



APPLICATION FOR PLANNING PERMISSION (17/00170/DPP) FOR THE ERECTION OF 20 FLATTED DWELLINGS, FORMATION OF CAR PARKING AND ASSOCIATED WORKS AT LAND AT THE FORMER MAYFIELD INN, BOGWOOD ROAD, MAYFIELD

Report by Head of Communities and Economy

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The application is for the erection of 20 flatted dwellings on the site of the former Mayfield Inn, Bogwood Road, Mayfield. There has been two representations and consultation responses from the Council's Policy and Road Safety Manager, the Council's Education Resource Manager and the Coal Authority. The relevant development plan policies are RP20, HOUS3, HOUS4, SHOP1, IMP1, IMP2 and DP2 of the Midlothian Local Plan. Policies DEV2, DEV3, DEV6, TCR1, IMP1 and IMP2 of the Proposed Midlothian Local Development Plan 2014 (MLDP) are material considerations. The recommendation is to grant planning permission subject to conditions and securing developer contributions.**

2 LOCATION AND SITE DESCRIPTION

- 2.1 The site comprises the grounds of the former Mayfield Inn to the north of Bogwood Court, accessed from Bogwood Road.**
- 2.2 The site area is 1,700 square metres (0.17 hectares) and slopes down from Bogwood Road to the east.**
- 2.3 The Inn has been vacant since 2014 and the building is single storey with harled and brick walls and a pitched pantile roof. There is an area of landscaping between the building and Bogwood Road to the east and north. There is a parking area to the west of the site with fencing around the perimeter.**
- 2.4 There is housing to the north and east of the site, with open space to the west. Bogwood Court is to the south, which includes commercial units, flatted dwellings and an area of open space.**

3 PROPOSAL

- 3.1 It is proposed to demolish the existing building and erect 20 affordable flats. These are to be positioned to the east and south of the site, generally within the footprint of the existing building. The building is to be three and four storeys high and of varying height as it steps down with the changes in ground levels from east to west. The building is to be of traditional form with modern detailing and a strong vertical emphasis to the openings. The walls are to be white render, grey brick and zinc cladding, with dark grey roof tiles.
- 3.2 The existing vehicular access is to remain and there will be parking for 20 cars as well as cycle storage. A refuse store is proposed to the north of the site.

4 BACKGROUND

- 4.1 Planning application 16/00764/DPP for the erection of 21 flatted dwellings, formation of car parking and associated works was withdrawn in March 2017 in response to concerns being raised over the design of the building. This application received 9 objections of which one was from the Mayfield and Easthouses Community Council.
- 4.2 Planning permission 17/00499/DPP for the erection of fence for temporary period of 1 year (retrospective) was approved for one year. The fence is acceptable for a temporary period only, as the design and height of the fence would detract from the character and appearance of the surrounding area if in situ for a longer period of time. The temporary permission will allow the landowner to secure the site while alternative occupants or uses are sought for the premises. This permission expires 26 August 2018.
- 4.3 The application has been called to Committee for determination by Councillor Baird who has concerns over the proposed use of the site and the impact this may have on the town centre.

5 CONSULTATIONS

- 5.1 The Council's **Policy and Road Safety Manager** has no objection but recommends conditions regarding the vehicle access, cycle storage facilities and the provision of a bin storage area, as well as details of street lighting, surface water drainage, road and footway surfacing. Furthermore, the parking provision is acceptable for social housing but if the occupation were to change to private housing a higher parking standard would be required.
- 5.2 The **Education Resource Manager** has stated there would be a requirement to secure developer contributions for the provision of eight primary and six secondary school places.

- 5.3 The **Coal Authority** has no objection subject to conditions being attached relating to site investigation and remedial works prior to the commencement of development.

