slack	591	469	+2	+122.00
Dropbox	446	375	-1	+71.00
Zoom	743	641	-28	+102.00
Skype	355	307	+1	+48.00
Trust	582	511	-1	+71.00
Paycom	2135	1879	-66	+256.00
Workday	457	407	+18	+50.00
SAP	549	495	+18	+54.00
Oracle	14	13	+1	+1.00
Salesforce	350	325	+10	+25.00
NetScout	763	720	-25	+43.00
Blackboard	330	324	+1	+6.00
Blackboard	268	264	-1	+4.00
Blackboard	13	14	-1	-1.00
Blackboard	1370	1418	-28	-48.00
Blackboard	268	308	-27	-40.00
Blackboard	157	169	-2	-12.00
Blackboard	128	137	-3	-9.00
Blackboard	1564	1740	-27	-176.00
Blackboard	148	167	+11	+19.00
Blackboard	40	65	+1	+25.00
Blackboard	116	209	-1	-93.00
Blackboard	57	198	-1	-141.00

close on (December 31, 2012)  
for business 0800 052 2345  
vision internet e-commerce

### CHANGE INDICES LAST WEEK

	Close	Change	%Change
FTSE 100	6674.30	-19.14	-0.29
FTSE 250	15187.88	-58.90	-0.39
FTSE All-Share	3549.37	-11.39	-0.32
ASX All-Share	2642.04	-7.25	-0.27
Nikkei 225	19064.77	+103.07	+0.54
DAX	3991.65	+5.68	+0.14
Composite	1804.76	+8.58	+0.47
US Dow Jones	17900.07	-1.01	-0.07

## Builder hits out after his retail plan is blocked

Development 'would create jobs'

EXCLUSIVE  
SCOTT WRIGHT

A BUSINESSMAN has accused Midlothian Council of failing to grasp a vital employment opportunity after it blocked his plans for a country-style retail development.  
George Russell, who has run housebuilder Russell Construction since setting it up in 1976, won planning permission to develop a coffee shop and four holiday cottages on the Southside Farm in 2011.  
Building work on the development, which lies off the A68 some 16 miles from Dalkeith, is complete, with Mr Russell's House of Soutra cafe opening for business in August.  
But around four months ago, he submitted a change of use application.

His intention was to open retail outlets in the buildings instead of holiday accommodation.  
Mr Russell, who has invested £500,000 in the project to date, cited the Scottish Government's support for a similar development at Fordel Mains, on the A68 Dalkeith bypass south east of Edinburgh, in his case.  
The Fordel View project, which is bigger in scale and includes plans for a 90-bedroom hotel and restaurant in addition to shops, was eventually given the go-ahead by ministers after a drawn-out process.  
It was first refused by the council and then the Government reporter owing to the complexity of the application, before developers Oakridge Property and Cranston

Estates were finally granted permission.

Denny-based Mr Russell said his plans come as councils have supported the development of a host of destination retail projects across Scotland in recent years, most notably House of Bruar in Perthshire.

His said the outlets would specialise in local produce and antiques, and argues his proposal is consistent with moves encouraging farmers to diversify.

**“We already employ seven staff at the coffee shop. If the retail development goes ahead, there will be more employment”**

Crucially, he said his plans would bring a jobs boost to the area, claiming the four shops would employ 25 staff within three months of a positive planning outcome, such is the level of interest from potential tenants.

This would be in addition to the seven full-time staff already employed at the coffee shop.

But his application was refused by the council, which noted its responsibility to support developments which meet national planning laws and guidance.

Mr Russell, who has secured 240 signatures on a petition supporting his plan, accused the council of passing up a chance to bring

Continued on Page 23



GATEWAY TO GROWTH: A model displays a handbag created by Strathberry of Scotland.

## Strathberry secures its first contract in C

GREIG CAMERON  
DEPUTY BUSINESS EDITOR

STRATHBERRY of Scotland is planning on further growth after securing its first contract in China and sealing an agreement closer to home to be stocked in Harvey Nichols.

The luxury accessories brand, which has its headquarters and retail premises in Edinburgh, will see a range of its products going into the Beijing and Shanghai stores of a retail chain called Estate.  
Guy Hundleby, Strathberry of Scotland managing director, said

that the deal came following an event UK Trade & Investment encourage business in China.

He said: "Estate bringing UK luxury

Continued on Page

## RBS accused of forcing small firms to collapse

MARK WILLIAMSON

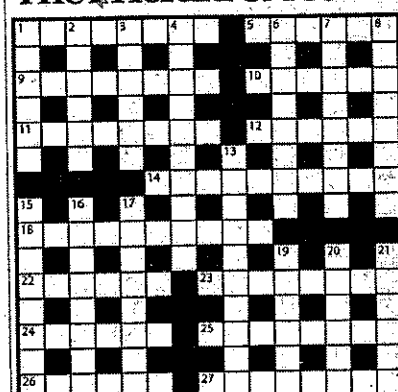
ROYAL Bank of Scotland is facing renewed criticism of its treatment of small businesses amid allegations that it drove some firms to collapse to buy back their assets at rock-bottom prices.  
Businessman Lawrence Tomlinson, the entrepreneur in residence at the Department for Business, Innovation and Skills, said he had uncovered evidence



VINCE CABLE  
Said that evidence against RBS was with regulators.

But he said he had passed Mr Tomlinson's report to Sir Andrew Large - the former deputy governor of the Bank of England, who is also publishing his full review into small business lending

## The Herald Crosswords



No. 13,296 by QIX

More puzzles on

- ACROSS
- 1,5ac Detective Morse - he'll
  - 9 Covers produced by Welsh
  - 10 Port being knocked back
  - 11 Changing ringtones is elemen-
  - 12 Female stops money being
  - 14 Posh stimulant taken by
  - 18 Scotsman caught breaking
  - 22 Game in which pawn's very
  - 23 Commotion caused by
  - 24 Issue song collection (6)
  - 25 Get rid of heaps? (5,3)
  - 26,27ac Like some jackets from
- DOWN
- 1,15dn Sing wise men in
  - 2 Praises cl
  - 3 Stodge shot
  - 4 My counter
  - 6 Command
  - 7 Old lady ups
  - 8 Thoughtless
  - 13 Her career
  - 15 see 1dn
  - 16 One leaving
  - 17 Genuine su
  - 19 Country son
  - 20 Floor plan
  - 21 Drunk kept



TABLE FOR TWO?: After working in the hospitality sector for more than 25 years, Mike Conyers said he felt there was a market for developing an online reservation service. Picture: Lighthouse

## SME FOCUS

By Mark Williamson

Email: mark.williamson@theherald.co.uk  
Telephone: 0131 240 0282



first trialled the system in Citrus, a restaurant at 75 Bothwell Street Glasgow (now Viva) and actually sold into our first two accounts after demonstrating at the end of the bar at Citrus.

I am happy to say they are still customers and have expanded over time to five units.

**What were you doing before you took the plunge?**

I built and operated many Glasgow restaurants, whilst raising a family. Lautre's Wine Bar, D'Arcy's, 78 St Vincent, Leonardo & Company and Metropolitan were all in the portfolio and built from scratch.

I had qualified as a chartered accountant some years before but had always wanted to work for myself. In the early days, when our first restaurant, Lautre's, was making lots of money, my then business partner and I decided one night, after several drinks in the now-defunct Glasgow nightclub, Henry Afrika's, that we would buy the

then-dire Seaman's Mission in York Street. We went onto buy a further two sites on nearby Robertson Street (in the Droomielaw, which all these years later has become Glasgow's premier financial district and is home to major businesses like BT and Scottish Power. We bought the three sites but were obliged by the bank, Barclays, to sell out, though for twice as much as we paid, as a result of getting their support for a hotel business we had acquired. Five years ago the site we owned was worth many times more at around £12 million, but that's business.

**How did you raise the start-up funding?**

A chain of restaurants I had shares in, Leonardo & Company, ran into financial difficulties after the outbreak of foot and mouth disease and the 9/11 attacks in 2001. We had made some stupid decisions regarding site acquisitions and run over budget on what is now

Metropolitan in the Merchant City. The landlord of the Bothwell Street restaurant, who is also a friend and now chairman of ResDiary, Colin Whitelaw, asked me what I was going to do. Whilst I was still a 50 per cent owner of 78 St Vincent, I said I had become increasingly interested in putting together the world's best web-based bookings system for restaurants and he asked me how much money I needed to do that. I told him and he was good enough to help fund our early development.

**What was your biggest break?**

In our early stages of development our system was built and maintained by contractors in Russia - they had good written English but what seemed like poor spoken English. The system was "creaking at the edges" and with only 23 customers at the time I swiftly realised we did not have a scalable solution to the restaurant world's reservation problems! By good chance, one of my fellow directors knew of a very bright software developer working for one of the major US banks in London but whose parents lived in Lanark. On a weekend visit home, he analysed our problems and set us on the path to recovery and helped develop a solid system architecture. To this day, he is a

shareholder and director and has my eternal thanks. Not long after ResDiary was founded, we expanded into Australia and we now supply over 2500 restaurants via [www.dimmi.com.au](http://www.dimmi.com.au).

Groupon acquired a 50% stake in ResDiary in January 2011 but has no directors on our board.

**What was your worst moment?**

Travelling south on an eight-hour round trip to see a prospective customer in England, only to discover the prospect had no internet connection.

