



**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**

Report by Head of Communities and Economy

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1** The application is for the erection of 33 dwellinghouses and 12 flatted dwellings; the formation of access roads and car parking and associated works on part of Site C and D, Land at Hopefield Farm, Bonnyrigg. There has been consultation responses received from the Council's Policy and Road Safety Manager and the Head of Education. There have been no representations. The relevant development plan policies are RP20, COMD1, IMP1, IMP2 and DP2 of the Midlothian Local Plan. The recommendation is to grant planning permission subject to conditions.

2 LOCATION AND SITE DESCRIPTION

- 2.1** The site forms part of the wider Hopefield development located to the south side of Bonnyrigg. The land is to the west side of the northernmost part of the Hopefield site and is bounded on its north side by the walkway which follows the route of a former railway. The Hopefield development comprises development plots A to Z. The application site relates to part of plots C and D. Plot O is the site of the new Burnbrae Primary School, plot Q is a mix of residential and commercial uses and plot Z is allocated for economic land uses. The remaining plots, including C and D, are proposed residential plots, the majority of which have been built or are under construction.

3 PROPOSAL

- 3.1** The proposal is for a medium density private housing development incorporating; 11 detached houses, 16 semi-detached houses, 6 terraced houses; and 12 flats.
- 3.2** There are 17 two bedroom units, 13 three bedroom units, 14 four bedroom units and 1 five bedroom unit.

- 3.3 The flatted block is three storeys high with four flats per floor. All other properties are two storeys.
- 3.4 Vehicular access to the site is from the west via the development site the subject of planning permission 13/00318/MS (see paragraph 4.4).

4 BACKGROUND

- 4.1 At its meeting of 19 April 2016 the Planning Committee deferred consideration of the application. The Committee agreed to continue consideration of the application for one cycle to the Planning Committee on 31 May 2016, so that the applicant can progress a number of outstanding matters across the wider Hopefield development site. These matters include:
- Maintenance of the central open space;
 - The provision of a bridge/crossing connecting the cycle/footpaths in Saw Mill Path and South Chesters Gardens;
 - Clarification over the affordable housing provision;
 - The plans for the proposed neighbourhood centre which comprises retail and commercial facilities to be provided on part of Plot Q, south of the central open space, and in the short term the condition of the fencing/hoarding enclosing the site;
 - Broadband provision, in particular the upgrading of 'Cabinet 56'; and
 - The plans for the use and management of the open space opposite the Burnbrae Primary School.
- 4.2 An update on those matters identified above is provided in Section 8 of the report.
- 4.3 There have been a significant number of applications for the Hopefield development since approval of the outline planning application for the whole site in 2003. There have been over 30 subsequent applications for full planning permission/detail planning permission and reserved matters/matters specified in conditions across the Hopefield development area. Those most relevant to the current application are:
- 4.4 Application **01/00033/OUT** for outline planning permission for residential development with an associated industrial/business use, landscaping, open space and new distributor road was approved 6 August 2003 subject to conditions and the prior signing of a legal agreement. The legal agreement (and subsequent amendments) secured developer contributions towards education provision, infrastructure, sports facilities and the provision of affordable housing.
- 4.5 Application **04/00553/FUL** for a masterplan illustrating the proposed housing areas, landscaping and open space areas, roads, community facilities and employment and industrial land (part of the reserved matters required by outline planning permission 01/00033/OUT) was approved on 24 June 2005.

- 4.6 Application **13/00318/MSC** was for the erection of 97 dwellinghouses and 12 flatted dwellings; formation of access roads and car parking; and associated works (Application for Approval of Matters Specified in Condition 2 of Planning Permission 01/00033/OUT) on part of site C and D, approved 29 November 2013. The site the subject of planning permission 13/00318/MSC does not include the site the subject of the current planning application.
- 4.7 Applications **14/00263/PPP** and **14/00264/PPP** were for planning permission in principle for residential development on plots H and I and were approved on the 4 June 2015. These applications were approved subject to a legal agreement securing developer contributions towards education provision, Borders Rail and the provision of affordable housing. The legal agreement not only covered the sites identified in these applications but all remaining units above the initially anticipated 1,100 dwellings covered by the original outline planning permission. It is anticipated that approximately 1,300 units will be delivered across the whole Hopefield development.
- 4.8 Application **10/00571/DPP** for the erection of a three storey building containing 9 retail units, 9 office units and crèche facility and formation of associated footpaths and car parking at Plot Q was approved 18 October 2010. This permission was not implemented and has now lapsed.
- 4.9 The application has been called to Committee for consideration by Councillor Milligan.