6 REPRESENTATIONS

- 6.1 There have been two representations, one objecting and one supporting. All representations can be viewed fully online.
- 6.2 The objection is from the 'In It Together Partnership', a community group which seeks to improve Mayfield. The concerns are as follows:
- The partnership is currently consulting the local community on their vision for the future of Mayfield Town Centre with the intention of creating a Masterplan for the area around the application site. Approval of the application would mean the new town centre is designed around flatted dwellings and would create a major obstacle in the community endeavour. With the Newbattle Community Campus under construction, there is a one off opportunity to develop the area as a 21st century town centre;
 - The lack of a co-ordinated approach to buildings, spaces and their interconnectivity in the area would result in a piecemeal development;
 - The continued existence of a variety of shops, businesses and social meeting places is essential to prevent further decline and protect future economic and social opportunities in the town centre;
 - The site forms an integral part of Bogwood Court which at present is dedicated to ground floor/commercial use which creates a shopping and business centre to the community. The change of use from retail to residential would be inappropriate and not in the best interests of the community;
 - Mayfield would not benefit from losing the key town centre site for housing, especially given other major housing development in the wider area;
 - The proposal would detract from the character and amenity of the area, contrary to policy RP20;
 - The proposal would be contrary to policy SHOP1 as it would prevent development proposals bringing about an improvement to the range and quality of retail and commercial leisure facilities; and
 - The redevelopment of Mayfield Town Centre was identified as a priority in the Mayfield and Easthouses Neighbourhood plan and the current application is not part of that plan.
- 6.3 The letter of support is from the owner of the site (who is not the applicant), stating that the pub ceased trading in December 2013. The pub has been marketed since January 2014 with no interest for its continued use as a public house or alternatively as a food retailer. Given that there was no interest for commercial uses in the area the landowner entered into discussions with the applicant about a social housing development at the site, hence the current application. They

state that there has been no contact from the objector about the future plans for the surrounding area.

7 PLANNING POLICY

7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Plan, adopted in December 2008. The Proposed Midlothian Local Development Plan 2014 has been subject to an examination by the Scottish Ministers and was reported to the Council at its meeting of 26 September 2017 with a timetable to adopt the plan by the end of 2017. As this plan is at an advanced stage of preparation and represents the settled view of the Council it is a material consideration of significant weight in the assessment of the application. The following policies are relevant to the proposal:

The Midlothian Local Plan 2008 (MLP)

- 7.2 Policy **RP20: Development within the Built-up Area** states that development will not be permitted within the built-up area where it is likely to detract materially from the existing character or amenity of the area;
- 7.3 Policy **HOUS3: Windfall Housing Sites** advises that within the built-up areas, housing development on non-allocated sites and including the reuse of buildings and redevelopment of brownfield land, will be permitted provided that: it does not lead to the loss or damage of valuable public or private open space; it does not conflict with the established land use of the area; it respects the character of the area in terms of scale, form, design and materials; it meets traffic and parking requirements; and it accords with other relevant Local Plan policies and proposals, including policies IMP1, IMP2, IMP3 and DP2;
- 7.4 Policy **HOUS4: Affordable Housing** requires that on residential sites allocated in this Local Plan and on windfall sites identified during the plan period, provision shall be required for affordable housing units equal to or exceeding 25% of the total site capacity, as follows:
- for sites of less than 15 units (or less than 0.5 hectares in size) no provision will be sought;
 - for sites of between 15 and 49 units (or 0.5 to 1.6 hectares in size) there will be no provision for the first 14 units thereafter 25% of the remaining units will be for affordable housing
 - for sites of 50 units and over (or larger than 1.6 hectares in size), there will be a requirement for 25% of the total units to be for affordable housing.

Lower levels of provision, or a commuted sum, may be acceptable where this has been fully justified. Supplementary planning guidance for the affordable housing provision shall provide advice on: the acceptable tenure split between social and low cost housing; possible delivery mechanisms; the scope for commuted sums; and other relevant matters as necessary;

- 7.5 Policy **SHOP1: Town Centres** states that development proposals which bring about an improvement to the range and quality of retail and commercial leisure facilities provided in the town centres will be considered favourably;
- 7.6 Policy **IMP1: New Development**, this policy ensures that appropriate provision is made for a need which arises from new development. Of relevance in this case are transport infrastructure, landscaping, public transport connections, including bus stops and shelters, parking in accordance with approved standards, cycling access and facilities, pedestrian access, acceptable alternative access routes, access for people with mobility issues, traffic and environmental management issues, protection/management/compensation for natural and conservation interests affected, archaeological provision and 'percent for art' provision;
- 7.7 Policy **IMP2: Essential Infrastructure Required to enable New Development to Take Place**, states that new development will not take place until provision has been made for essential infrastructure and environmental requirements, related to the scale and impact of the proposal. This includes education provision, essential roads infrastructure, protecting valuable environmental assets within or adjacent to the site and compensation for any losses including alternative provision where appropriate. In this case the need to upgrade junctions and access arrangements will come through a Traffic Assessment and specific requirements may arise from water and drainage and flood risk assessments; and
- 7.8 Policy **DP2: Development Guidelines** sets out Development Guidelines for residential developments. The policy indicates the standards that should be applied when considering applications for dwellings.