**What do you most enjoy about running the business?**

I really enjoy working with, and developing the skills of, the people in my team as well as meeting new customers. There is also the usual sense of pleasure that comes from building a viable, then successful, business from no more than a good idea.

**What could the Westminster and/or Scottish governments do that would help?**

So far, we have had great support from the Scottish Council for Development and Industry, Scottish Development International, Scottish Enterprise and the Scottish Government. We have recently been on sponsored trade missions to Germany, India, Brazil, the US, Canada, China and Hong Kong.

and after meeting great contacts the future looks promising. So we have no complaints. We hope this continues to be the case should Scotland gain independence.

**What are your top priorities?**

International expansion: we are in a very competitive sector where there are two dominant players, one US-based. We need always to be quicker and smarter to compete successfully and so far that has worked. We spend a lot of time and energy in developing our systems to make them as simple, but as effective, as possible. Equally, because we are in a global market we need to continually improve the user-friendliness of our website. The restaurant business is becoming increasingly sophisticated and our proposition can be adopted successfully by any restaurant, anywhere in the world, so we need to make sure we have a global footprint as quickly as possible. So far, we believe, we are getting there.

**What was the most valuable lesson that you learned?**

There are two: always stay focused on what your goals and core products are, and never be scared of your competitors!

**How do you relax?**

Over a nice glass of red wine with my wife Nicola.

## Promise as Strathberry secures first contract in China

the estate stores across country.

said: "As a relatively new business, we have to be seen to make a success of it in China, which is extremely exciting." He added that, Strathberry's range, including a tweed golf bag, is going to be sold by Harvey Nichols in Edinburgh.

Mr Hundley said: "We have been working on that for a while and it is great we are going to be there before the Christmas period."

If the Strathberry of Scotland brand performs well in the upmarket department store, Mr Hundley is hopeful Harvey Nichols will take more products in Scotland

as well as into its stores in England and its overseas locations in the Middle East, Turkey and China.

He said: "When we set about positioning the brand, we felt Harvey Nichols would be a great fit for it so we are delighted to be building that relationship."

Strathberry of Scotland, set up almost two years ago, makes goods, including

wallets, tablet computer covers, scarves and bags, with prices starting at £155.

Each of its bags, which have prices starting at around £400, is said to take at least 12 hours of work to complete. The tweed used - a blend of linen and silk, which is said to be lighter than many other tweeds - is woven at a mill in Peebles in the Scottish Borders.

Mr Hundley said the company was looking for further retailers to stock its products, with a particular focus on the US at the moment, to add to its tie-up with the Massimo Bizzocchi store in New York. He added: "We hope we can be a £4 million to £5m pound business in the next couple of years and we are pleased with our progress so far."

The company's 750 square feet flagship store is in the Grassmarket in Edinburgh.

It recently won Most Stylish Retailer at the Scottish Style Awards.

Strathberry is also stocked at Skibo Castle, The Renaissance Club at Archerfield in East Lothian and in the pro shop at Kingsburns Golf Club in St Andrews.

## First results as listed company due

its will edge up by

ad £5 million to £445m.

omas Cook chief execu-

Barrie Green will face

putlight as she sets out

latest update on the

car-old travel operator's

to return to profit.

sults on Thursday will

the first full 12 months

her stewardship. In a

lose update in Septem-

he said results would be

ne with City expecta-

ts of just over £100m.

Q parent Kingfisher is

reveal a weather boost

ding on Thursday after

ot summer and mild

sun spurred on sales of

e improvement and

an products.

### Dividends due this week

**TODAY** Avatlon 1.11p; JP Morgan Emerging Markets Investment Trust 5.50p; M&G High Income Investment Trust 1.40p; One Media IP Group 0.077p  
**TOMORROW** APR Energy 3.30p; Close Brothers Group 28.80p; Hunting 4.75p; London & St Lawrence Investment Co. 3.00p  
**WEDNESDAY** AIREA 0.55p; Kier Group 48.50p  
**THURSDAY** IFG Group Euro 0.0165; Moss Bros Group 0.30p; Restore 0.80p; Wednespoon (JD) 6p  
**FRIDAY** Abcam 5.10p; Aereona Communications 1.50p; Bankers Investment Trust 3.60p; BlackRock Smaller Companies Trust 4.60p; Bloomsbury Publishing 0.99p; Booker

Group 0.45p; Charles Taylor 3.25p; City Natural Resources High Yield Trust 0.86p; City of London Investment Trust 3.63p; Crown Place VCT 1.25p; DCC 28.12p; Development Securities 2.40p; Divers Income Trust 0.30p; Dunedin Income Growth Investment Trust 2.575p; Edinburgh Investment Trust 5p; Energy Technique 0.75p; F&C Commercial Property Trust (New Co) 0.80p; Galliford Try 25p; Goals Soccer Centres 0.675p; Henderson Far East Income 4.40p; Henderson International Income Trust 1.05p; Hilton Food Group 3.85p; IndigoVision Group 5.50p; ITV 1.10p; JP Morgan Overseas Investment Trust 15p; Morgan Advanced

## Builder hits out after retail plan is blocked

Continued from Back Page

much-needed jobs to the area. He is now weighing up whether to appeal against the council's decision.

Mr Russell, who noted he had not applied for any public grants to support the project, said: "There will be no chance of employment if it is left to Midlothian Council planning staff."

"I hope the council sees sense and sees the benefits and employment opportunities [our plans present]."

"We already employ seven full-time staff at the coffee shop just now. If the retail development goes ahead, there will be more employment."

A spokesman for Midlothian Council said: "We are in favour of job

creation through sensitive development, and that is why we have approved previous proposals for House of Bruar style rural lifestyle destination developments.

"But we do have to work within national planning laws and guidance and were unable to assist Mr Russell with his development."

Mr Russell began his career in transport before setting up Russell Construction in 1976.

The company, which employs seven full-time trades people, typically builds houses in batches of 45, though it developed 70 in a recent project in Clackmannanshire.

Mr Russell owns several farms, including Airth Mains in Falkirk and Soutra Mains.

some 18.2% of Scottish companies as high growth, based on them increasing turnover by at least 33% over a three-year period to September 2012.

One in five, 20.5%, qualified as high growth.

Meanwhile, BDO said small and medium sized quoted companies planned to create more than 200,000 jobs in the UK. The accountancy firm said 72% of respondents to a survey expected to increase their workforce in the next year, up from 43% a year ago.

However, 31% of respondents said the best thing the Chancellor could do for them would be to provide more reductions in employers' national insurance contributions or other rebates for businesses that take on new workers or export.

In September, The Herald reported that just 3900 firms in Scotland had applied to get help under a three-year scheme included in the 2010 Budget that was supposed to help about 32,000 new businesses in the country create jobs. Critics said the scheme to provide National Insurance contributions holidays for start-ups should have been extended to cover a much wider range of firms.

All firms will get a £2000 annual allowance against their NIC costs from next April under a measure included in the last Budget.

## Babcock planning Avincis venture

MARK WILLIAMSON

BABCOCK International, which operates the Rosyth dockyard and the Faslane base in Scotland, has said it plans to form a joint venture with a leading provider of helicopter services for North Sea oil and gas firms.

The engineering services firm said it was in talks with Avincis following a report that it was preparing a £1.5 billion bid for the company, which bought the Bond Aviation helicopter business in 2011.

The company said: "Babcock International Group confirms that it is in exclusive discussions regarding the establishment of a joint venture with respect to Avincis... This initiative is in line with Babcock's stated strategy to grow from its position as the UK's leading engineering support services company in both the UK and overseas."

Babcock said there can be no certainty the discussions will lead to any transaction.

In July, as it announced a 16% hike in underlying profits to £317.8 million in the 12 months to March 31, Babcock said it was well-positioned for the full year with a "robust financial position" and strong cash generation across the business.

While Babcock may be best known for the Rosyth yard's role in assembling the two giant aircraft carriers commissioned by the Ministry of Defence, the company is active in oil and gas engineering. In January, the Rosyth dockyard won a contract worth more than £30m to build subsea structures for oil fields to the west of Shetland.

Avincis is 50% owned by the KKR private equity business. The remainder is held by Italy's Investindustrial, which owns Aston Martin.

# MB-6

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House of Soutra Restaurant Reviews, Edinburgh

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All 1,647 Ed

## House of Soutra

Soutra | Pathhead, Edinburgh EH37, Scotland

+(44)01875833795

[Website](#)

[E-mail](#)

[Update restaurant details](#)

Ranked #551 of 1,647 restaurants in Edinburgh

10 Reviews

Cuisines: Scottish

**Description:** cafe and coffee shop on the A68 in between Edinburgh and the borders. Perfect to stop of for a bite to eat and coffee to and from Edinburgh. With 2 fresh soups changing daily and special items appearing all the time why not pop in and try it out. You wont be disappointed! The friendly are there to give you the best service on your travels.

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### Hotels travellers are about...