5 CONSULTATIONS

- 5.1 The **Policy and Road Safety Manager** has no objection to the application.
- 5.2 The **Head of Education** has advised that a development of 45 dwellings would give rise to the following number of pupils:
- | | |
|------------------------------|----|
| Primary Non Denominational | 13 |
| Primary Denominational | 1 |
| Secondary Non Denominational | 9 |
| Secondary Denominational | 1 |
- 5.3 Primary Non Denominational provision will require additional capacity provision including the identification of a site on which the additional capacity can be provided, and accordingly, developer contributions will be required towards the consequential costs of this augmented capacity.
- 5.4 Primary Denominational provision will be at St Mary's RC Primary School which currently has sufficient capacity for this development.

- 5.5 Secondary Non-Denominational provision will require additional capacity provision and, accordingly, developer contributions will be required towards the consequential costs of this augmented capacity.
- 5.6 With regard to Secondary Denominational provision a contribution per house towards St David's High School is required.

6 REPRESENTATIONS

- 6.1 No representations have been received in connection with this application.

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 following policies are relevant to the proposal:
- 7.2 Midlothian Local Plan 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 **Midlothian Local Plan Policy COMD1: Committed Development** seeks the early implementation of all committed development sites and related infrastructure, facilities and affordable housing. The application site forms part of committed site h28 (allocated in the 2003 Midlothian Local Plan).
- 7.4 Policy **IMP1 New Development** advises that planning conditions will be applied and, where appropriate, legal agreements sought to ensure that, where new development gives rise to a need, appropriate provision is made for necessary infrastructure and environmental improvements;
- 7.5 Policy **IMP2 Essential Infrastructure Required to Enable New Development to Take Place** aims to ensure that development does not proceed until provision has been made for essential infrastructure and environmental requirements, related to the scale and impact of the proposal. Planning conditions and legal agreements to secure the appropriate developer funding and the proper phasing of development. The policy identifies the required infrastructure requirements which will form the basis of securing a contribution;
- 7.6 Policy **DP2 Development Guidelines** which is a set of criteria covering design, sustainability, landscaping, open space provision, house layout, and parking.

National Policy

- 7.7 **Designing Places, A Policy Statement for Scotland** sets out the six key qualities which are at the heart of good design namely identity, safe and pleasant environment, ease of movement, a sense of welcome, adaptability and good use of resources.
- 7.8 **The Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design.

8 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the proposed development complies with development plan policies unless material planning considerations indicate otherwise. The planning history of the site, the Hopefield masterplan and the consultation responses received are material considerations.

The Principle of Development

- 8.2 The site is allocated for housing and is located within the built up area of Bonnyrigg where there is a presumption in favour of appropriate development. The principle of residential development on this site is established by its allocation for housing within the adopted Midlothian Local Plan 2003, with an indicative capacity of 1,100 units. This position was reaffirmed by the site's continued allocation in the Midlothian Local Plan 2008 (MLP) and by successive grants of planning permission across the site. Detailed planning permissions have been granted for all the housing development areas apart from plots B, L2 and the application site, part of C and D.
- 8.3 As the development at Hopefield has been built out in phases it has become apparent that the overall number of dwellinghouse on the site will exceed the original indicative 1,100 units and will be closer to 1,300 units. Once the detailed planning permissions for the first 1,100 houses had been approved an additional legal agreement was concluded to secure additional developer contributions for the extra units. In planning terms the 'extra' units, above the 1,100, are acceptable as long as the design and layout of the development is not detrimentally affected by the increase, the impact in terms of transportation and parking can be mitigated and the local schools can accommodate the anticipated increase in pupil numbers.