Midlothian Local Development Plan (MLDP)

- 7.9 Policy **DEV2: Protecting Amenity within the Built-Up Area** states that development will not be permitted where it would have an adverse impact on the character or amenity of a built-up area;
- 7.10 Policy **DEV3: Affordable and Specialist Housing** seeks an affordable housing contribution of 25% from windfall sites identified in the MLDP period for developments of between 15 and 49 homes;

- 7.11 Policy **DEV5** sets out the requirements for development with regards to sustainability principles.
- 7.12 Policy **DEV6: Layout and Design of New Development** sets out design guidance for new developments;
- 7.13 Policy **TCR1: Town Centres** states that proposals for retail, commercial leisure development or other uses which will attract significant numbers of people, will be supported in Midlothian's town centres, provided their scale and function is consistent with the town centre's role;
- 7.14 Policy **TRAN5** seeks the provision of electric vehicle charging points in new developments.
- 7.15 Policy **IT1** supports the incorporation of high speed broadband connections and other digital technologies into new homes.
- 7.16 Policy **IMP1: New Development**, this policy ensures that appropriate provision is made for a need which arises from new development. Of relevance in this case are: essential infrastructure, including transport, required to enable the development to take place; public transport connections, including bus stops and shelters; parking in accordance with approved standards; cycling access and facilities; pedestrian access; acceptable alternative access routes; access for people with mobility issues and; traffic and environmental management issues; and
- 7.17 Policy **IMP2: Essential Infrastructure Required to enable New Development to Take Place**, states that new development will not take place until adequate provision (related to the scale and impact of the proposed development) has been made for infrastructure, including education provision and environmental requirements identified in the Plan.
- 7.18 Policy **NRG3 Energy Use and Low & Zero-Carbon Generating Technology** requires that each new building shall incorporate low and/or zero-carbon generating technology projected to contribute an extra percentage reduction in greenhouse gas emissions beyond the emissions standard to which the building is subject under the Building Regulations.
- 7.19 Policy **NRG4: Interpretation of Policy NRG3** interprets Policy NRG3.

National Policy

- 7.20 **The Scottish Planning Policy (SPP)** in respect of housing is also a material consideration. In the interest of sustainability it is good practice to make best use of brownfield sites within towns subject to the protection of the character of the area and amenity of existing residents. This reflects the advice contained within the SPP (para 80)

which seeks more efficient use of land and buildings. All proposals should respect the scale, form and density of their surroundings and enhance the character and amenity of the locality. The individual and cumulative effects of infill must be sustainable in relation to the social and economic infrastructure of a place, and must not lead to over-development;

- 7.21 The SPP encourages a design-led approach in order to create high quality places. It states that a development should demonstrate six qualities to be considered high quality, as such a development should be; distinctive; safe and pleasant; welcoming; adaptable; resource efficient; and, easy to move around and beyond. The aims of the SPP are developed within the local plan policies, in particular policy DP2.
- 7.22 The SPP clearly states that design is a material consideration in determining planning applications and that planning permission may be refused and the refusal defended at appeal or local review solely on design grounds.
- 7.23 The Scottish Government policy statement, **Creating Places**, emphasises the importance of quality design in delivering good places.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The representations and consultation responses received are material considerations.

Principle of development

- 8.2 The site is identified in both the Midlothian Local Plan (MLP) and the Proposed Midlothian Local Development Plan (MLDP) as being situated within the built-up area of Mayfield where there is a presumption in favour of appropriate development. The site is not identified as a specific allocated housing site in either the existing or proposed plan, however this should not be considered as a presumption against development of the site; policies RP20 of the MLP and DEV2 of the MLDP are both supportive of development within the built-up area.
- 8.3 The proposed development will result in the loss of a commercial unit from the town centre in Mayfield. This property has traditionally operated as a public house. The policies of the MLP and MLDP do not specifically prevent the loss of public houses. Policies SHOP1 of the MLP and TCR1 of the MLDP provide support to proposals which bring about an improvement to the range and quality of commercial uses within the town centre. The proposal will result in a reduction in commercial opportunities in Mayfield town centre. However, the

premises has been vacant, available and marketed since 2014 with only very limited interest.