**The Balmoral Hotel**  
1,484 Review  
Edinburgh, Scotland



**Fountain Court - Stewart Apartments**  
265 Review  
Edinburgh, Scotland



**Premier Inn Edinburgh City Centre - Prince Street**  
726 Review  
Edinburgh, Scotland

All hotels in Edinburgh (145)

### 10 reviews from our community

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#### 75% Recommend

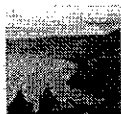
Excellent	6
Very good	2
Average	1
Poor	1
Terrible	0

#### Rating summary

Food
Service
Value
Atmosphere

10 reviews sorted by [Date](#) [Rating](#)

English first



**teddysaunty**  
Edinburgh, United Kingdom

Senior Contributor

★ 36 reviews

21 restaurant reviews

Reviews in 13 cities

12 helpful votes

#### "Great addition to the area"

Reviewed 26 November 2013 NEW

Very pleasant café with great views. Friendly staff and good food. Great place for a stop off on A68. Spotlessly clean and excellent toilet facilities. Look forward to outside seating in the summer.

Was this review helpful? ☒ Yes

[Problem with this review?](#)

See 7 more reviews by teddysaunty for Edinburgh



**David M**  
South Milford, null, United Kingdom

#### "Time to view 'The Kingdom of Fife'"

Reviewed 25 November 2013 NEW

It looked tidy and inviting as we reached the base of Soutra Hill. Plenty of room in the car park. We were hungry having missed lunch. Friendly service and a broad spectrum specials board. We went for simple

**Edinburgh trip idea:  
and travellers**

1 review

sandwiches and tea and settled at a table looking north. Huge wholemeal tuna sandwiches arrived with a great side salad, a pot of tea each (three cups). Delicious! The friendly service continued. The view was great looking up the coast of Fife picking out Kirkcaldy, Methil Power Station, Leven and Largo Law with the snowcapped Grampians behind; 50 miles away.

We shall return and try something more exotic!

Visited November 2013

Value  
Atmosphere

Service  
Food

Less

Was this review helpful? ☒ Yes

Problem with this review?

Ask David M about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC

"A very attractive find!"

Reviewed 26 October 2013

Heading south and feeling the need for a late lunch we chanced on this very new coffee shop which had apparently only been open 8 weeks. The building is new and attractive, there is any amount of parking space and the views towards the Forth Estuary and the Bass Rock are very pleasant. The welcome was warm and all the staff seemed very friendly and efficient. Soup was first rate as were the toasties and the cakes were so attractive looking we just had to sample them...and they tasted even better than they looked. Its not a route we tend to be on all that often so our visits are not likely to be frequent but otherwise we would be regulars. An oasis in a barren waste for food!!

Visited October 2013

Value  
Atmosphere

Service  
Food

Less

Was this review helpful? ☒ Yes

Problem with this review?

Ask Perth\_tourist48 about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC

"Good journey breaker"

Reviewed 6 October 2013

As regular users of this stretch of road but normally having a shorter journey we have driven passed several times. Yesterday we stopped for coffee and to satisfy our curiosity it has to be said! It had just opened for the day, there was another couple already there. We were greeted warmly, there was a good selection of cakes/slices and it looked clean and bright with a lovely view east over farmland towards the Firth of Forth, Nth Berwick Law and Bass Rock. I have to say the only black mark was the design of the windows which meant that the central bar was straight across one's sight line. We both had good cappuccinos, I had a chocolate brownie - always a good test as usually they are dry and dull. This was lovely and gooey in the middle with walnuts and raisins adding to the moistness. My husband had a slice of very good Victoria Sponge. Do not let the review regarding re-joining the traffic put you off, after all, the bureaucrats would never have allowed it if there had not been years of accident free use by the farm traffic!

Visited October 2013

Value  
Atmosphere

Service  
Food

Less

Was this review helpful? ☒ Yes

Problem with this review?

Ask JoBoz about House of Soutra

Edinburgh for free

Edinburgh off the beaten path

3 days in Edinburgh

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## Popular Edinburgh

Castle Terrace

Affogato

Kismot

Stockbridge Restaurant

Butternut Squash

Dubh Prais

The Alelier Restaurant

Mary's Milk Bar

Origano

Mithas

Water of Leith Cafe Bistro

Number One

The Pompadour by Galvin

Passom

Cafe Cassis

Indaba

The Kitchen

Bia Bistrot

Three Birds

Kanpai Sushi



Perth\_tourist48  
Perth, United Kingdom

Senior Contributor

★ 40 reviews

🍴 22 restaurant reviews

🌐 Reviews in 13 cities

👍 7 helpful votes



JoBoz  
Northumberland

Reviewer

★ 4 reviews

🍴 4 restaurant reviews

🌐 Reviews in 3 cities

👍 2 helpful votes

## Hotels around Edinb



Apex Waterloo Place H  
4.5 out of 5, 2,051 review  
Last reviewed 29 Nov 2



Piries Hotel  
3.0 out of 5, 305 review  
Last reviewed 28 Nov 2



Premier Inn Edinburgh  
4.0 out of 5, 1,074 review  
Last reviewed 29 Nov 2



The Caledonian, A Wal  
4.5 out of 5, 662 review  
Last reviewed 29 Nov 2



The Point Hotel Edinbu  
3.5 out of 5, 779 review  
Last reviewed 28 Nov 2

Hilton Edinburgh Airport



This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



stevearty43  
Kinloch Rannoch, United Kingdom

#### Senior Contributor

- ★ 22 reviews
- 16 restaurant reviews
- Reviews in 17 cities
- 7 helpful votes

### "Hmmm...Strange..Very Strange!!"

Reviewed 22 September 2013

There was a time, a few years ago, when I used to pass by this location twice a day, to and from my place of work in Edinburgh. Luckily for me I am now retired and the need was no longer there. However I was curious to spy the opening of a "House of Soutra" - the title conjours up echoes of "House of Bruar" further North on the A9, but this is anything but. Heading South to visit relatives on the Border, we had sped past, as many do, aiming for that bit of the A68 where it is possible to overtake slow moving lorries negotiating the steep incline of Soutra Hill, and therein lies the problem for me. On a busy day, and this road does get busy, heading South and turning left into the car-park won't present too much of a problem, neither really does turning right when Northbound. However exiting the car-park and having to turn right onto the main road to head North will prove a real exercise in not causing a head on collision.

Onto the Cafe itself, definitely not a "House of Bruar", the inside was clean and spotless, the staff were friendly and the coffee was good - it was very busy inside and it does have a slightly barn like feel to it which seems to amplify nearby noise. I get the feeling that there is more to come with this place, outside patio area would have a great view of the Firth.

Visited September 2013

Value  
Atmosphere

Service  
Food

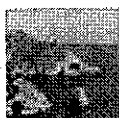
Less

Was this review helpful? ☒ Yes 1

Problem with this review?

Ask stevearty43 about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



Soutermann  
Selkirk, United Kingdom

#### Contributor

- ★ 11 reviews
- 6 restaurant reviews
- Reviews in 8 cities
- 4 helpful votes

### "Give it a go"

Reviewed 18 September 2013

A very warm welcome and the scones were newly baked large latte went down a treat. Lovely view out towards the River Forth and the Bass Rock. Being new everything was sparkling.

Visited September 2013

Value  
Atmosphere

Service  
Food

Was this review helpful? ☒ Yes 2

Problem with this review?

Ask Soutermann about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



Yvonne H  
Kelso, United Kingdom

#### Top Contributor

- ★ 56 reviews
- 47 restaurant reviews
- Reviews in 27 cities
- 54 helpful votes

### "Dreadful"

Reviewed 16 September 2013 via mobile

Stopped here for Lunch. Car park was busy which I took as a good sign, it was busy because of queue to be served. Service was very slow. 20mins to order two toasties. God view but all tables at window were stacked with dirty dishes! Toasties arrived with limp brown lettuce and what looked like brown sauce. The sauce was a salad dressing and was all over the plate. We both left the salad and looking around so did everyone else. We won't be back 2/10 at best

Visited September 2013

Value  
Atmosphere

Service  
Food

Less

Was this review helpful? ☒ Yes

Problem with this review?



Risoul  
Last reviewed 28 Nov 2



The Inn on the Mile  
4.0 out of 5, 153 review  
Last reviewed 27 Nov 2



Halcyon Hotel  
4.0 out of 5, 102 review  
Last reviewed 26 Nov 2



St. Valery Guest House  
4.0 out of 5, 112 review  
Last reviewed 26 Nov 2



A-Haven Townhouse H  
4.5 out of 5, 145 review  
Last reviewed 15 Nov 2



Blue Rainbow ApartHot  
4.0 out of 5, 431 review  
Last reviewed 9 Nov 20



Clan Walker Guest Hou  
4.5 out of 5, 128 review  
Last reviewed 5 Nov 20



Abcorn Guest House  
4.0 out of 5, 40 reviews  
Last reviewed 2 Nov 20



Craigmoor Guest Hous  
4.5 out of 5, 275 review  
Last reviewed 21 Oct 2

## Edinburgh resources

Edinburgh Bed and Breakfast

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### Restaurants

Prezzo - Salisbury  
3.5 out of 5, 94 reviews  
Takoyakiiguchi  
4.0 out of 5, 1 review

Kugelfofen  
4.0 out of 5, 25 reviews

Nawal Sagar Palace Restaurant  
4.0 out of 5, 9 reviews

Samba Steakhouse at The Mirage in  
4.0 out of 5, 241 reviews

### Hotels

Palms at Seagrove in Seagrove Be  
3.5 out of 5, 19 reviews  
Last reviewed 30 Oct 2013

West Side Inn Hotel in Amsterdam  
3.0 out of 5, 1,312 reviews  
Last reviewed 29 Nov 2013

Coconut Beach Club in Antigua  
4.0 out of 5, 545 reviews  
Last reviewed 20 Nov 2013

The Queensberry Hotel in Dumfries  
3.0 out of 5, 54 reviews  
Last reviewed 9 Nov 2013

Conrad Bangkok Hotel  
4.5 out of 5, 1,104 reviews  
Last reviewed 25 Nov 2013

See 4 more reviews by Yvonne H for Edinburgh

Ask Yvonne H about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



Hugh H  
Derby, United Kingdom

Top Contributor

- 64 reviews
- 46 restaurant reviews
- Reviews in 38 cities
- 23 helpful votes

### "Great Place for a Break!"

Reviewed 16 September 2013

Just south of Edinburgh on the A68 - this is a top place to stop for excellent coffee or tea, plus a wonderful selection of home made scones, biscuits and cakes. All at a very reasonable price - plus the modern toilets are exceptionally clean and tidy.

