



PRE - APPLICATION REPORT FOR PROPOSED HOLIDAY RESORT DEVELOPMENT AT LAND AT DRUMMOND MOOR LANDFILL SITE, ROSEWELL (19/00626/PAC)

Report by Director of Education, Communities and Economy

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of a pre-application consultation submitted regarding a proposal for a holiday resort at Drummond Moor Landfill Site, Rosewell. The land is within an area identified as countryside in the Midlothian Local Development Plan 2017 (MLDP).
- 1.2 The pre-application consultation is reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlines the proposal, identifies the key development plan policies and material considerations and states a provisional without prejudice planning view regarding the principle of development.

2 BACKGROUND

- 2.1 Guidance on the role of Councillors in the pre-application process, published by the Commissioner for Ethical Standards in Public Life in Scotland, was reported to the Committee at its meeting of 6 June 2017. The guidance clarifies the position with regard to Councillors stating a provisional view on proposals at pre-application stage.
- 2.2 A pre-application consultation for a holiday resort at Drummond Moor Landfill Site, Rosewell was submitted on 15 July 2019.
- 2.3 As part of the pre-application consultation, a public event took place at Howgate Village Hall on 25 September 2019. On the conclusion of the requisite 12 week consultation process the applicant could submit a planning application for the proposal. It is reasonable for an Elected Member to attend such a public event without a Council planning officer present, but the Member should (in accordance with the Commissioner's guidance reported to the Committee at its meeting in June 2017) not offer views, as the forum for doing so will be at meetings of the Planning Committee.

- 2.4 Copies of the pre application notices have been sent by the prospective applicant to the local elected members and the Community Councils for Howgate and Rosewell & District.

3 PLANNING CONSIDERATIONS

- 3.1 In assessing any subsequent planning application the main planning issue to be considered in determining the application is whether the currently proposed development complies with development plan policies unless material planning considerations indicate otherwise.
- 3.2 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Development Plan 2017 (MLDP).
- 3.3 The site is approximately 30 hectares, part of which is currently undergoing the process of restoration following its use as a landfill site. The land is located within the countryside and covered by MLDP policy RD1: Development in the Countryside. The policy supports rural economic development provided the proposals; are of a scale and character appropriate to the rural area, integrate well into the rural landscape, are capable of being provided with drainage and a public water supply and are accessible by public transport.
- 3.4 The proposed self-catering tourist accommodation (indicatively shown as timber lodge/chalet buildings) are subject to MLDP policies VIS1 and VIS2, which relate to tourist attractions and tourist accommodation. Such proposals could be considered acceptable in principle provided that they are of a scale that is in keeping with the area, are sited and designed to fit unobtrusively into the rural landscape, are well located in terms of the strategic road network and that they maximise public transport access. The site is accessed off of the A6094 connecting Rosewell and Howgate, however this route does not have an existing public transport service.
- 3.5 Escaping gases from the previous use of the land as a landfill site could potentially have detrimental impacts on human health and as such restrict any future development of the site. MLDP policy ENV16: Vacant, Derelict and Contaminated Land, requires proposals for the use of such land to be suitable in relation to any potential risks from prior contamination. The applicant will need to demonstrate to the satisfaction of the planning authority that there is no risks to human health.
- 3.6 If an application is submitted there is a presumption in favour of supporting tourist accommodation subject to the applicant mitigating the shortfall in public transport and demonstrating there is not a risk to human health.

4 PROCEDURES

- 4.1 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures provides for Councillors to express a 'without

prejudice' view and to identify material considerations with regard to a major application.

