

Minute of Meeting



Planning Committee

Date	Time	Venue
19 April 2016	2.00pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Bryant (Chair)	Councillor Baxter
Councillor Beattie	Councillor Bennett
Councillor Coventry	Councillor de Vink
Councillor Johnstone	Councillor Milligan
Councillor Montgomery	Councillor Muirhead
Councillor Pottinger	Councillor Rosie
Councillor Russell	Councillor Wallace
Councillor Young	

1 Apologies

Apologies received from Councillors Constable, Imrie and Parry

2 Order of Business

The order of business was confirmed as outlined in the agenda that had been circulated.

3 Declarations of interest

No declarations of interest were received.

4 Minutes of Previous Meetings

The Minutes of Meeting of 1 March 2016 were submitted and approved as a correct record subject to the addition of a fuller account of the discussions regarding the wording of the conditions attached to the consent issued for the grant of planning permission for the infilling of quarry at Middleton Limeworks, Gorebridge (15/00503/DPP), which had a number of variations to those agreed by the Committee at its previous meeting on 12 January 2016.

(Action: Democratic and Document Services Manager)

5 Reports

Agenda No	Report Title	Presented by:
5.1	Development Plan Scheme for Midlothian Number 8	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 12 April 2016, by the Head of Communities and Economy, seeking approval for the Development Plan Scheme for Midlothian No.8 (DPSM 6), a copy of which was appended to the report.

The report explained that the preparation of a development plan scheme setting out the planning authority's intentions with respect to preparing, reviewing and consulting on the Strategic Development Plan (SDP) and the Local Development Plan (LDP) for its area was a statutory requirement.

Each Development Plan Scheme (DPS) was to incorporate a participation statement and was to be updated at least annually. After adopting a DPS, the planning authority was required to publish it, including electronically, place it on deposit in public libraries and send it to Scottish Ministers. Consultation on the DPS was not required and it did not require the approval of Scottish Ministers.

Decision

Having heard from the Planning Manager, the Committee agreed to:-

- (a) approve the Development Plan Scheme for Midlothian No.8 (DPSM 8); and
- (b) publish DPDM 8 and submit it to Scottish Ministers.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.2	Midlothian Local Development Plan: Proposed Plan	Ian Johnson

Executive Summary of Report

With reference to paragraph 3 of the Minutes of 17 November 2015, there was submitted report dated 12 April 2016, by the Head of Communities and Economy providing an update on current progress in the preparation of the Midlothian Local Development Plan (MLDP), and advising on the remaining stages to the point of final adoption by the Council.

The report explained that along with the Proposed Plan, the Council was required to send to Scottish Ministers copies of all unresolved objections together with the Council's written response, these being known as 'Schedule 4' documents; preparation of which was now at an advanced stage. It was intended to submit a report to the next Council meeting on 17 May 2016, seeking formal decisions on any modifications to be made to the Proposed Plan, the final content of the Proposed Plan for submission to Scottish Ministers, and the formal position of the Council in response to the representations/objections received to the Proposed Plan. If all these matters were agreed then the formal submissions would be made, with the Examination into the Plan being scheduled for later this year.

Summary of Discussion

Having heard from the Head of Communities and Economy, who responded to Members questions, the Committee discussed the consultation process, noting that the statutory procedures had been followed, and the potential implications of any delay to the adoption process. Consideration was also given to the need for further Member briefings.

Decision

- (a) To note the Midlothian Local Development Plan update; and
- (b) To agree to hold further briefings for elected Member prior to the May Council meeting.

Action

Head of Communities and Economy

Agenda No**Report Title****Presented by:**

5.3

Planning Performance Report

Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 12 April 2016, by the Head of Communities and Economy, updating the Committee on planning application, planning appeals and reviews, enforcement and planning customer service performance against key outcome indicators for the period 2015/16.

The report identified that overall performance continued to be maintained at a high level through 2015/16 with 78% of planning applications being determined within target. This compared to 84% in 2014/15 and 2013/14, 73% in 2012/13, 70% in 2011/12, 65% in 2010/11 and 55% in 2009/10. In addition to the handling of planning applications, the report also highlighted the work undertaken by the Planning team in relation to planning appeals/reviews, enforcement of planning control, the preparation of development/design briefs and responding to a wide range of associated enquiries giving planning advice to the public and others.

Summary of Discussion

Having heard from the Planning Manager, who responded to Members questions, the Committee discussed the report, giving particular consideration to the impact that the financial constraints faced by Local Government generally were having on the resources available to fulfil statutory functions such as Planning. It being noted that following a service review, the Development Management and Planning Policy and Environment teams had now been conjoined into a single Planning team. Consideration was also given to the current position on legacy cases, it being felt that it would be useful to include information on both matters in future annual Planning performance reports.

Decision

- (a) noted the contents of the report; and
- (b) agreed to continue to receive annual Planning performance reports.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.4	Major Developments: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 12 April 2016 by the Head of Communities and Economy, updating the Committee on 'major' planning applications, formal pre-application consultations by prospective applicants and the expected programme of applications due for reporting.

Summary of Discussion

The Committee heard from the Planning Manager, who took on board a suggestion from the local Members encouraging additional dialogue with the local Community Council who had prepared an detailed submission regarding the proposed residential development at Land north of Oak Place, Mayfield (16/00134/DPP).