Visited September 2013

Value  
Atmosphere

Service  
Food

Was this review helpful? ☒ Yes 2

[Problem with this review?](#)

See 6 more reviews by Hugh H for Edinburgh

Ask Hugh H about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



JOGLEWalker  
Farnborough, United Kingdom

Senior Contributor

- 27 reviews
- 7 restaurant reviews
- Reviews in 23 cities
- 8 helpful votes

### "JOGLE Walker"

Reviewed 16 September 2013

What an excellent discovery of this newly opened café. It is modern, trendy, clean and vibrant, lots of nice young people about. We were walking along the A68 on our way to Lauder from Pathhead when we discovered this gem of a place. Excellent coffee and cakes improved our walking morale! Luckily for us the nearby Juniper Inn was shut! Plenty of parking and plenty of room. I fully intend calling in here on my way to and from Scotland next year on the bike.

Visited September 2013

Value  
Atmosphere

Service  
Food

Less

Was this review helpful? ☒ Yes

[Problem with this review?](#)

Ask JOGLEWalker about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC



caerleelady  
scotland

Senior Reviewer

- 6 reviews
- 3 restaurant reviews
- Reviews in 6 cities
- 6 helpful votes

### "Lovely new cafe"

Reviewed 8 September 2013

Stopped off at this newly opened cafe on the A68 on the Edinburgh side of Soutra Hill. It's very welcoming, light and airy with plenty of seating and lovely views out of the windows. Had a latte which was delicious and a homemade cheese scone which was still warm!

The toilets are modern and smelt nice too!! I will definitely visit again on my way to or from Edinburgh.

Visited September 2013

Value  
Atmosphere

Service  
Food

Less

Was this review helpful? ☒ Yes 1

[Problem with this review?](#)

Ask caerleelady about House of Soutra

This review is the subjective opinion of a TripAdvisor member and not of TripAdvisor LLC

1-10 of 10 reviews

1



## **MIDLOTHIAN COUNCIL**

### **DEVELOPMENT MANAGEMENT PLANNING APPLICATION DELEGATED WORKSHEET:**

#### **Planning Application Reference:**

13/00370/DPP

#### **Site Address:**

Soutra Mains Farm, Blackshiels, Fala, Pathhead

#### **Site Description:**

The application site comprises an area of agricultural land at Soutra Mains Farm. The site is bounded to the south by an area of mature trees, beyond the trees is the main A68 trunk road. A group of farm buildings, including a farm house, are located to the west of the site and open farmland surrounds the site to the north and east.

Access to the application site is taken through a parking area related to the farm yard. Access to this area is taken from the A68.

The application site is a long thin strip of land. The site can be seen when approached from the south.

#### **Proposed Development:**

Erection four retail units (part retrospective).

#### **Proposed Development Details:**

Proposal is for the completion of the four units which have been partially constructed. The units were previously granted planning permission for use as holiday cottages. The proposal would result in the units being converted in to retail units. The applicant states that the units will be for home baking/confectionary, ceramics/textiles, art and crafts/cosmetics and farm produce.

A large parking area is to be located to the rear (north) of the retail units.

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

08/00159/OUT – Outline application for four holiday cottages and coffee shop approved with conditions.

11/00199/MS – application to deal with the matters specified in the conditions of the previous OUT planning permission.

12/00067/MS - application to deal with the matters specified in the conditions of the previous OUT and MS planning permission.

13/00274/MS - application to deal with the matters specified in the conditions of the previous OUT and MSs planning permission.

**Consultations:**

**Transport Scotland** have suggested imposing a condition requiring the access to be the same as that which was approved in 08/00159/OUT.

The Council's **Policy and Road Safety Manager** is concerned regarding the lack of supporting information submitted with the application with regards traffic generation.

**Representations:**

There have been no letters of objection regarding this proposal.

**Relevant Planning Policies:**

**ELSP**

ENV3

RET1

**MLP**

RP1 – Protection of the countryside

RP5 – Woodland, trees and hedges

RP6 – Areas of great landscape value

RP7 – Landscape character

ECON8 – Rural development

IMP1 – New development

DP1 – Development in the countryside

DP2 – Development guidelines

**Planning Issues:**

The main planning issue to be considered is whether or not the proposal complies with the development plan policies and, if not, whether there are any material planning considerations which would otherwise justify approval. The application site is located within an area covered by the Midlothian Local Plan.

Policy RP1, *Protection of the countryside*, states that development will only be permitted with the countryside where it is required for the furtherance of an agricultural or other acceptable established countryside activity. All such development is required to satisfy a number of criteria. Developments must demonstrate a requirement for a countryside location; be of a scale and character appropriate to the rural area; be well integrated in to the rural landscape; avoid a significant permanent loss of prime agricultural land; and take account of accessibility to public transport and services.

Structure Plan Policy ENV3 and Local Plan Policy RP1 permits development in the countryside where it has an operational requirement for such a location that cannot be met on

a site within an urban area or land allocated for that purpose, and it is compatible with the rural character of the area. The proposed retail complex does not fall within any of the categories of development referred to in the Structure and Local Plan Policies that are considered to have an operational requirement for a countryside location.

The proposed development has not demonstrated a requirement for a countryside location. Accordingly, the application proposals are contrary to these policies.

Edinburgh and the Lothians Structure Plan Policy RET1: (Sequential Approach to the Location of Retail and Commercial Leisure Developments) requires that new retail, commercial leisure and other developments appropriate to town centre should be located in accordance with the following priorities, depending on the availability of suitable opportunities within the expected catchment area of the proposed development: a) within a town centre; failing that b) on the edge of a town centre, or significantly close to form an effective extension to the centre; failing which c); within another shopping location of an appropriate size, character and function, including major shopping centres; failing which d) on the edge of such established shopping locations referred to in c), or sufficiently close to form an effective extension; failing which e) elsewhere within an existing or planned urban area defined in the local plan.

Retail development at this location is inconsistent with the requirements of the sequential test and thus has no support under Policy RET1. Neither the Structure Plan nor the Local Plans make provision for retail development where the sequential search is exhausted. Were development to take place out with the 'hierarchy of priority' this would be contrary to policy. As a next stage, consideration should be given to sites within the existing settlement envelopes.

The Planning Authority favours a sequential approach when considering retail proposals, in that there is an order of preference for the siting of retail activities. Generally, it would be expected that retail activities are sited within the town centres in Midlothian. Town centres are the sensible option for retail activities given that they have the best access to public transport and greater footfall. Town centre locations are more sustainable and viable options for siting retail activities.

In addition, the proposal does not benefit from good public transport links.

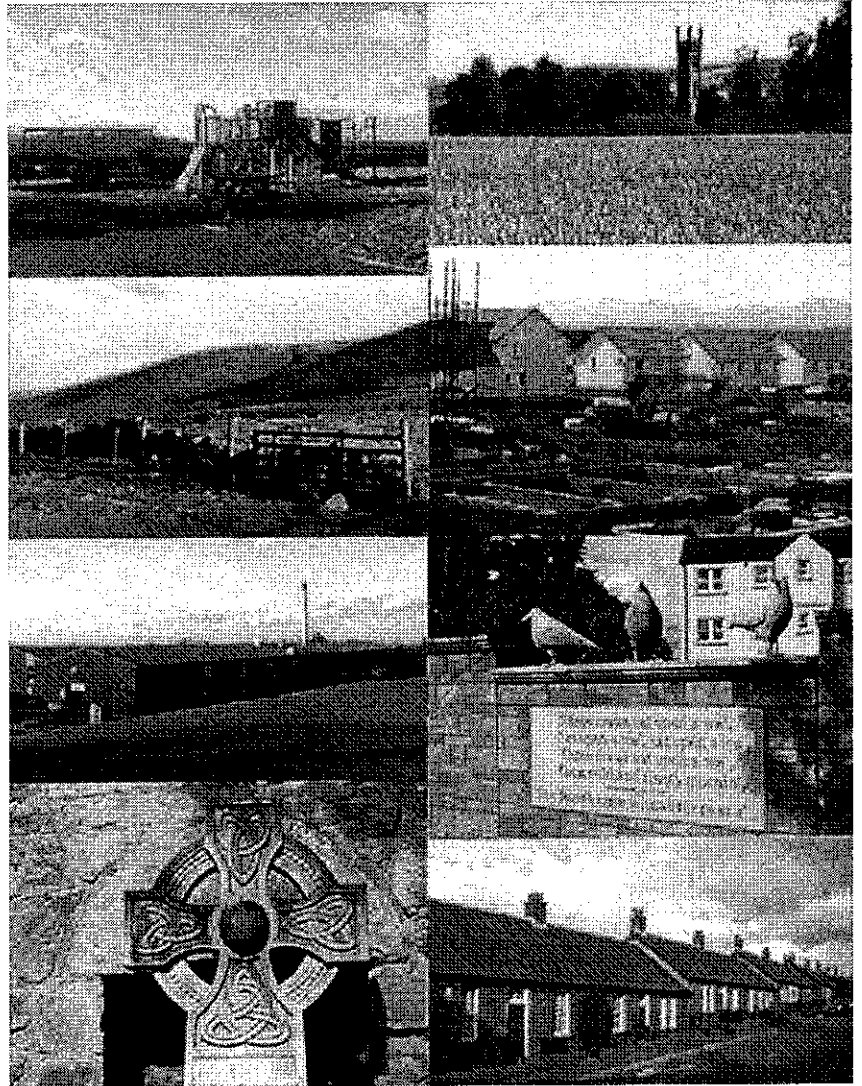
While the Planning Authority does try to support business in the Midlothian Council area the developments must be in appropriate locations and comply with the policies of the development plan.