Layout and Form of the Development

- 8.4 The proposed layout and form of development adheres closely to the approved masterplan (application 04/00553/FUL) for this part of the Hopefield development. It comprises a medium density development which is compatible to the neighbouring development areas in terms of

its layout, street pattern and property sizes. The proposed flatted block is in the optimum landmark location at the head of a 'T' junction on the main Hopefield estate road. A strong street frontage is created to each of the boundaries, overlooking the estate road to the south and open space to the west. The north and east frontages adjoin houses already approved and under construction on the eastern part of plots C and D. Good pedestrian and cycle links have been created connecting to the existing and approved networks.

- 8.5 Plots C and D were expected to have approximately 111 units, the proposed layouts for these plots totals 154 units. Planning permission 13/00318/MSC granted permission for 109 units and the current application is for 45 units. However, the boundaries between the original plots have evolved since their original conception and as such plots C and D also incorporates a part of plot E. Despite this complication it is evident that the number of dwellings has increased beyond those originally envisaged. However, this has not been to the detriment of the layout or form of the development.

Design and Materials

- 8.6 The mix of house types and size of dwellings is acceptable. The architectural styles of the houses are traditional in form and complement the character and visual amenity of the area. In terms of the number of units, their size, massing and positioning on the site would not appear cramped or an unsympathetic development on the site. The predominant building elevation material will be render and brick. Roofing materials should be a mix of pantiles and high quality red and grey tiles to reflect the colours used in the already approved part of plot C and D which is under construction.
- 8.7 The road layout and car and cycle parking is acceptable in transportation terms.
- 8.8 SUDS drainage is already provided for by Hopefield wide treatment ponds, and the site will contain porous paving to reduce the pressure on these ponds.
- 8.9 The distances between the proposed houses are in accordance with adopted Policy DP2 standards, and there will be no significant adverse impact on existing houses in terms of daylighting or privacy. Garden sizes are in accordance with DP2 standards with the exception of a small number of units which fall marginally below the standard garden sizes; and this is regarded as acceptable in terms of overall layout and design.
- 8.10 There is a hedgerow consisting of mixed species growing along the north-western boundary where the site adjoins the railway walk; this provides containment of the site and should therefore be protected by fencing during the construction. Some proposed tree planting is shown

too close to the dwellings, there should be no plant nearer to a dwelling than 4.5m. Where trees are shown planted in hardstanding sufficient soil volume needs to be afforded each tree (target volume for a medium sized tree is 11.8 cubic metres). These controls can be secured by conditions imposed on a grant of planning permission. Subject to these conditions the proposed development is acceptable in landscape terms.

Open Space and Recreation.

- 8.11 Open space for sport, including playing fields has already been formed within the Hopefield development and is of a size such that no additional provision is required.
- 8.12 In terms of informal recreation and play for the north western part of the Hopefield development site the approved Hopefield Masterplan delineates a small urban park and also an area for public art on land immediately to the west and south west of the application site. In the masterplan the land is referred to as Landscape Zone 6: Western Finger. Illustrative plans show it as being a grassed recreational area comprising: (i) a central grassed open space; (ii) a local equipped area for children's play (LEAP) on its northern part; (iii) an area for public art (per cent for art) on the corner formed by two roads; (iv) lines of trees with formal hedging along edges, and, (v) formal shrub planting. In addition footpaths/cycleways are shown as traversing the urban park, connecting to existing footpaths/cycleways within Hopefield and the existing surrounding development, one of which is the safe route to the secondary school.
- 8.13 The approved phasing plan for the Hopefield development site; which forms part of the approved masterplan, identifies that that urban park and artwork be formed within development phase two. However, they have not yet been formed and some of the development plots within phase three of the development have already been built out. The urban park is part of the essential children's play and recreational open space requirement for the future occupants of the houses within the whole of the Hopefield development. Although there is now no requirement for a LEAP to be provided within the park owing to there being existing adequate equipped play facilities within the neighbourhood children's play area within the Hopefield development site, the grassed area is required for informal recreational activities, including for children's play. The future occupants of the houses and flats the subject of this planning application will benefit significantly by the timeous formation of the urban park owing to the close juxtaposition of them to it. The five houses on plots 67-71 front onto the urban park and the flatted block on plots 92-103 has an elevation that faces onto it. If the urban park is not formed prior to these specific dwellings being occupied then the undeveloped condition of the land would be a source of unsightliness to them and would detract from their residential amenity. As such the five houses on plots 67-71 and the 12 flats within

