

MINUTES of SPECIAL MEETING of the MIDLOTHIAN COUNCIL PLANNING

COMMITTEE held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday 25 June 2013 at 11.30 am.

Present:- Councillors Thompson (Chair), Baxter, Beattie, Bennett, Bryant, Constable, Imrie, Johnstone, Milligan, Muirhead, Pottinger, Rosie, Russell and Wallace.

Apologies for Absence: - Councillors Boyes, Coventry and Montgomery.

1. Declarations of Interest

No declarations of interest were intimated.

2. Application for Planning Permission (13/00231/DPP) by Midlothian Council, Corporate Resources for erection of 5 Dwellinghouses and 12 Flatted Dwellings and Formation of Associated Access Road and Car Parking; Land North of 1 Craigiefield Crescent, Penicuik.

With reference to paragraph 4 of the Appendix to the Minutes of 28 May 2013, there was submitted report, dated 18 June 2013, by the Head of Planning and Development concerning the above application.

The Committee, having heard from the Head of Planning and Development, and the Head of Housing and Community Safety, both of whom responded to Members' questions, discussed the siting, form and design of the proposed development. In particular, consideration was given to the proposed height of the flatted element relative to the height of other properties adjacent to the site and in the locality.

After further discussion, the Committee agreed that planning permission be granted for the following reasons:-

The proposal comprises the redevelopment of a brownfield site within the settlement boundary of Penicuik where there is a presumption in favour of appropriate development. The proposed scheme of development by means of its siting, form and design also accords with the provisions of the approved Edinburgh and the Lothians Structure Plan and the adopted Midlothian Local Plan. The presumption for development is not outweighed by any other material consideration.

subject to:-

- (a) developer contributions towards education provision and children's play provision; and
- (b) the following conditions: -

1. Development shall not begin until details of the scheme of hard and soft landscaping works have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i. existing and finished ground levels and floor levels for all buildings, open space and roads in relation to a fixed datum;
 - ii. existing trees, landscaping features and vegetation to be retained; removed, protected during development and in the case of damage, restored;
 - iii. proposed new planting in communal areas and open space, including trees, hedging and grassed areas;
 - iv. location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
 - v. schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - vi. programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping in the open spaces shall be completed prior to the houses on adjoining plots are occupied. Any tree felling or vegetation removal proposed as part of the landscaping scheme shall take place out with the bird breeding season (March-August);
 - vii. drainage details, watercourse diversions, flood prevention measures and sustainable urban drainage systems to manage water runoff;
 - viii. proposed car park configuration and surfacing;
 - ix. proposed footpaths and cycle paths (designed to be unsuitable for motor bike use);
 - x. proposed play equipment; and
 - xi. proposed cycle parking facilities;

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

Reason: *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policies RP20 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

2. Development shall not begin until samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

Reason: *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policies RP20 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

3. Development shall not begin until details of the site access, roads, footpaths, cycle ways and transportation movements has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i existing and finished ground levels for all roads and cycle ways in relation to a fixed datum;
 - ii proposed vehicular, cycle and pedestrian access;
 - iii proposed roads (including turning facilities), footpaths, cycle ways and the required bridge across the Cuiken Burn;
 - iv proposed visibility splays, traffic calming measures, lighting and signage;
 - v a green transport plan designed to minimise the use of private transport and to promote walking, cycling, safe routes to school and the use of public transport;
 - vi proposed car parking arrangements; and
 - vii a programme for completion for the construction of access, roads, footpaths and cycle paths.

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

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

4. Development shall not begin until details, including a timetable of implementation, of 'Percent for Art' have been submitted to and approved in writing by the planning authority. The 'Percent for Art' shall be implemented as per the approved details.

Reason: *To ensure the quality of the development is enhanced by the use of art to reflect its setting in accordance with policies IMP1 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

5. Prior to the occupation of any dwelling within the site, details shall be submitted to and approved in writing by the planning authority for the upgrade of the footpath from the site to Bog Road, and for the upgrade of the associated footbridge across the Loan Burn, and no living accommodation within the development hereby approved shall be occupied until such time as these works have been completed.

Reason: *To ensure that the development is provided with adequate pedestrian links to public transport, to schools, and to other community facilities.*

6. The development shall not be occupied until such time as the traffic calming measures proposed for the Craigiefield/Bog Road junction have been completed.

Reason: *In the interest of road safety.*

(Action: Head of Planning and Development)

The meeting terminated at 11.40 am.