For the above reasons, and given no justification has been submitted for the planning authority to consider the application should be refused.

**Recommendation:**

Refuse planning permission.

### Midlothian Local Plan



# **Midlothian Local Plan**

ADOPTED BY RESOLUTION OF  
MIDLOTHIAN COUNCIL  
ON 23 DECEMBER 2008

This Plan has been produced by the  
Planning Unit Strategic Services

Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
Midlothian  
EH22 3ZN

---

**RP1 PROTECTION OF THE COUNTRYSIDE**

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Development in the countryside will only be permitted if:

- A. it is required for the furtherance of agriculture, including farm related diversification, horticulture, forestry, countryside recreation, tourism, or waste disposal (where this is shown to be essential as a method of site restoration); or
- B. it is within a designated non-conforming use in the Green Belt; or
- C. it accords with policy DP1.

All such development will need to:

- A. demonstrate a requirement for a countryside location;
- B. be of a scale and character appropriate to the rural area;
- C. be well integrated into the rural landscape;
- D. avoid a significant permanent loss of prime quality agricultural land; and
- E. take account of accessibility to public transport and services (where appropriate).

In certain locations, new or expanded business development, low-density rural housing, the winning of mineral resources or renewable energy developments may be appropriate (refer to proposal ECON1, policies ECON7, ECON8, HOUS5, MIN1 and NRG1).

## Policy Title

**RP5 WOODLAND, TREES AND HEDGES**

**2.1.24 National Planning Policy** Since 1954, planning authorities have had statutory responsibility for considering the protection of trees in the course of granting planning permission. More recent legislation requires that development plans include policies for the conservation of the natural beauty and amenity of the land. In addition, NPPG 14 *The Natural Heritage* requires that policies be included in local plans to ensure that new development takes full account of the potential impact on the local environment. This means that greater consideration must be given to landscape issues, including trees as part of the landscape setting, when assessing planning applications. The Scottish Government's Forestry Strategy commits to a policy of better protection for ancient and semi-natural woodland.

**2.1.25 Structure Plan Policy** One of the approved Structure Plan objectives is to protect and enhance the important settings of settlements and areas of urban green space.

**2.1.26 Local Plan Policy** Trees and hedges make an important contribution to the character and quality of Midlothian's towns, villages and countryside. Particularly notable is the woodland in the main river valleys. It is important that this valuable natural resource is not damaged by development and that developers are encouraged to protect

not only woodland but also hedges and individual smaller groups of trees, and provide appropriate management for the longer term.

**2.1.27** Long-term management will be encouraged by ensuring that any application decision takes protection and management into consideration and that there is appropriate compensation for any losses which are sustained. The Greening of Midlothian Strategy provides detailed baseline data as to the condition and significance of trees and forests throughout North Midlothian. When any planning application is made which could affect woodland, trees or hedges, the applicant must include a full appraisal in the form of a tree survey to enable proper consideration of the proposal. Proposals for development shall be accompanied by a scheme to enhance the number of trees and hedges planted on the site or, alternatively, in circumstances where this can be shown not to be warranted, in the vicinity of the site.

**2.1.28** Midlothian benefits from significant tracts of ancient and semi-natural woodland along the river valleys and these are particularly worthy of protection. Specific legislation protects trees in Conservation Areas and trees covered by Tree Preservation Orders. Current Tree Preservation Orders in Midlothian are listed in Appendix 4 (as of October 2008). New Tree Preservation Orders may also be considered in certain circumstances as a method of protecting trees at risk.

**RP5 WOODLAND, TREES AND HEDGES**

Development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees, individual trees (including areas covered by a Tree Preservation Order, areas defined as ancient and semi-natural woodland, or areas forming part of any designated landscape) and hedges which have particular amenity, nature conservation, biodiversity, recreation, landscape character, shelter or other importance.

Where an exception to this policy is agreed, any trees lost will be replaced with equivalent.

## Policy Titles

**RP6 AREAS OF GREAT LANDSCAPE VALUE****RP7 LANDSCAPE CHARACTER**

**2.1.29 National Planning Policy** SDD Circular 2/1962 introduced the concept of Areas of Great Landscape Value (AGLVs), requiring local authorities to define their boundaries and to exercise careful control over development proposals in order to safeguard these areas. Particular reference was made to their importance as a tourist resource. In addition, Scottish Natural Heritage (SNH) and Historic Scotland have produced *Guidance on Local Landscape Designations* which promotes the adoption of an 'all-landscapes' approach, within which landscapes of particular value that warrant safeguarding are designated. NPPG 14 *Natural Heritage* requires that policies be included in local plans for the conservation and enhancement of landscape character. In addition, SNH has produced *The Lothians Landscape Character Assessment*, which provides valuable local guidance on the character of Midlothian's landscape and its capacity to accommodate new development. The Conservation (Natural Habitats and Conservation) Regulations 1994 also expect policies to encourage the management of features of the landscape, which are of importance for wild flora and fauna, by maintaining their function in assisting the migration, dispersal and genetic exchange of wild species.

**2.1.30 Structure Plan Policy** ELSP policy ENV1D continues to safeguard AGLVs or other local landscape designations from inappropriate development. The extent of the areas of landscape interest should

be defined in local plans, and policies included for their protection and enhancement. In addition, ELSP policy ENV4 requires local plans to take account of landscape designations in accordance with new guidance produced by SNH.

**2.1.31 Local Plan Policy** It is essential not only to maintain the distinctiveness of Midlothian's landscape character, and its diversity as a whole, but also to recognise that there is a need to give particular protection to certain areas considered to be of outstanding local landscape value and attractiveness. These are identified as AGLVs which are areas sensitive to any developments that could potentially damage their special scenic attraction. For example, the widespread planting of conifers would be considered inappropriate within AGLVs, especially in open moorland or in "wild" landscapes.

**2.1.32** The Local Plan Proposals Map identifies the following areas as AGLVs:

- ❖ the rolling hill country of the Pentlands, Moorfoots and Lammermuirs;
- ❖ the incised river valleys of the North and South Esk and the Tyne;
- ❖ the estate landscapes of Penicuik, Arncliffe and Vogrie; and
- ❖ Gladhouse, Edgelaw, Glencorse, Rosebery, Loganlea and North Esk reservoirs.

**2.1.33** In addition, many localities contain areas of a diverse yet distinctive landscape character which enhance the attractiveness of Midlothian as a whole. Policy RP7 aims to afford protection to these local landscape character areas and to provide support for landscape planning and management.

**RP6 AREAS OF GREAT LANDSCAPE VALUE**

Development will not be permitted where it may adversely affect the special scenic qualities and integrity of the Areas of Great Landscape Value (AGLVs).

The scale, siting, design, form, materials and impact on important landscape features are all aspects of a proposal that could have an adverse effect on the AGLV. These considerations will apply to developments to be located either within or affecting the setting of areas designated as AGLVs.



**RP7 LANDSCAPE CHARACTER**

Development will not be permitted where it may adversely affect the quality of the local landscape. Where development is acceptable, it will respect the local landscape character and contribute towards its maintenance and enhancement.

New developments will incorporate proposals to:

- A.** maintain the local diversity and distinctiveness of landscape character including natural and built heritage features of landscape value such as woodland, hedges, ponds, stone walls and historical sites; and
- B.** enhance landscape characteristics where they have been weakened and need improvement and create new landscapes where there are few existing features.

**ECON8 RURAL DEVELOPMENT**

Development proposals that will enhance rural economic development opportunities will be permitted provided they accord with all relevant Local Plan policies and proposals and they meet the following criteria:

- A. the proposal is located adjacent to a smaller settlement (Inset Maps 5 to 16) unless there is a locational requirement for it to be in the countryside;
- B. the proposal is well located in terms of the strategic road network and access to a regular public transport service (minimum service frequency of 1 bus per hour weekdays, weekends and evenings);
- C. the proposal is of a character and scale in keeping with the rural setting, will not detract from the landscape of the area, and is sited, designed and landscaped so as to enhance the rural environment;
- D. the proposal will not introduce unacceptable levels of noise, light or traffic into inherently quiet and undisturbed localities nor cause a nuisance to residents in the vicinity of the site;
- E. the proposal is capable of being served by an adequate and appropriate access;
- F. the proposal is capable of being provided with drainage and a public water supply at reasonable cost, or an alternative acceptable private water supply, and avoiding unacceptable discharge to watercourses; and
- G. the proposal is not primarily of a retail nature.