- 8.4 The application premises forms a prominent part of the town centre and its current condition has a negative impact on the appearance of the area. Given that there is no realistic prospect of the application premises re-establishing itself as a commercial operation it would be a significant benefit to the area for the site to be redeveloped.
- 8.5 Accordingly, the loss of the commercial unit and its replacement with a residential development is acceptable in principle.

Site layout

- 8.6 The proposed block of flats has an L-shaped footprint, and is orientated in such a way that its principal elevations address the courtyard at Bogwood Court and the main road, Bogwood Road. The development presents a strong frontage to the town centre courtyard, with parking and a small garden area located to the rear of the building.
- 8.7 The guidance in policy DP2 requires that 50m² of garden ground should be provided for each flatted property. The proposed site plan identifies an area of amenity space significantly below the level sought in the DP2 standards. In some cases, depending on the location of the site, the site constraints and the general amenity levels, it may be appropriate to accept lower levels of garden ground within residential developments. There are a number of existing flats in close proximity to the application site which do not benefit from private amenity ground. There is also a large area of open amenity space to the west of the site and a further public park in close proximity. The location of the application site, within the town centre, provides a good level of amenity in terms of the facilities available. Given the levels of public open space in the area and that the occupants would be afforded a good level of amenity, in these circumstances, the absence of private open space in compliance with policy DP2 would not warrant refusal.

Design

- 8.8 The proposed development comprises a building of three and four storeys in height. While the development is fairly traditional in form, with a rectangular footprint and pitched gabled roofs, it has a contemporary appearance.
- 8.9 The proposed building has a strong vertical appearance which has been emphasised by the modular approach to the design. This approach reduces the mass of the building, by interrupting the roof plane, and helps address the changing topography within the site. The contemporary approach to the design of the building is continued through the detailing of the fenestration and the proposed finishing materials, including zinc cladding and render.

- 8.10 Despite the contemporary design of the block of flats the scale and form of the proposed building is reflective of the buildings in the immediate surrounding area and represents a successful approach to the development of this site.
- 8.11 While an objector has raised a concern over the lack of co-ordination over the design of the building with the local community in relation to the plans to redevelop the town centre the proposed building represents a high quality design approach which would positively contribute to the area.

Impact on amenity

- 8.12 The position of the building is such that it would not result in any significant overlooking or overshadowing to existing properties, or have an overbearing impact on these.

Access and transportation matters

- 8.13 The on-site parking provision has been provided to a standard commensurate with that required for affordable housing of this size.
- 8.14 There are no transportation or road safety objections to the proposal. Further information regarding the cycle store is required in order to ensure that it is secure, fully fit for purpose and usable.

Biodiversity

- 8.15 The Council is seeking to encourage biodiversity across the area. This requirement is not reduced on development sites. Small measures can help encourage wildlife. In this case, it would be appropriate for the developer to provide features which encourage biodiversity, such as swift/bat boxes.

Carbon reduction and energy efficiency

- 8.16 It will, be necessary to condition that the development complies with the terms of policies NRG3 and NRG4 of the Proposed Midlothian Local Plan.

Developer contributions

- 8.17 Scottish Government advice on the use of Section 75 Planning Agreements is set out in Circular 03/2012: Planning Obligations and Good Neighbour Agreements. The circular advises that planning obligations should only be sought where they meet all of the following tests:
- necessary to make the proposed development acceptable in planning terms (paragraph 15);

- serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance, should relate to development plans;
- relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19);
- fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23); and,
- be reasonable in all other respects.

8.18 In accordance with Midlothian Council's 2008 Midlothian Local Plan policies, Proposed Midlothian Local Plan 2014 and Midlothian Council Developer Contributions Guidelines (Supplementary Planning Guidance), the following contributions are sought in respects of land at the site.

8.19 This proposed development of 20 flatted dwellings has been assessed in relation to the above guidance and it is considered that a Planning Obligation is required in respect of the following areas;

- Education provision;
- Affordable housing;
- Borders Rail;
- Mayfield Town Centre;
- Children's Play; and,
- Maintenance of Open Space

8.20 **Non Denominational Primary School Capacity:** the Council has taken the decision to build a new primary school at the site of the former Newbattle High School to provide additional capacity in Mayfield. It is envisaged that the school will be built as a two stream school capable of future expansion to three streams which will be forward funded by the Council. Lawfield Primary School has insufficient spare capacity.