Decision

- (a) To note the current position in relation to major planning application proposals which were likely to be considered by the Committee in 2016; and
- (b) To note the updates for each of the applications.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.5	Appeal and Local Review Body Decisions	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 12 April 2016, by the Head of Communities and Economy, detailing the notices of review determined by the Local Review Body (LRB) at its meeting in January 2016, and advising of the outcome of an appeal determined by Scottish Ministers.

The report advised that the appeal by Dr J Cape was against refusal to issue a high hedge notice (15/00876/HH) concerning a hedge at 59 Carlops Road, Penicuik on the grounds that there was no adverse effect from the high hedge. The Scottish Ministers had dismissed the appeal and confirmed the Council's decision that there was no adverse effect from the high hedge.

Decision
(a) To note the decisions made by the Local Review Body at its meeting on 19 January 2016; and
(b) To note the outcome of the appeal determined by Scottish Ministers..
Action
Head of Communities and Economy

Sederunt
Councillor Beattie left the meeting at the conclusion of the foregoing item of business, at 2.40pm

Declaration of Interest
Councillor Muirhead, having declared a non-pecuniary interest in the following item of business on the grounds that his partner worked at the Bush, withdrew from the meeting for the duration of the following item of business, at 2.40pm

Agenda No	Report Title	Presented by:
5.6	Pre-Application Consultation: Proposed Large Animal Research and Imaging Facility at land 370m south east of Equine Hospital, Easter Bush Campus, Bush Farm Road, Roslin (16/00072/PAC) and at land at Easter Bush South, Easter Bush, Roslin (16/00179/PAC)	Peter Arnsdorf

Executive Summary of Report
<p>There was submitted report, dated 12 April 2016, by the Head of Communities and Economy advising that a pre application consultation had been submitted regarding a proposed Large Animal Research and Imaging Facility at land 370m south east of Equine Hospital, Easter Bush Campus, Bush Farm Road, Roslin (16/00072/PAC) and at land at Easter Bush South, Easter Bush, Roslin (16/00179/PAC). The 2 consultations related to alternative locations for the same facility.</p> <p>The report advised that in accordance with the pre application consultation procedures approved by the Committee at its meeting on 7 October 2014 (paragraph 3, Page 4-199 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional view on the proposed major development. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of development for the Committee's consideration.</p>

Decision

Having heard from the Planning Manager, the Committee:-

- (a) Noted the provisional planning position set out in the report; and
- (b) Noted that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

Action

Head of Communities and Economy

Sederunt

Councillor Muirhead rejoined the meeting at the conclusion of the foregoing item of business, at 2.43pm

Agenda No	Report Title	Presented by:
5.7	Pre-Application Consultation: Proposed residential development at land north of Dalhousie Dairy, Bonnyrigg (16/00161/PAC and 16/00157/PAC)	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 12 April 2016, by the Head of Communities and Economy advising that a pre application consultation had been submitted regarding (i) a proposed planning application in principle for residential development at land north of Dalhousie Dairy, Bonnyrigg (16/00161/PAC); and, (ii) a proposed detailed planning application for a proposed residential development on part of the land north of Dalhousie Dairy, Bonnyrigg (16/00157/PAC). The site was identified as Site Hs10 Dalhousie Mains in the proposed Midlothian Local Development Plan (MLDP).

The report advised that in accordance with the pre application consultation procedures approved by the Committee at its meeting on 7 October 2014 (paragraph 3, Page 4-199 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional view on the proposed major development. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of development for the Committee's consideration.

Summary of Discussion

The Committee, having heard from the Planning Manager, discussed the ability of the area to sustain more development without investment in infrastructure, particularly schools (primary/secondary); GP practices; recreational facilities, and transportation. There were also issues raised regarding vehicular access to the site - rather than through the existing housing areas, it was felt that access should be taken off the B6392 - pedestrian/cyclist access into and through the site, and finally the supply of fibre optic broadband.

Decision

- (a) Noted the provisional planning position set out in the report; and
- (b) Noted that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

Action

Head of Communities and Economy

Sederunt

Councillor Wallace left the meeting at the conclusion of the foregoing item of business, at 2.53pm

Agenda No	Report Title	Presented by:
5.8	Application For Planning Permission (15/00083/DPP) for the Erection of 33 Dwellinghouses and 12 Flatted Dwellings; Formation of Access Roads and Car Parking and Associated Works on Part of Site C and D, Land at Hopefield Farm, Bonnyrigg	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 12 April 2016, by the Head of Communities and Economy concerning the above application.

Summary of Discussion

Having heard from the Planning Manager, the Committee gave consideration to the application in the context of the overall development of the Hopefield site.

Concerns were expressed that changing economic and social circumstances meant that certain aspects such as the provision for social housing and infrastructure such as broadband had changed so much that ideally they needed to be revisited. There were also concerns that certain facilities provided as part of the Hopefield Masterplan were no longer considered fit for purpose, for example, it had not been possible to use the play area for some considerable time due to vandalism, also the standard of finishing of the kickabout area meant it was unsuitable for the purpose for which had been provided. Whilst acknowledging that many of these issues had already been raised with the developers, Members were of the view that such matters required to be resolved before further development took place.

Decision

To continue consideration of the application to allow for further discussions with the applicants

Action

Head of Communities and Economy

The meeting terminated at 3.19pm.