Some of the above criteria may be set aside if the site has been identified through supplementary planning guidance as being a location supported by the Council for rural economic development.

constituent site in the group. The usual mechanism for this is expected to be prior conclusion of Section 75 agreements by all the parties concerned.

**3.12.15** The Council has prepared a statement, which has been made publicly available, setting out the basis for the proposed developer contributions

listed in policies IMP2 and IMP3 and giving indicative costs related in scale and kind to the strategic housing sites. The Council will review the existing supplementary policy guidance on developer contributions at the earliest opportunity following the adoption of the local plan.

#### IMP1 NEW DEVELOPMENT

Planning conditions will be applied and, where appropriate, legal agreements sought to ensure that, where new development gives rise to a need, appropriate provision is made for:

- A. essential infrastructure, including transport, required to enable the new development to take place (refer to policy IMP2);
- B. contributions towards making good facility deficiencies resulting from, or exacerbated by, the new development (refer to policy IMP3);
- C. affordable housing (refer to policy HOUS4);
- D. landscaping, including its management for the longer term, and the retention of open spaces and amenity land;
- E. public transport connections (including financial support for services) and bus stops and shelters;
- F. parking in accordance with approved parking standards;
- G. cycling access and cycling facilities;
- H. easy and safe access and movement for pedestrians;
- I. acceptable alternative access routes or public rights of way where existing routes would be lost as a result of the development;
- J. access for people with mobility difficulties;
- K. traffic and environmental management measures;
- L. the protection and/or management of, and/or compensation measures for, any feature of the natural and built conservation interests affected by the development;
- M. site assessment, evaluation and recording of any identified site of archaeological importance which could be affected; and
- N. 'Percent for Art' and Areas of Improved Quality as identified through development briefs\*

Development briefs or master plans will be prepared by the Council in conjunction with prospective developers for all allocated housing sites setting out the main planning and design principles upon which the development of the sites is to be based and aimed at:

- ❖ improving the quality of the built environment;
- ❖ creating an attractive sustainable place of individuality and character; and
- ❖ providing places which are safe and promote ease of movement, particularly for pedestrians.

These will address issues such as vehicle and pedestrian access, provision of public transport, house

types, density, layout, design, landscaping, open space provision, the provision and location of facilities, and energy conservation, and will be a material consideration in respect of planning applications for the detailed development of the sites.

Where relevant, reference shall also be made to the detailed development policies DP1 (Development in the Countryside), DP2 (Development Guidelines), and DP3 (Protection of the Water Environment), in particular, and any other current or future supplementary planning guidance as produced by the Council.

\* Promoters of new built developments of substantial scale and accessible to the public will be encouraged to enhance public enjoyment of them by incorporating artwork through the 'Percent for Art' scheme. A proportion of the capital budget of a building (ideally 1%) is set aside for commissioning new works by an artist, craftsperson or designer. Such a contribution can be in the form of, for example, sculpture, murals, tiling, paving design, stained glass or textiles.

## **IMP2 ESSENTIAL INFRASTRUCTURE REQUIRED TO ENABLE NEW DEVELOPMENT TO TAKE PLACE**

Development will not proceed until provision has been made for essential infrastructure and environmental requirements, related to the scale and impact of the proposal. Planning conditions and legal agreements will be used to secure the appropriate developer funding and the proper phasing of development.

The developer will be required to fund:

- A. the essential infrastructure including roads and schools required by the development either on-site or off-site in order for it to proceed;
- B. the protection of valuable environmental assets within or adjacent to the development site, and compensation for any losses including alternative provision, where appropriate (refer to policy RP33); and
- C. the relevant requirements of policy DP2.

The following essential requirements have been identified for the housing sites listed in proposals HOUS1 and HOUS2:

### **Dalkeith**

- ❖ extension to new primary school at Wester Cowden
- ❖ contributions to extra capacity at Dalkeith High School

### **Mayfield/Easthouses**

- ❖ extension to new primary school at Lawfield
- ❖ contributions to extra capacity at Newbattle High School
- ❖ access and junction improvements

### **Redheugh/Prestonholm new community**

- ❖ new primary school
- ❖ extension to St Andrews RC Primary School
- ❖ contributions to extra capacity at Newbattle or Lasswade High Schools
- ❖ new road junctions (subject to Transport Assessment)



In addition (and as an exception), to enable restoration/improvement to the fabric of Dalkeith Palace and/or the listed or other important structures within the grounds of Dalkeith Estate, consideration will be given to appropriate proposals within Dalkeith Estate that are complementary and associated with its current historic/tourist functions.

## 2 Design of New Housing

New houses and their curtilages will be designed to enhance the appearance of the countryside. The quality of design and construction must be of a high standard and will in most instances be traditional in nature. Innovative design will not be discouraged provided the character of the location is not detrimentally affected by the siting and appearance of the new dwelling. The use of high quality external finishing materials will be required. On open sites, or within areas of established sensitivity, such as Conservation Areas, Areas of Great Landscape Value or along the main tourist routes, new houses will be expected to make use of appropriate natural materials for roofs (such as slate and clay tiles) and wall finishes.

## 3 House Extensions

Extensions to existing dwellings which could be used to provide a second dwelling will only be allowed if subject to a legal agreement preventing future subdivision. (Refer also to detailed development policy DP6 - House Extensions.)

## 4 Replacement Houses

The demolition of an existing dwelling in the countryside and its replacement by a new house on the same site will be permitted where:

- a) the proposal relates to a complete dwelling (i.e. not the plot of a previous, now demolished, house); and
- b) it can be demonstrated that the existing dwelling is incapable of renovation or improvements to allow its continued habitation; and
- c) the size of the proposed dwelling is not significantly larger than the existing dwelling; and
- d) the appearance of the new dwelling is a significant improvement on the existing property and therefore enhances the environment of the area; and
- e) the existing dwelling is served by an adequate and appropriate access and is already serviced at reasonable cost with an acceptable discharge to local watercourses or to mains drainage; and
- f) sustainable building design is incorporated.

## 5 Appearance of All Buildings

All new buildings in the countryside will respect the character of existing buildings in terms of design, scale and materials used, blend with the landscape, conform with the countryside policies, and incorporate sustainable building design.

## 4.2 Development Guidelines

### DP2 DEVELOPMENT GUIDELINES

**Note: Reference should also be made to Appendix 2C for the design principles and Appendix 2D for landscaping and open space requirements which apply specifically to the Shawfair new community, and expansion of Danderhall. The Shawfair Masterplan and Design Guide provide detailed supplementary planning guidance.**

These policies apply to all proposals for development within this Local Plan area. They will form the basis for any briefs to be prepared for sites to be released for development through the Local Plan.

Developers will normally be expected to submit a statement with applications for major sites explaining their approach to the site with regards to the issue of design, sustainability, landscape and open space. The statement shall explain the way in which the Council's design criteria have been observed. If the criteria have been departed from this should be noted, together with an explanation of the circumstances requiring this.

Irrespective of support for the principle of development in this Local Plan, all proposed developments which fall within the remit of the Environmental Impact Assessment (Scotland) Regulations 1999 (Schedules 1 and 2), will require the submission of an Environmental Statement in conjunction with the planning application.

A case for modification of the private open space standards may be accepted by the Council within the Local Plan area where the sites proposed to be developed are brownfield, infill, involve less than three houses, lie within Conservation Areas, or windfall. In such cases, a determining factor will be the existing character of the area surrounding the site. This may not necessarily dictate lower space standards. For example, in some Conservation Areas, the density of housing is very low. Such existing character may dictate very generous gardens in new housing development.

## 1 Design

The release of extensive areas of land, through the development sites in this Local Plan, offers an opportunity to create new, interesting and attractive environments.

The Council recognises that good design can:

- a) promote sustainable development;
- b) improve the quality of the environment;
- c) attract business and investment;
- d) reinforce civic pride and a sense of place; and
- e) secure public acceptance of the need for new development.

*For these reasons:*

The Council will require good design in both the overall layout of sites and their constituent parts and a high quality of architecture in both the overall layout of sites and their constituent parts.

## 2 Sustainability

The Council will expect development proposals to have regard to the following principles of sustainability:

- a) building in harmony with the site including optimising on orientation and relationships to contours, provision of shelter, and utilising natural features;
- b) fostering and maintaining biodiversity;
- c) treating and conserving water on site in line with best practice and guidance on sustainable drainage;
- d) reducing consumption of energy;
- e) recycling of construction materials and minimising the use of non-renewable resources (refer also to policy WAST4 – waste minimisation);
- f) facilitating accessibility and adaptability; and
- g) providing for waste recycling in accordance with standards which will be set out in supplementary planning guidance on waste separation, collection and recycling requirements for new developments.

### 3 Landscaping

All development proposals must be accompanied by a comprehensive scheme of landscaping. This will be designed to provide shelter, help create spaces, add colour and add to the interest and appearance of the development.

New tree planting will be used to define the edge of development areas within sites. The Forest Habitat Network (Forestry Commission Scotland) provides guidance in planning greenspace within new developments.

Where development sites abut the countryside, tree belts of an average of 30 metres wide will be required except where a development brief indicates a lesser figure will be acceptable. This width is required to ensure the effect of the planting is maintained as the trees mature.