8.21 **Denominational Primary School Capacity:** additional denominational primary school capacity will also be required at St Luke's RC school.

8.22 **Non Denominational Secondary School Capacity:** the Head of Education has advised that this development gives rise to a need for additional capacity at Newbattle High School (or another high school in the event of a catchment review).

8.23 **Denominational Secondary School Capacity:** the Developer Contributions SPG requires that all new residential units in Midlothian contribute towards Midlothian additional denominational secondary school capacity at the Dalkeith Schools Community Campus.

8.24 **Mayfield Town Centre:** the Proposed Midlothian Local Development Plan requires identified sites in Mayfield to contribute towards improvements to Mayfield Town Centre.

- 8.25 **Borders Rail:** the site is located in the A7/A68 Borders Rail Line Corridor. As a consequence the applicant is required to contribute towards the Borders Rail Line.
- 8.26 **Children Play and Open Space:** the 2012 SPG on developer contributions identifies a requirement to contribute towards a local play park or make provision on site. For this application it is appropriate for a contribution to be made towards off site provision.
- 8.27 **Affordable Housing:** the applicant proposes that all units in this development will be affordable. Affordable Housing by definition is to be 'housing of a reasonable quality that is affordable to people on modest incomes (Supplementary Planning Guidance (SPG) Affordable Housing Adopted 6th March 2012, paragraph 3.1). Further comment on this is provided in the 'Other matters' section below.
- 8.28 **Open Space Maintenance:** the responsibility for the maintenance of the open space shall be the developers/ owners and provision shall be made in the deeds of sale of all housing units to contribute to the ongoing maintenance of these areas through a regular "factoring" charge.

Other matters

- 8.29 The representations received in response to this application refer to the local community based intention to promote significant improvements to the Mayfield town centre including the option of redevelopment: and this is focussed through the activity of the Mayfield In It Together Group. The Group is currently at a very early stage of scoping the project and seeking funding for masterplanning/feasibility work. In the assessment of this application it is not considered that the redevelopment of the application site for housing would adversely impact on the potential for improvements to, or redevelopment of, the existing Mayfield town centre.
- 8.30 The application has been assessed on the basis of the development comprising affordable flats. This development would not be acceptable on the basis of private housing because of the reduced levels of on-site parking and the proposed level of developer contribution, which does not require an affordable housing contribution. In addition, had the development comprised private dwellings it would have been subject to a requirement for an element of affordable housing. Therefore, should the application be approved it will be essential to ensure that the units within the development are retained in perpetuity as affordable flats.
- 8.31 The percent for art requirement provides an opportunity to support a local craftsman and provide a feature which helps the development create an identity. This requirement can be covered by planning condition.

- 8.32 It is important that the development is adequately served by essential infrastructure. For this reason there will be a requirement for the block of flats to be connected to Broadband infrastructure.
- 8.33 In terms of policy TRAN5 of the MLDP electric vehicle charging points are considered to be an integral part of any new development and should, therefore, be secured on this site.

9 RECOMMENDATION

- 9.1 That planning permission be granted for the following reason:

The layout and detailed appearance of the development is of a high quality and will add interest to the street scene and it will not have a significant adverse impact on the amenity of nearby properties. Therefore the proposed development accords with the relevant policies of the Midlothian Local Plan (2008) and the proposed Midlothian Local Development Plan. The presumption for development is not outweighed by any other material consideration.

Subject to:

- i) the prior signing of a legal agreement to secure contributions towards education provision, the Borders Rail line, children's play provision and maintenance of play equipment and town centre improvements. The legal agreement shall be concluded within six months. If the agreement is not concluded timeously the application will be refused.
- ii) the following conditions:
 1. Development shall not begin until details of a scheme of hard and soft landscaping has 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, shrubs, hedging, wildflowers and grassed areas;
 - iv location and design of any proposed walls, fences and gates, including those surrounding the bin storage area;
 - 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. 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 and details of sustainable urban drainage systems to manage water runoff;
 - viii proposed car park configuration and surfacing; and
 - ix details of car park and footpath lighting.

