
PRE - APPLICATION REPORT REGARDING THE RE-DEVELOPMENT OF EXISTING HIGH SCHOOL INCLUDING ERECTION OF EXTENSIONS, PARTIAL DEMOLITION OF BUILDINGS, LANDSCAPING, FORMATION OF ROADS AND SPORTS PITCHES; AND ASSOCIATED WORKS AT PENICUIK HIGH SCHOOL, 39A CARLOPS ROAD, PENICUIK (24/00363/PAC)

Report by Chief Officer Place

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of the submission of a Proposal of Application Notice (PAN) and corresponding pre-application consultation for the re-development of an existing high school including erection of extensions, partial demolition of buildings, landscaping, formation of roads and sports pitches; and associated works at Penicuik High School, 39A Carlops Road, Penicuik.
- 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 30 August 2022. The guidance clarifies the position with regard to Councillors stating a provisional view on proposals at pre-application stage.
- 2.2 A Proposal of Application Notice (PAN) detailing the pre-application consultation for the re-development of existing high school including erection of extensions, partial demolition of buildings, landscaping, formation of roads and sports pitches; and associated works at Penicuik High School, 39A Carlops Road, Penicuik was submitted on 30 May 2024. The applicant is Midlothian Council.
- 2.3 As part of the pre-application consultation process two public events were held at Penicuik Leisure Centre, 39A Carlops Road, Penicuik. The first was on Wednesday 19 June 2024 and the second on Wednesday 21 August 2024; these meetings were advertised via the Midlothian Advertiser, the Penicuik Crier, social media posts, the display of leaflets within local community buildings and a maildrop to local neighbouring properties (at least 7 days prior to each event). Upon the conclusion of the public events the applicant can submit a

planning application for the proposal.

- 2.4 An applicant must wait 12 weeks from the date of submission of a PAN before submitting a planning application. The earliest date that the planning application for this proposal could be submitted was 22 August 2024. The subsequent planning application must be accompanied by a Pre-Application Consultation Report detailing the consultation undertaken, a summary of written responses and views expressed at the public events, and an explanation of how the applicant took account of the views expressed and an explanation of how members of the public were given feedback on the applicant's consideration of their views.
- 2.5 Copies of the pre application notices have been sent by the prospective applicant to the local elected members in Ward 1 - Penicuik, the Penicuik and District Community Council Community Council, Owen Thompson MP, Colin Beattie MSP and Christine Grahame MSP.
- 2.6 It is reasonable for an Elected Member to attend one of the events 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 August 2022) not offer views, as the forum for doing so will be at meetings of the Planning Committee.

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 proposed development complies with development plan policies unless material planning considerations indicate otherwise. The views of consultees and representors will be material considerations in the assessment of an application for the proposed development.
- 3.2 The development plan is comprised of National Planning Framework 4 (2023) and the Midlothian Local Development Plan (2017). Section 24(3) of the Town and Country Planning (Scotland) Act 1997 states that where there is an incompatibility between the provisions of the National Planning Framework and the provisions of a local development plan whichever of them is the later in date is to prevail. At present this means that where there is an incompatibility NPF4 takes precedence, this will change when a new local development plan is adopted.
- 3.3 The application site comprises a high school, associated buildings, parking and large areas of grass and hardstanding. It is noted that part of the building is category B listed. The site is located within a primarily residential area within the built-up area of Penicuik. To the west and attached to the main high school is Penicuik Leisure Centre, beyond this is Sacred Heart Primary School. To the northwest, north and east of the site are a number of residential properties. Carlops Road is to the front of the site and to the south of this is Penicuik Park and playing fields. Off-street parking is located to the eastern side of the site which is accessible via Bellman's Road. There is also parking to the front of Penicuik Leisure Centre which is accessible via Carlops Road.

3.4 The relevant policies of the National Planning Framework 4 (NPF4) are:

- Policy 1 - Tackling the climate and nature crises;
- Policy 2 - Climate mitigation and adaptation;
- Policy 3 – Biodiversity;
- Policy 7 – Historic Assets and Places,
- Policy 14 - Design, quality and place;
- Policy 15 - Local Living and 20 minute neighbourhoods; and
- Policy 21 - Play, recreation and sport.

3.5 The relevant policies of the Midlothian Local Development Plan 2017 (MLDP) are:

- DEV2 - Protecting Amenity within the Built-Up Area;
- DEV5 - Sustainability in New Development;
- DEV6 - Layout and Design of New Development;
- DEV7 - Landscaping in New Development;
- DEV9 - Open Space Standards;
- TRAN5 - Electric Vehicle Charging;
- IT1 - Digital Infrastructure;
- ENV7 - Landscape Character;
- ENV9 - Flooding;
- ENV10 - Water Environment;
- ENV15 - Species and Habitat Protection and Enhancement; and
- ENV22 - Listed Buildings.

3.6 Material considerations include the Historic Environment Policy for Scotland (HEPS), Section 14(2) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and Historic Environment Scotland – Managing Change in the Historic Environment Guidance Notes.