Where distributor and access roads are to be tree lined as a landscape feature of the development site, space sufficient to provide for the span of the trees as they mature must be provided to each side of the road to be planted. The space to be provided will be influenced by the selection of tree species and design concept being followed.

A high standard of landscaping is required throughout sites. Tree and shrub species should be selected primarily for their good appearance, hardiness, low maintenance and suitability to the character of the site and layout design.

Indigenous species should form the basis for landscape schemes.

Finishing materials, surface textures and street furniture, together with the design of walls and fencing should combine with the landscaping to establish a theme for the development as a whole.

When submitted to the Council, detailed applications for planning permission must be accompanied by proposals indicating the character and scale of the landscaping to accompany the new development.

Landscaped areas adjoining roads will be adopted by the Council on the same basis as other landscaped and open space areas provided as a result of development.

Where possible, topsoil should be left *in situ* on development sites. Where it would be sterilised by development, topsoil should be stored in a manner which preserves its intrinsic environmental value and reused in connection with the landscaping of the development site or, if not possible, elsewhere in site restoration, landscape enhancement and/or the creation of public open space.

### 4 Open Space

Open space is an essential part of the built environment. It provides amenity to those whose property adjoins or is close to it. It can provide pedestrian or cycle routes. Open space allows opportunities for play and exercise whether of a formal or informal character. It gives the opportunity within settlements for the creation of natural habitats and shelter for flora and fauna. It can create the setting to important private and civic buildings and be an integral part of the character of settlements. Policies RP29 and 30 provide for the protection of open spaces. The proposed growth of Midlothian's settlements as a result of this Local Plan must be accompanied by open space provision on a scale and in a manner commensurate with its importance to the lives of future communities in these areas.

The following standards do not take account of the need for informal amenity open space, infrastructure tree planting and passive recreation areas such as parks, open spaces and footpath networks. In determining the need for such additional open space the Council will take account of the area surrounding the site. Major development sites will be subject to a brief that will identify such needs.

Open spaces designed for children's play should be large enough to absorb such activity with minimum disturbance to local residents or undue damage to grass and planted areas. Similarly, the location of pitches for older sections of the population within open spaces should take account of the potentially adverse effect on amenity if situated too close to housing.

## Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

**Reg. No. 13/00370/DPP**

McLean Bell Consultants Ltd  
33 Miller Park  
Polmont  
Falkirk  
FK2 0JJ

Midlothian Council, as Planning Authority, having considered the application by Mr George Russell, C/o McLean Bell Consultants Ltd, 33 Miller Park, Polmont, Falkirk, FK2 0JJ, which was registered on 4 June 2013 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

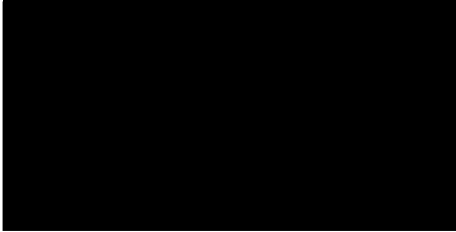
**Erection of four retail units (part retrospective) at Soutra Mains Farm, Blackshiels, Pathhead, EH37 5TF**

The reasons for the Council's decision are set out below:

1. *The proposed development would comprise a development in the countryside for which it has not been demonstrated that there is an operational requirement for a countryside location. Accordingly, the proposed development is contrary to the Edinburgh and the Lothians Structure Plan (ELSP) policy ENV3 and adopted Midlothian Local Plan (MLP) policies RP1 and ECON8.*
2. *As the application site is in the countryside it is not in one of the locations specified in the ELSP policy RET1 - Sequential approach to the location of retail and commercial leisure development, as being potentially suitable for retail developments. Accordingly, the proposed development is contrary to ELSP policy RET1 and the adopted MLP policy SHOP5.*
3. *It has not been demonstrated to the satisfaction of the Planning Authority that the operation of the proposed retail complex would not undermine the vitality and viability of Midlothian's town centres, in particular Pathhead.*
4. *It has not be demonstrated that the retail complex could operate successfully without having a significant and adverse impact on road safety on the trunk road.*



Dated: 06/09/2013



.....  
Peter Arnsdorf  
Development Management Manager  
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN

## **PLEASE NOTE**

*If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town & Country Planning (Scotland) Act 1997 within 3 months from the date of this notice. The notice of review should be addressed to The Development Manager, Development Management Section, Midlothian Council, Fairfield House, 8 Lothian Road, Dalkeith EH22 3ZN. A notice of review form is available from the same address and will also be made available online at [www.midlothian.gov.uk](http://www.midlothian.gov.uk)*

*If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonable beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.*

### *Prior to Commencement (Notice of Initiation of Development)*

*Prior to the development commencing the planning authority shall be notified in writing of the expected commencement of work date and once development on site has been completed the planning authority shall be notified of the completion of works date in writing. Failure to do so would be a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997 (as amended by the Planning etc (Scotland) Act 2006). A copy of the Notice of Initiation of Development is available on the Council's web site [www.midlothian.gov.uk](http://www.midlothian.gov.uk)*

## **IMPORTANT NOTE REGARDING PUBLIC ACCESS TO INFORMATION**

### *Making an application*

*Please note that when you submit a planning application, the information will appear on the Planning Register and the completed forms and any associated documentation will also be published on the Council's website.*

### *Making comment on an application*

*Please note that any information, consultation response, objection or supporting letters submit in relation to a planning application, will be published on the Council's website.*

*The planning authority will redact personal information in accordance with its redaction policy and use its discretion to redact any comments or information it considers to be derogatory or offensive. However, it is important to note that the publishing of comments and views expressed in letters and reports submitted by applicants, consultees and representors on the Council's website, does not mean that the planning authority agrees or endorses these views, or confirms any statements of fact to be correct.*

# APPENDIX F

## NOTES: external finishes:

1. WALLS: EXTERNAL WALL FINISH: 25MM THICK WET DASH RENDER APPLIED TO CONCRETE BLOCK (COLOUR: LIGHT GREY/BROWN) WITH 150MM WIDE SMOOTH CEILING MARGINS AND INDICES TO WINDOWS AND DOOR OPENINGS WITH DITO TO BASE COURSE.
2. ROOF: NATURAL SLATE (BROWN/GREY) NAINED TO ROOF SARKING WITH CONTINUOUS G.V.S. RIDGES.
3. WINDOWS: REDWOOD FRAME, DOUBLE GLAZED, SASH & CASE STYLE WITH TOP HUNG OPENING LEANS. COFFER SHOP FEATURE WINDOWS: 2000 X 2100 HIGH WITH 1.4 OPENING LIGHTS. ALL WINDOWS AND DOORS TO HAVE "U" VALUE OF 1.0 W/M<sup>2</sup>°C AND 4MM THICK TOUGHENED GLASS. ALL WINDOWS TO HAVE HEAD FITTED CONTROLLABLE TRICKLE VENT TO GIVE 8.000 SQMM VENT AREA.
4. SOLUM VENTS: 225 X 150MM P.C. VENT GRILES FIXED AT 2000% MAXIMUM WITH F.C. 150X GUTTY LINING.
5. RAINWATER GOODS: ALL GUTTERS AND RAINWATER DOWNPIPES TO BE BLACK CAST IRON.