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 adopted Midlothian Local Plan, policies DEV2, DEV6 and DEV7 of the proposed Midlothian Local Development 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, policies DEV2 and DEV6 of the proposed Midlothian Local Development Plan and national planning guidance and advice.*

3. No development shall begin on any part of the site until the following additional procedures have been completed:
 - a) The developer has submitted to the Planning Authority details of the measures it proposes to ensure that all the flats built on the site are occupied in perpetuity only as affordable housing as defined in the adopted Midlothian Local Plan;
 - b) The Planning Authority has approved the proposed measures in writing; and,
 - c) The developer has provided documentary evidence to the Planning Authority that the measures that the authority has approved are in place and the authority has confirmed in writing that the provision that has been made is satisfactory.

Reason: *The application has been assessed on the basis that the development provides affordable housing and this condition in*

essential in order to ensure that the flats remain available for occupation by people on modest incomes to meet locally the identified needs of people who cannot afford to buy or rent housing generally available on the open market.

4. Details of the appearance of the proposed cycle store shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development on site. Details shall include the internal provision of Sheffield storage racks.

Reason: *To ensure that adequate cycle parking facilities are provided on site in order to encourage sustainable forms of transport.*

5. The buildings permitted shall not be occupied or brought into use until vehicular, cycle and pedestrian access details and routes have been constructed in accordance with plans to be submitted and approved in writing. The plans shall include details of construction, visibility, traffic calming measures, lighting and signage.

Reason: *To ensure the future users of the buildings have safe and convenient access to and from the site.*

6. No development shall take place on site until the applicants or their successors have submitted a detailed site investigation report, with regards coal mining legacy, following intrusive site investigation works, to the planning authority and that this report is agreed in writing by the planning authority. The site investigation report shall identify any need for remedial works to treat the areas of shallow mine workings and no development shall commence on site until the agreed mitigation measures have been carried out.

Reason: *The submitted Coal Mining Risk Assessment (Mineral Stability Desktop Report) identifies that further investigation work is required to be undertaken in order to establish the exact situation regarding coal mining legacy issues on the site. The above details are required in order to ensure that the site can safely be developed.*

7. 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 in the adopted Midlothian Local Plan and the Proposed Midlothian Local Development Plan and national planning guidance and advice.*

8. Development shall not begin until details, including a timetable of implementation, of high speed fibre broadband have been submitted to and approved in writing by the planning authority. The details shall include delivery of high speed fibre broadband prior to the occupation of each dwellinghouse. The delivery of high speed fibre broadband shall be implemented as per the approved details.

Reason: *To ensure the quality of the development is enhanced by the provision of appropriate digital infrastructure in accordance with the requirements of policy IT1 of the Proposed Midlothian Local Development Plan.*

9. Development shall not begin until details of a sustainability/biodiversity scheme for the site, including the provision of house bricks and boxes for bats and swifts throughout the development has been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

Reason: *To ensure the development accords with the requirements of policy DEV5 of the Proposed Midlothian Local Development Plan.*

10. Development shall not begin until details of the provision and use of electric vehicle charging stations throughout the development have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

Reason: *To ensure the development accords with the requirements of policy TRAN5 of the Proposed Midlothian Local Development Plan.*

11. Prior to the commencement of development details to demonstrate how the development complies with either policy NRG3 or NRG6 of the emerging Midlothian Local Development Plan shall be submitted to and approved in writing by the Planning Authority.

12. The flatted dwellings hereby approved shall not be occupied until the zero and/or low carbon equipment or community heating system approved as part of condition 10 of this permission is installed in accordance with a phasing scheme which is to be agreed in writing by the Planning Authority.

Reason for conditions 11 and 12: *To ensure this development complies with the on-site carbon emissions target stated in policy NRG3 of the emerging Midlothian Local Development Plan or secures the infrastructure for a community heating system in*

compliance with policies NRG3, NRG4 and NRG6 of the emerging Midlothian Local Development Plan, in order to promote sustainable development.