the flatted block on plots 92-103 shall not be occupied until the urban park is formed in its entirety and made available for use and the public art (percent for art) is in situ all in accordance with a detailed landscape scheme to be submitted for the prior written approval of the Planning Authority.

- 8.14 In response to the Committee raising concerns regarding the quality of the existing open space at its meeting in April the applicant has inspected the open space and can advise that in response it is their intention to:
- Carry out some maintenance works this summer to improve the quality of the grassed area in the central open space;
 - Carry out further landscaping works around the SUDs pond located to the north of the central open space;
 - Form a footpath to the north east of plots M and N to link to existing/proposed footpath networks (this footpath was identified in the approved Masterplan for Hopefield);
 - Consult with local residents, via the Residents Association, with regard the transfer of the pitches to the south west of the site (opposite the Burnbrae Primary School) to the Council. The applicants have offered to transfer the ownership of the pitches if the local residents agree, but not to provide any commuted sum for maintenance; and
 - Provide a piece of public art (to meet their % for art requirement), which will be located along the footpath to the north west connecting Hopefield to the established housing to the north.
- 8.15 In addition to the works identified in paragraph 8.14 above the applicants have committed to delivering a bridge/crossing over the Pittendriech Burn linking the already established cycle/footpath on the south side (Saw Mill Path) to the north side (South Chesters Gardens). This link was identified in the approved Masterplan and is seen as an integral part of the cycle/pedestrian network across the Hopefield development site. The applicants have submitted some provisional plans to the planning authority for consideration. Detailed plans will be displayed at the meeting of this Committee.

Affordable Housing

- 8.16 With regards to affordable housing, the approved strategy for the Hopefield development was to allocated specific sites for affordable housing provision (E, I, and Q). This is the strategy that has been implemented. The delivery of additional housing beyond the originally anticipated 1,100 dwellings triggered a demand for further contribution towards the provision of affordable housing. The additional provision is made by way of commuted sum equal to 10% of the total number of residential units to be built. This is at the upper end of the 5% - 10% range set by MLP 2008 policy COMD1 which reaffirms the stated level

of affordable housing for those sites originally allocated in the 2003 MLP.

Developer Contributions

- 8.17 Primary Non Denominational and Secondary Non Denominational provision will require additional capacity provision and, accordingly, developer contributions will be required towards the consequential costs of this augmented capacity. These developer contributions have been secured by legal agreement in granting planning permission 14/00263/PPP and 14/00264/PPP (see paragraph 4.5). However, it would be appropriate to review the financial arrangements secured in the agreement to ensure the consequential educational impact of the proposed development is addressed to account for current circumstances. Accordingly any identified shortfall can be made good by a supplementary agreement. The agreement covered all those residential units above the originally anticipated 1,100 units.

Neighbourhood Centre

- 8.18 An approved planning application (10/00571/DPP) for a neighbourhood centre was not implemented and has since lapsed. The proposed scheme in terms of its scale, design and proposed uses was not viable. However, the applicant is committed to providing some neighbourhood facilities for local residents and has submitted some significantly revised provisional plans to the planning authority for consideration as a pre application enquiry.
- 8.19 In the meantime the applicants have made a commitment to improve the appearance of the undeveloped site by; removing the unsightly hoarding and replacing it with a 1.8m single boarded fence, repair the existing mesh fencing and remove the fly tipping. This will improve the appearance of the site in the short term whilst making the site safe.