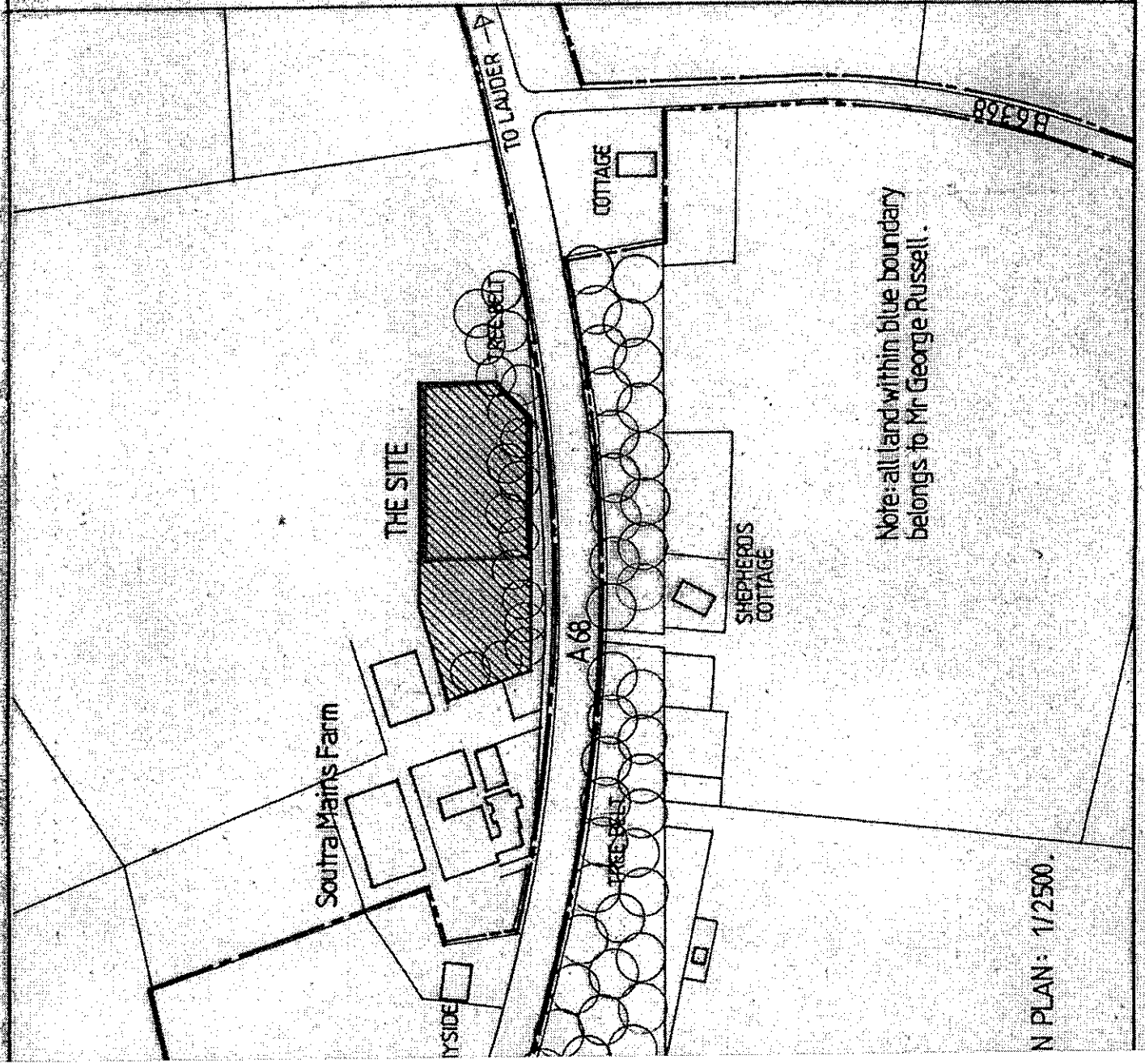
CORPORATE RESOURCES
FILE: 13/00370/DRP
RECEIVED 04 JUN 2013

**GEORGE RUSSELL CONSTRUCTION LTD**

PROPOSED CHANGE OF COTTAGES TO SHOP UNITS x 4  
SOUTRA MAINS FARM, SOUTRA,  
FALA, MID-LOTHIAN.

scale: 1/100. drawing no: GR/13/05

THIS DRAWING IS VERIFIED AS:  
DATE



N PLAN: 1/2500.







TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997  
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS)  
(SCOTLAND) DIRECTION 1997

ERECTION OF FOUR RETAIL UNITS (PART RETROSPECTIVE) AT SOUTRA MAINS  
FARM BLACKSHIELDS PATHHEAD

WRITTEN STATEMENT BY KEN AITKEN  
TRANSPORT SCOTLAND  
NETWORK OPERATIONS: TRUNK ROAD AND BUS OPERATIONS  
DEVELOPMENT MANAGEMENT

Council Ref: 13/00370/DPP  
TRBO Ref: SE/155/2013

### Details of Application

The application for planning permission for the erection of four retail units (part retrospective) was submitted by Mr George Russell to Midlothian Council on 4 June 2013.

### Response

The planning application (Council Ref: 13/00370/DPP) was referred to the Transport Scotland - Trunk Road and Bus Operations (TS) by Midlothian Council on the basis of its potential impact on the nearby A68 Trunk Road.

Transport Scotland responded to Midlothian Council in the form of a TR/NPA/2 dated 3 July 2013 with a recommendation that TS does not propose to advise against the granting of permission subject to the following condition:

*Prior to works commencing on site the vehicular access arrangements shall be altered to comply with drawing 08063-SK-03 submitted in connection with planning application 08/00159/OUT.*

### History

There has been a number of applications for this site relating to the provision of a coffee / farm shop and other associated development over the last 5 years.

The first of these (Council Ref: 08/00159/OUT) was originally recommended for refusal on the basis of the access arrangement. Following extensive negotiation it was agreed that a revised access location to the site be provided further to the south which would incorporate a right turning lane contained within the hatched area in the centre of the A68 trunk road. Transport Scotland accepted this proposal on the basis that this new access also provided the means of access to the farm. Consent was subsequently granted by the Council.

In 2010 a new application (Council Ref: 10/00538/DPP) was submitted for the site which increased the size of the development. No details of the junction layout were provided other than the location of the access and the link to the farm with the existing access closed off. Transport Scotland requested a plan detailing the junction layout but before this was submitted the application was refused. The reason for refusal was based on a number of policy matters and the adverse impact that the development would have on trunk road safety, despite the fact that Transport Scotland had not responded to the consultation.

A further application was submitted in 2011 (Council Ref: 11/00199/MS) for approval of matters specified in conditions where Transport Scotland were not consulted. This was subsequently granted on the basis that the layout for the right turn lane was provided to the standards as agreed with Transport Scotland for the previous application (Council Ref: 08/00159/OUT). However, by not consulting Transport Scotland there appears to have been no cognisance taken of the position taken to close the farm access and take access to the farm from the new access created for the development.

Another application was submitted in 2012 (Council Ref: 12/00067/MS) again for approval of matters specified in conditions. Again, Transport Scotland were not consulted. The delegated report stated that a further MS application would be required as it was not possible to discharge all the conditions of the outline application.

This further MS was submitted in early 2013 and the consultee list on the Council's planning website indicates that there is no requirement for consultees to see this application. This application has not yet been determined.

The final application for this site (Council Ref: 13/00370/DPP) is the subject of this appeal. As detailed above Transport Scotland were consulted and responded on the 3 July 2013.

It should be noted that in all these applications where Transport Scotland were not consulted, on all occasions the Council's Roads Department were consulted and advised that Transport Scotland should be consulted as access was to be taken on the A68 trunk road.

## **Background**

Other than a note on the Site Layout and Drainage Plan submitted with the application which is the subject of this appeal, there are no details supplied regarding the provision of a right turn lane or the access to the farm. The note states "Existing access road to Soutra Mains Farm closed with new conc. Road kerb installed / existing tarmac removed and area laid in topsoil & grass to match verge. New access road junction formed with 5500 wide road and 2000 wide footpaths. PC conc. kerb radii as determined by the highway authority".

No copy of the plan showing the layout of the right turn lane that had previously been agreed for the application in 2008 (Council Ref: 08/00159/OUT), was submitted along with the application.

This location has been subject to numerous accidents in the past and was the subject of a safety improvement to address the accident problem. From 1979 to 1999, in this vicinity there were 23 injury accidents of which 3 were fatal, 8 were serious and the remaining 12 were slight injuries. The accident prevention works have proven to be successful and in the last 5 years there has only been one accident in the vicinity which was a serious accident and would not have been prevented by the alterations as it was the result of a vehicle defect.

In considering responses in this location, Transport Scotland must consider all impacts of any proposed development to ensure that the positive benefits of the safety improvement works are not adversely impacted by the consequences of any development.

Transport Scotland's response dated 3 July 2013, was based on the fact that it was assumed that the right turn lane would be provided and the existing farm access would be closed off.



## **Appeal**

Transport Scotland was notified on the 11 December 2013 that an appeal had been lodged for this application and that should we wish to make any written representations to Local Review Body within 14 days of receipt of the notification.

Transport Scotland remains concerned that no development can take place here unless the road safety issues are properly addressed. However, as long as the farm access is closed and the markings for the right turn lane are provided as detailed in the agreed drawing submitted with the (Council Ref: 08/00159/OUT), Transport Scotland would not object to the development proceeding.

However, the applicant has not complied with either of these conditions. The lining for the right turn lane have been implemented in a manner which was not agreed with Transport Scotland in accordance with the details supplied on drawing 08063-SK-03 (submitted in connection with planning application 08/00159/OUT).

Instead of the agreed marking, provision for right turning has been marked for the existing two access points to the farm. Furthermore, it is not clear how the lining would be further adjusted to accommodate the new access, in a safe manner.

Transport Scotland have serious concerns regarding this layout as it appears to indicate a safer layout but actually introduces additional conflicts into a situation which was only made safer through the safety improvement works carried out earlier by Transport Scotland. Furthermore, not only does it make the layout more complicated but the addition of new traffic into this arrangement introduces numerous new conflicts, which did not exist before.

The agreed layout supplied on drawing 08063-SK-03 (submitted with planning application 08/00159/OUT) also met the appropriate roads standards but this new arrangement is in direct contravention of these standards on a large number of counts.

These departures from the appropriate standards cannot be remedied unless the existing access to Soutra Farm which currently remains open is closed and linked to the new access as previously agreed with Transport Scotland during the consultation process for planning application 08/00159/OUT.

## **Conclusion**

Transport Scotland consider that there is a considerable safety risk to trunk road users with the current layout which will be exacerbated by the additional traffic accessing the new development.

If these safety concerns are not addressed in an appropriate manner then Transport Scotland would have no other option than to recommend that this application is refused.

However, Transport Scotland recognise that an acceptable solution has been developed for previous applications which could be implemented for this application.

Therefore, Transport Scotland would respectfully request that the Local Review Body, in the consideration of this appeal, should consider this concern and if they are minded to grant consent ensure that the following condition is added to any consent granted:

*Prior to works commencing on site a drawing indicating the proposed layout and type (and method) of construction shall be submitted and approved by the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority. (The vehicular access arrangements shall be altered to generally comply with drawing 08063-SK-03 submitted in connection with planning application 08/00159/OUT.)*

*Prior to works commencing on site the existing vehicular access to Soutra Farm shall be closed and access to the farm taken through the new access for the development.*

Ken Aitken  
Transport Scotland - TRBO  
Buchanan House  
24 December 2013