Ian Johnson
Head of Communities and Economy

Date: 26 September 2017

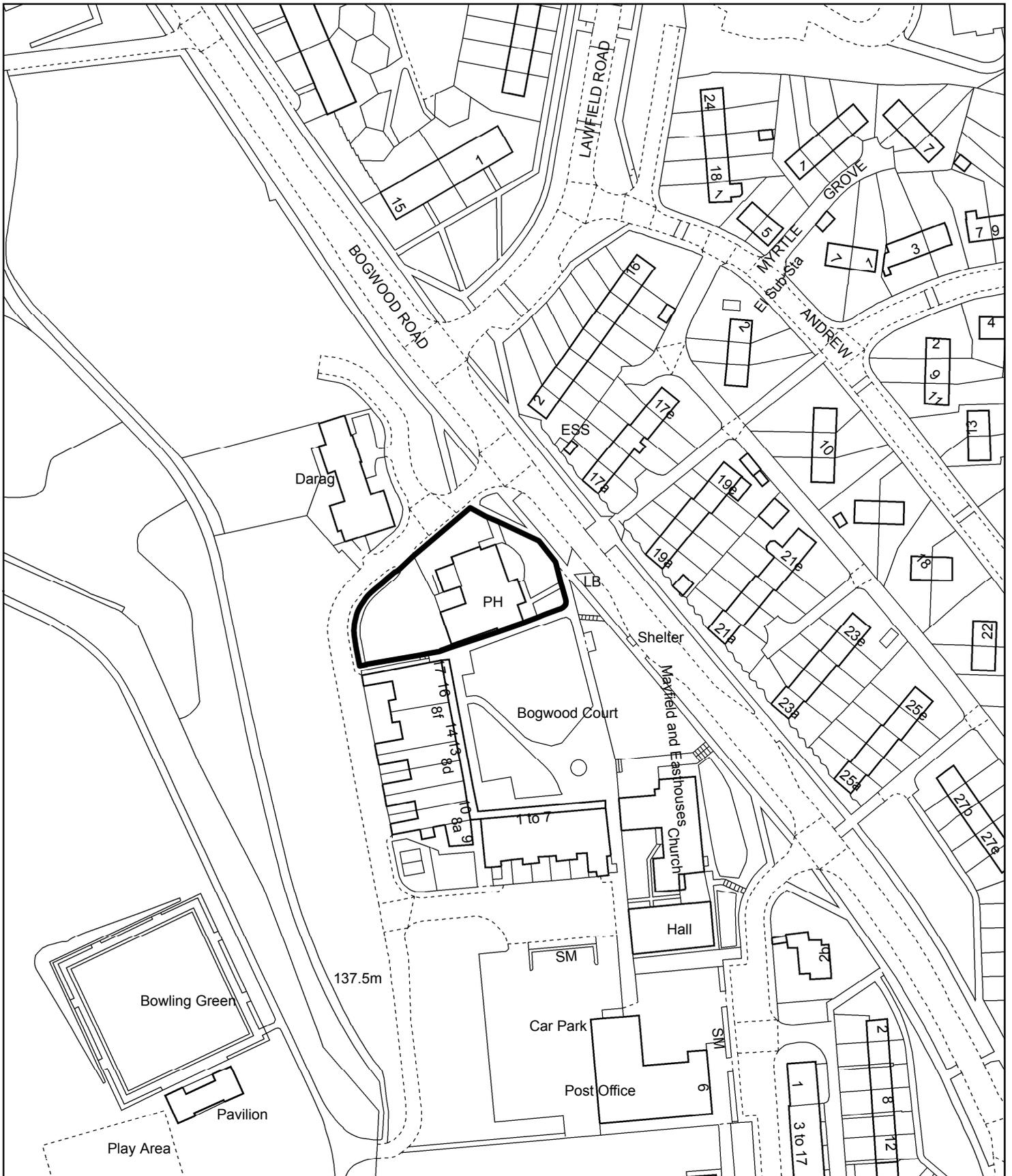
Application No: 17/00170/DPP (Available online)
Applicant: Whiteadder Ltd, 63 Main Street, Aberdour, KY3 0UH

Agent: EMA Architecture and Design, 42 Charlotte Square, Edinburgh EH2 4HQ

Validation Date: 10 March 2017

Contact Person: Mhairi-Anne Cowie, Case Officer

Tel No: 0131 271 3302



**Education, Economy
& Communities**
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3AA

Land at Former Mayfield Inn, Bogwood Road, Mayfield

Reproduced from the Ordnance Survey map with the permission of the controller of Her Majesty's Stationary Office. Crown copyright reserved. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings

File No. 17/00170/DPP

Scale: 1:1,500

Midlothian Council Licence No. 100023416 (2017)