Broadband

- 8.20 With regard broadband provision, in particular the upgrading of 'Cabinet 56', the applicants have agreed to fund the upgrading of the required infrastructure, Cabinet 56, and have been in liaison with the provider, BT Openreach, to programme the required work. This will enable access to 'high speed fibre broadband' for the wider development site. Those units proposed by the application subject to consideration are subject to a condition (Condition 7) to secure high speed fibre broadband if the Committee is minded to grant planning permission.

9 RECOMMENDATION

- 9.1 It is recommended that planning permission be granted for the following reason:

The proposed development site is identified as being part of the Council's safeguarded/committed housing land supply within the adopted Midlothian Local Plan 2008 and accords with development plan policies COMD1 and RP20. Furthermore, the development, subject to the recommended planning conditions, accords with good design principles and with Policies DP2, IMP1 and IMP2 of the adopted Midlothian Local Plan 2008. The presumption for development is not outweighed by any other material consideration

subject to 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. The scheme shall also cover the proposed open space to the west of the site, referred to as Landscape Zone 6: Western Finger in the approved Masterplan. 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, road verges 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 bin stores or any other ancillary structures;
 - v schedule of plants to comprise species, plant sizes and proposed numbers/density;
 - vi programme for completion to a specified standard and subsequent maintenance of all soft and hard landscaping. The landscaping in the open space shall be completed prior to the houses on adjoining plots being occupied;
 - vii drainage details, watercourse diversions, flood prevention measures and sustainable urban drainage systems to manage water runoff;
 - viii proposed car park configuration and surfacing;
 - ix proposed footpaths and cycle paths (designed to be unsuitable for motor bike use);
 - x proposed cycle parking facilities;
 - xi details of existing and proposed services; water, gas, electric and telephone; and
 - xii proposed area of improved quality.

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 to a specified standard 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.

Prior to this condition being discharged the finished standard of open space shall be inspected and approved in writing by the planning authority.

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 Midlothian Local 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. An enhanced quality of materials shall be used in the area of improved quality. 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 and national planning guidance and advice.

3. Development shall not begin until details of the site access, roads, footpaths, cycle ways and transportation movements has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i existing and finished ground levels for all roads and cycle ways in relation to a fixed datum;
 - ii proposed vehicular, cycle and pedestrian access;
 - iii proposed roads (including turning facilities), footpaths and cycle ways;
 - iv proposed visibility splays, traffic calming measures, lighting and signage;
 - v proposed construction traffic access and haulage routes;
 - vi proposed car parking arrangements;
 - vii an internal road layout which facilitates service/emergency vehicles entering and leaving the site in a forward facing direction; and

- viii a programme for completion for the construction of access, roads, footpaths and cycle paths.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

4. Details of how the trees proposed in hardstanding areas are to be accommodated shall be submitted for the prior approval of the planning authority. The details shall include soil volume per tree of between 11.8 cubic metres and 30 cubic metres depending on the size of the trees.

Reason: *In order for the trees to be retained as tree roots will conflict with hard surfaces in which they will be located.*

5. Where trees are shown in close proximity to services, including between plots 110 and 111 a root barrier shall be deployed.

Reason: *In order for the trees to be retained and mitigate conflict with the proposed services.*

6. 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.