3.7 The site is within the built-up area of Penicuik and is used for educational purposes and as such there is a presumption in favour of appropriate re-development of the site to provide enhanced education and community facilities. Detailed consideration will have to be given to design matters, in particular any developments impact on the listed building, the site layout, the siting, design and appearance of the extension/s and other structures, the materials used, landscaping, open space, parking, biodiversity and sustainability, in order to ensure compliance with sustainable place-making policies within the NPF4 and MLDP. It will also be necessary to give careful consideration to the impact of the proposed development on the amenity of neighbouring residents, as well as transport and active travel arrangements.

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.

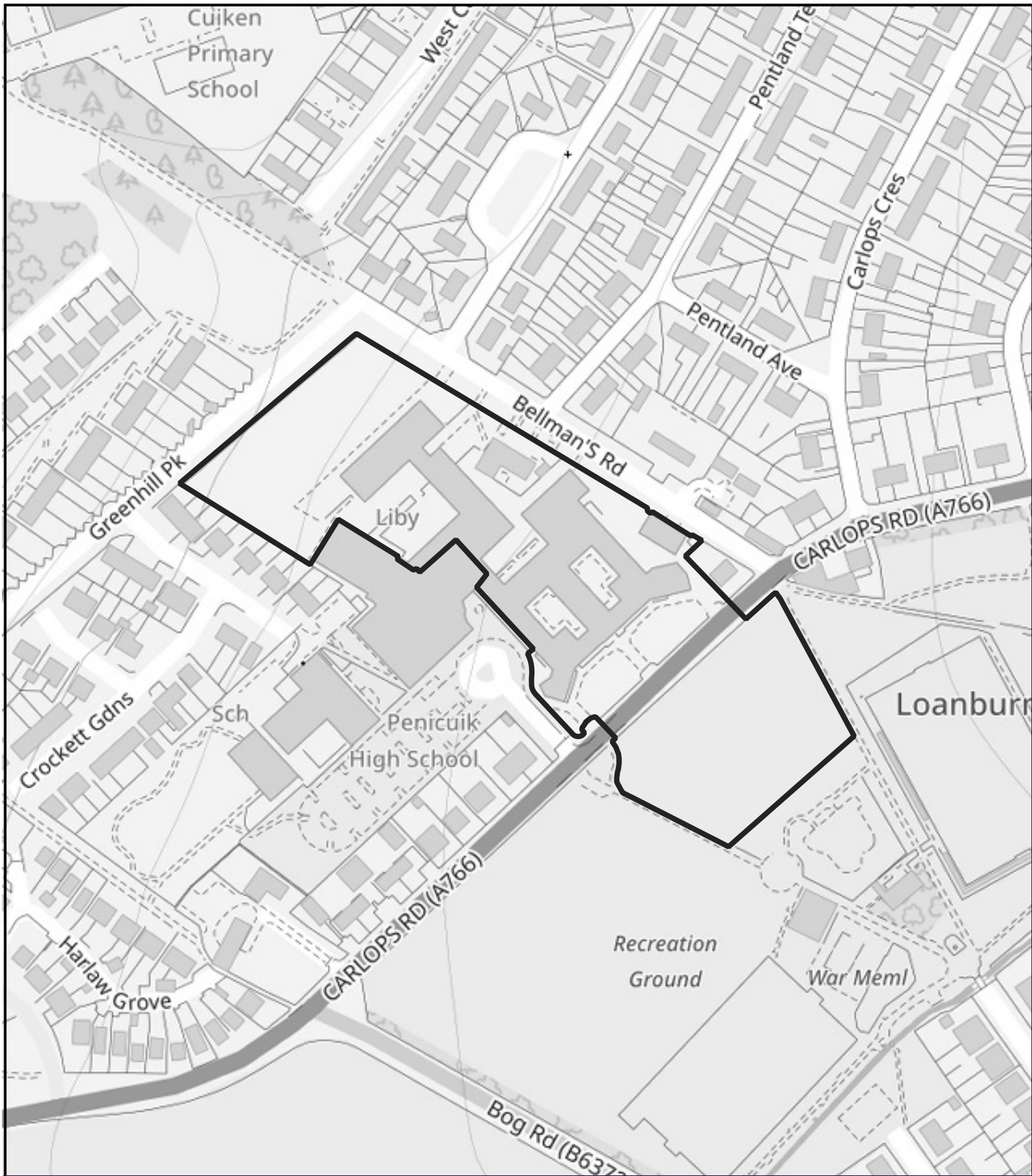
- 4.3 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures advises that Councillors are expected to approach their decision-making with an open mind in that they must have regard to all material considerations and be prepared to change their views which they are 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.

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

Date: 31 August 2024
Application No: 24/00363/PAC
Applicant: Midlothian Council
Agent: Adam McConaghy
Validation Date: 30 May 2024
Contact Person: Whitney Lindsay
Email: Whitney.Lindsay@midlothian.gov.uk



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Proposal of application notice for re-development of existing high school including; erection of extensions, partial demolition of buildings, landscaping, formation of roads and sports pitches; and associated works. Penicuik High School, 39A Carlops Road, Penicuik

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