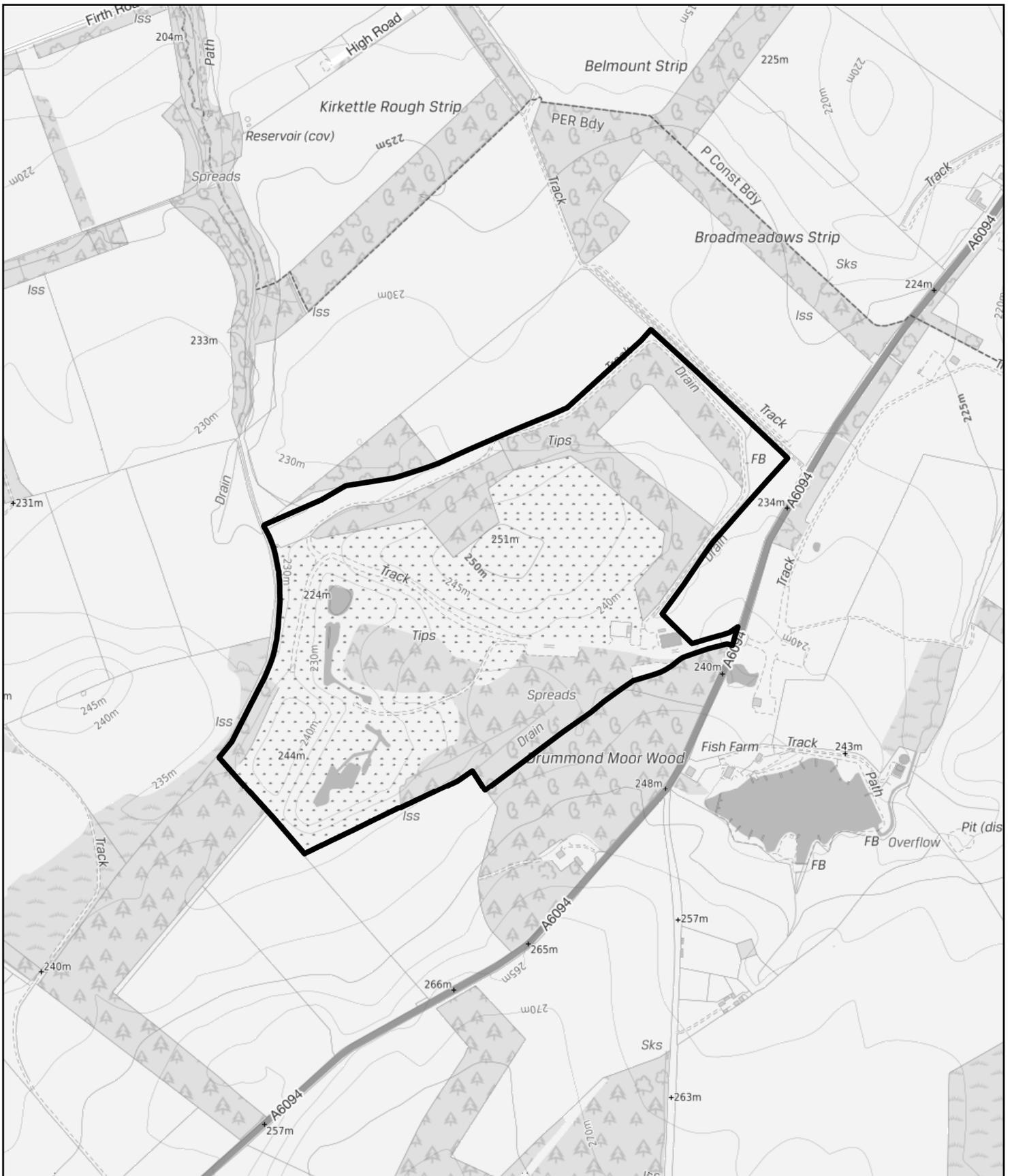
- 4.2 The Committee is invited to express a 'without prejudice' view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.
- 4.3 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures advises that Councillors are expected to approach their decision-making with an open mind in that they must have regard to all material considerations and be prepared to change their views which they are minded towards if persuaded that they should.

5 RECOMMENDATION

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

Mary Smith
Director of Education, Communities and Economy

Date: 1 October 2019
Application No: 19/00626/PAC (Available online)
Applicant: Sirius Planning
Validation Date: 23 July 2019
Contact Person: Fraser James
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& Communities**
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**Proposal of application notice for proposed holiday resort
development at Land At Drummond Moor, Rosewell**

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