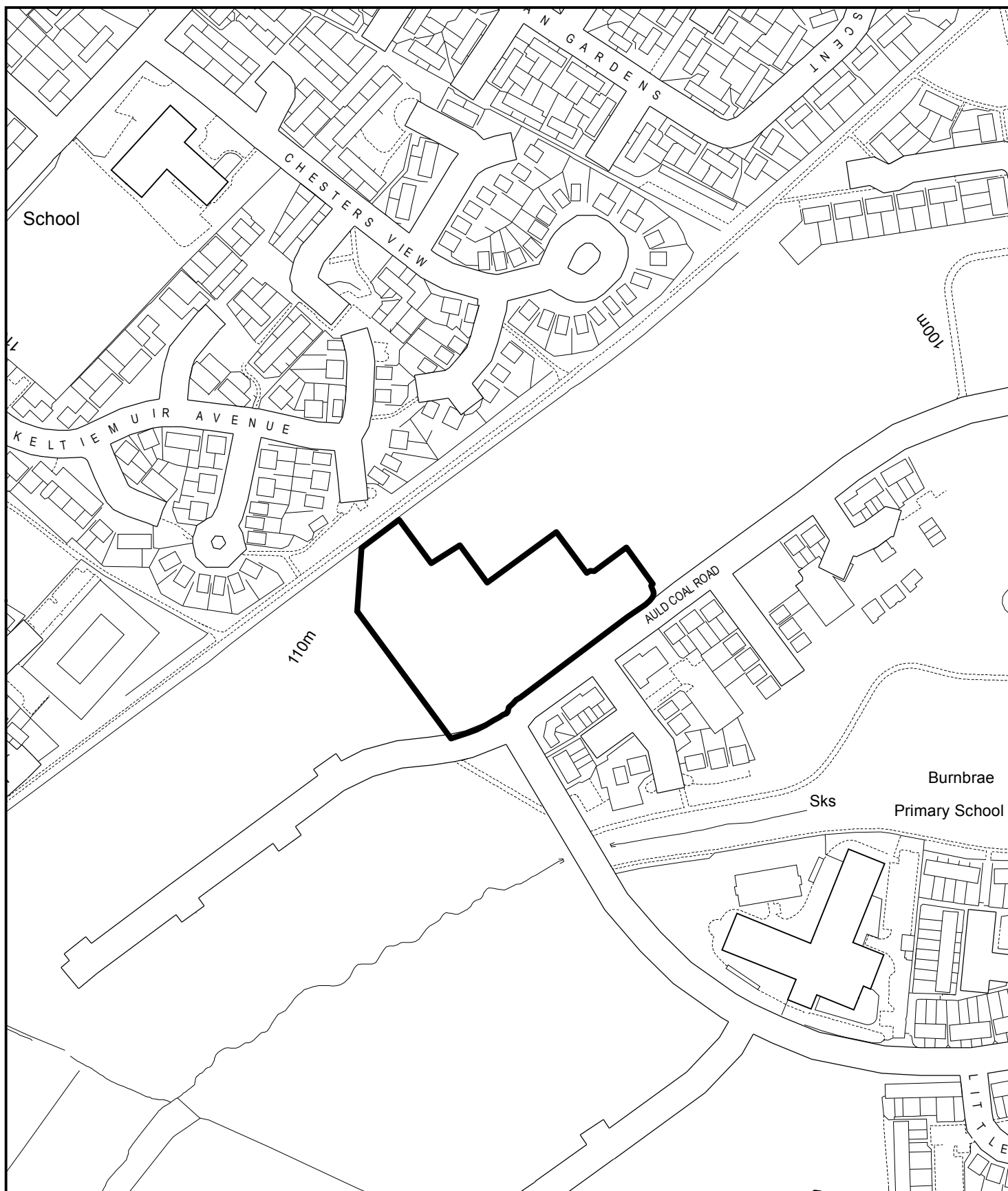
Reason: *To ensure the quality of the development is enhanced by the use of art to reflect its setting in accordance with policies IMP1 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

7. Development shall not begin until details, including a timetable of implementation, of high speed fibre broadband (or subsequent replacement internet connectivity technology) 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.*

Ian Johnson
Head of Communities and Economy

Date: 24 May 2016
Application No: 15/00083/DPP
Applicant: Taylor Wimpey East Scotland
1 Masterton Park, Dunfermline, KY11 8NX
Validation Date: 25 February 2015
Contact Person: Adam Thomson
adam.thomson@midlothian.gov.uk
Tel No: 0131 271 3346
Background Papers: 01/00033/OUT, 04/00553/FUL, 13/00318/MSD,
14/00263/PPP, 14/00264/PPP and 10/00571/DPP.



