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**PRE - APPLICATION REPORT REGARDING RESIDENTIAL DEVELOPMENT COMPRISING 72 DWELLINGS, FORMATION OF ACCESS ROADS AND CAR PARKING AND ASSOCIATED WORKS AT LAND EAST OF CONIFER ROAD, MAYFIELD (18/00476/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 72 dwellings, formation of access roads and car parking and associated works at land east of Conifer Road, Mayfield. The site comprises allocated housing site Hs48 Bryans Easthouses in the adopted Midlothian Local Development Plan 2017 (MLDP).
- 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 the erection of 72 dwellings, formation of access roads and car parking and associated works at land east of Conifer Road, Mayfield was submitted on 2 July 2018.
- 2.3 As part of the 12 week pre-application consultation, two public events are scheduled to take place at the Church of Scotland, Newbattle Church, Bogwood Road, Mayfield on Wednesday 22 August and Saturday 25 August 2018. On the conclusion of the consultation 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 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 development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Development Plan 2017 (MLDP).
- 3.3 The 2.88 hectare site is the former site of Bryans Primary School, to the north of Mayfield. The site is cleared ground with housing to the east, west and south with countryside to the north. The site comprises allocated housing site Hs48 Bryans, Easthouses in the MLDP which is identified for an indicative 65 residential units. Therefore there is a presumption in favour of appropriate residential development.
- 3.4 The land slopes from the northwest to the south east and sits at a higher level than the neighbouring houses in David Scott Avenue and Rowan Tree Road. There is an existing vehicular access from Conifer Road and pedestrian access from Rowan Tree Road and Camp Road. An indicative site layout has been submitted, including SUDs features and amenity space. The land to the northeast of the site is allocated housing site Hs41 North Mayfield which is identified for an indicative 61 residential units.
- 3.5 The MLDP identifies the need for developer contributions towards:
- Borders Rail;
  - Lawfield Primary School;
  - Newbattle Community High School;
  - denominational secondary school;
  - the provision of affordable housing;
  - improvements to Mayfield Town Centre; and
  - children's play.
- 3.6 If an application is submitted there will be a presumption in favour of the proposed development subject to securing developer contributions, in compliance with policy STRAT1 of the MLDP.
- 3.7 The MLDP identifies the site as being within the built-up area of Mayfield. Any subsequent application will be subject to assessment against policies: STRAT1: Committed Development; 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; DEV9: Open Space Standards; TRAN1: Sustainable Travel; TRAN5: Electric Vehicle Charging; IT1: Digital Infrastructure; 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.

## **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.

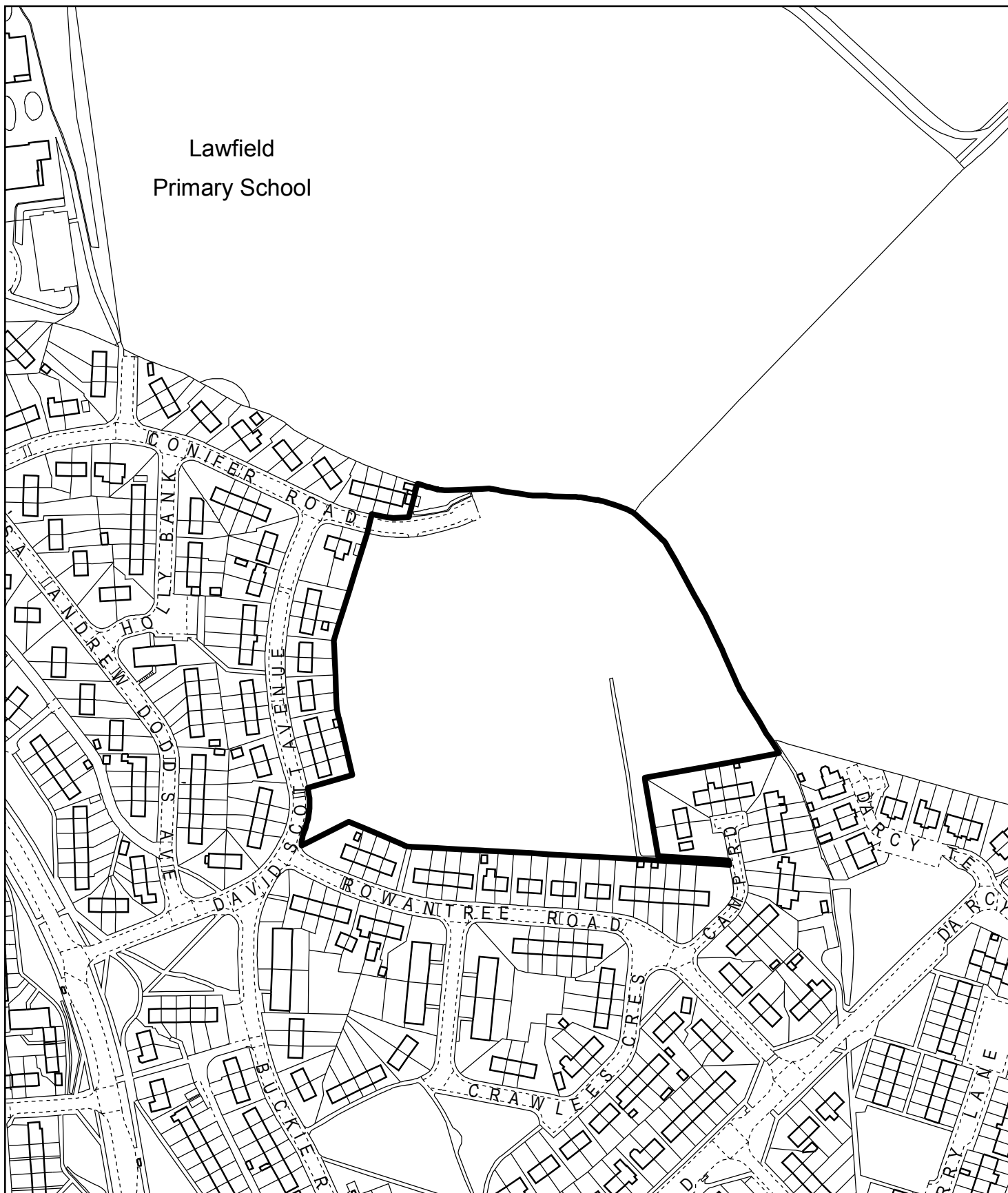
## **5 RECOMMENDATION**

- 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**  
**Head of Communities and Economy**

**Date:** 16 August 2018  
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Land East of Conifer Road, Mayfield

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