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**PRE - APPLICATION REPORT REGARDING RESIDENTIAL DEVELOPMENT COMPRISING 79 DWELLINGS AT LAND SOUTH WEST OF NEWBATTLE COMMUNITY HIGH SCHOOL, MORRIS ROAD, NEWTONGRANGE (18/00102/PAC)**

Report by Head of Communities and Economy

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## **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to advise the Committee of a pre-application consultation submitted regarding residential development comprising 79 dwellings at land south west of Newbattle Community High School, Morris Road, Newtongrange.
- 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 residential development comprising 79 dwellings at land south west of Newbattle Community High School, Morris Road, Newtongrange was received on 9 February 2018.
- 2.3 As part of the pre-application consultation, a public event took place at Newtongrange on 26 February 2018, from 3pm to 7pm, and on 28 February 2018 from 5.30pm to 8pm. On the conclusion of the public events 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 Newtongrange Community Council and Mayfield and Easthouses Community Council.

### **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 2.67 hectare site slopes down in a north-westerly direction from Morris Road to Campbell Park to the rear. To the north east of the site are the playing fields of the existing Newbattle Community High School, with the school beyond. Houses off Reed Drive and Morris Road back onto the site at its south-west boundary. Across Morris Road to the south east of the site is woodland. The site itself is characterised by self-seeded trees with an open area, which until recently accommodated a social club and car park, off Morris Road.
- 3.3 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). The MLDP identifies the site as being within the built-up area of Newtongrange/Mayfield. Any subsequent application will be subject to assessment against policies STRAT2: Windfall Housing Sites; DEV2: Protecting Amenity within the Built-Up Area; DEV3 Affordable and Specialist Housing; DEV5: Sustainability in New Development; DEV6: Layout and Design of New Development; DEV7: Landscaping in New Development; TRAN1: Sustainable Travel; TRAN5: Electric Vehicle Charging; IT1: Digital Infrastructure; ENV7: Landscape Character; ENV9: Flooding; ENV10: Water Environment; NRG6: Community Heating; IMP1: New Development; IMP2: Essential Infrastructure Required to Enable New development to Take Place; and IMP3: Water and Drainage.
- 3.4 The applicants have submitted an indicative layout showing a mixture of flats, semi-detached and detached houses which include one bed, two bed, three bed and four bed properties. The dwellings are predominantly two storey with some three storey flats at the front of the site. The variation in house sizes, styles and heights will add interest to the development and provides for a variety of need.
- 3.5 If an application is submitted there will be a presumption in favour of residential development on the site as a windfall development subject to securing developer contributions towards infrastructure; including education provision and Borders Rail and the provision of affordable housing.

### **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.

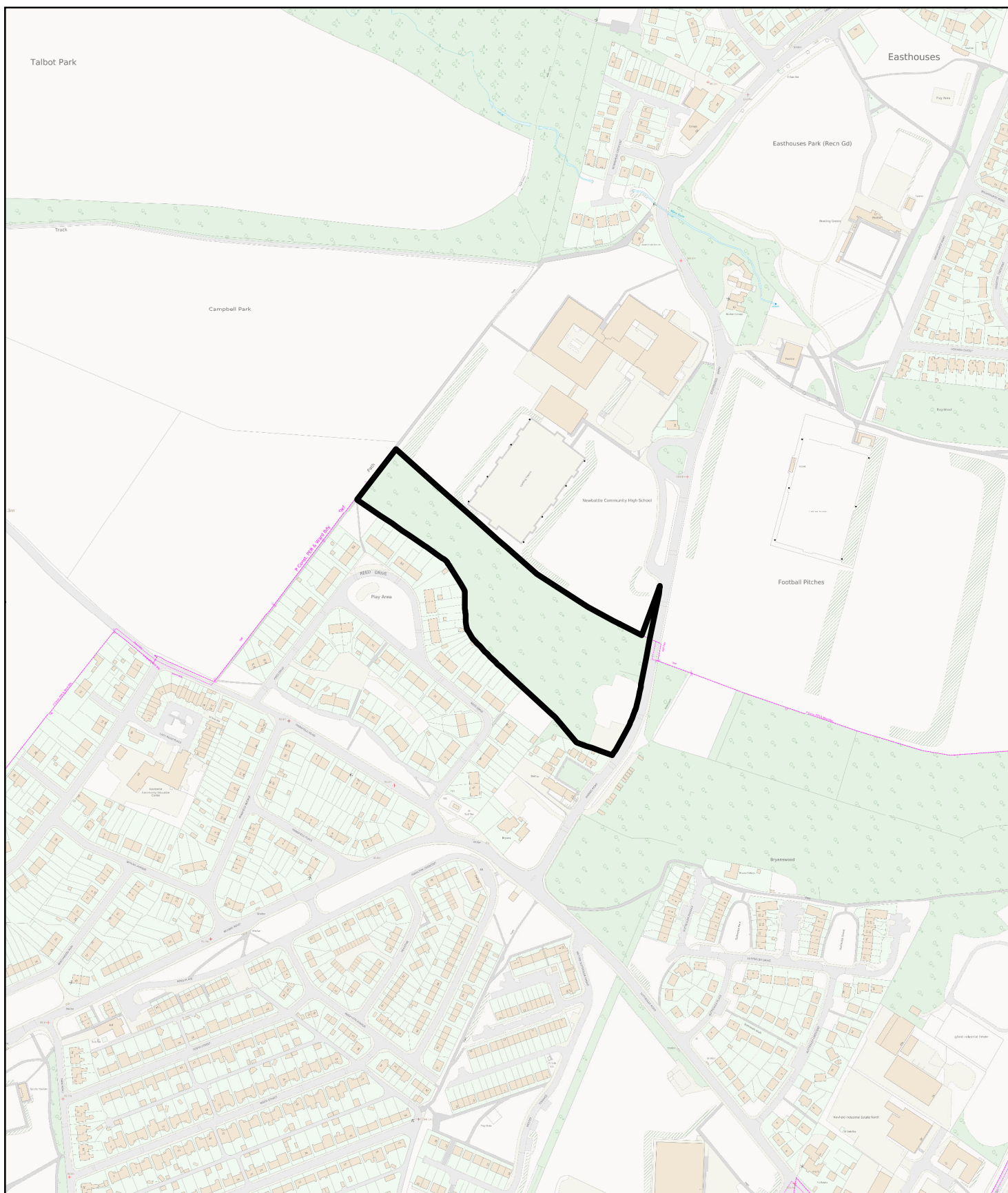
- 4.2 The Committee is invited to express a ‘without prejudice’ view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.
- 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.

**Ian Johnson**  
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**Date:** 27 March 2018  
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Proposal of application for residential development comprising  
79 dwellings at Land South West Of Newbattle Community  
High School, Morris Road, Newtongrange

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