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

Site C And D, Land at Hopefield Farm, Bonnyrigg

18th February 2016

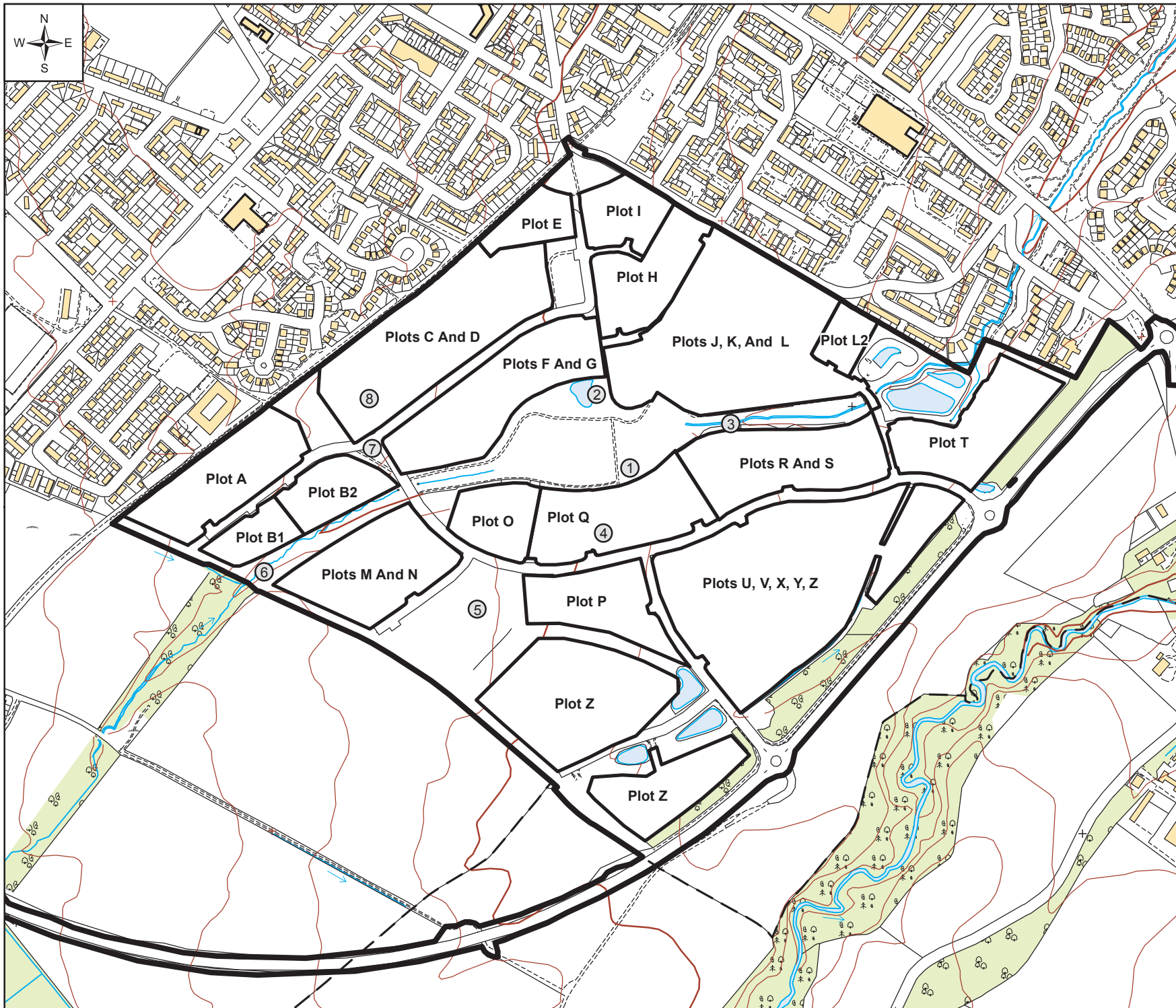
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File No. 15/00083/DPP

Scale: 1:3,000





- 1, Central open space
- 2, SUDS
- 3, Crossing from Saw Mill Path to South Chesters Gardens
- 4, Neighbourhood centre
- 5, Sports pitches
- 6, Footpath
- 7, Public art
- 8, 15/00082/DPP Planning Application



Education, Communities
and Economy
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3ZN

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Hopefield Plots

Ref: N/A

Scale: 1:7,500 @A4

Drawn By: MM

Date: 23/05/16