

Minute of Meeting



Planning Committee

Date	Time	Venue
3 October 2017	2.00 pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Johnstone	Councillor Lay-Douglas
Councillor McCall	Councillor Milligan
Councillor Montgomery	Councillor Muirhead
Councillor Munro	Councillor Parry
Councillor Russell	Councillor Smaill
Councillor Winchester	

1. Apologies

Apologies received from Councillor Baird.

2. Order of Business

The order of business was confirmed as outlined in the agenda that had been circulated with the addition of a late Appeal Decision relevant to Item 5.2.

3. Declarations of interest

Councillor Hackett declared an interest in agenda item 5.6 - Application for Planning Permission for the Erection of 20 Flatted Dwellings, Formation of Car Parking and Associated Works at Land at the Former Mayfield Inn, Bogwood Road, Mayfield (17/00170/DPP) – on the grounds that he sat on the Board of the Social Housing Association who would be the owner of the property and was advised by the Councillor's Solicitor that as he has now resigned it is not a conflict, however Councillor Hackett advised the Committee that he is not comfortable being part of this discussion and would leave when this item was discussed.

4. Minutes of Previous Meetings

The Minutes of Meeting of 22 August 2017 were submitted and approved as a correct record.

5. Reports

Agenda No	Report Title	Presented by:
5.1	Major Developments: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage	Peter Arnsdorf
Executive Summary of Report		
There was submitted report, 26 September 2017, 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 Planning Manager presented the Report to the Committee and responded to a question raised by Councillor Hackett with regards to identifying updates on the report.		
Decision		
(a) The Committee noted the major planning application proposals which are likely to be considered by the Committee in 2017 and 2018 and the updates for each of the applications.		

- (b) It was agreed The Planning Manager would adjust the Report to identify any new applications added to this report.

Action

The Planning Manager

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

Executive Summary of Report

There was submitted report, dated 26 September 2017, by the Head of Communities and Economy, detailing the notices of review determined by the Local Review Body (LRB) at its meeting in August 2017.

The Committee were advised that a late appeal decision notice from the Scottish Government, Planning and Environmental Appeals Division had been received after the Agenda was published and this was circulated to Members prior to the meeting:-

- dated 2 October 2017, granting an appeal by Grange Estates (Newbattle) Ltd against the failure of Midlothian Council to give a decision for planning permission for the proposed development at the Land north of Dalhousie Dairy, Bonnyrigg (16/007/12/PPP)

Summary of Discussion

The Committee were advised by the Planning Manager that the Reporter issued his notice of his intention to grant planning permission subject to conditions and subject to Midlothian Council and the Applicant concluding a legal agreement to secure Developer contributions.

Thereafter the Planning Manager and the Head of Communities and Economy responded to questions and comments raised by the Committee which included:

- The proposed number of houses with no provision for a Primary School;
- Proposed access to the housing estate.
- Issues surrounding the availability of Health facilities within this area.
- Timescale regarding the Section75 agreement.

Decision

- (a) The Committee noted the decisions made by the Local Review Body at its meeting in August 2017.
- (b) The Committee noted the outcome of the Appeal determined by the Scottish Ministers.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.3	Proposal of Application for a mixed use Development at land bounded by A7, Stobhill Road and Pentland Avenue, Gorebridge (17/00663/PAC)	Peter Arnsdorf
Executive Summary of Report		
<p>There was submitted report, dated 22 September 2017, by the Head of Communities and Economy advising that a pre application consultation submitted regarding a proposed mixed use development comprising residential and commercial uses at land bounded by the A7, Stobhill Road and Pentland Avenue, Gorebridge (17/00663/PAC).</p> <p>The report advised that 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.</p>		
Summary of Discussion		
<p>The Committee, having heard from the Planning Manager, acknowledged that as these pre-application consultations can often be very vague and this could raise concerns in the Community.</p>		
Decision		
<p>(a) To note the provisional planning position set out in the report.</p> <p>(b) To note the comments made by Members.</p> <p>(c) To note that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.</p>		
Head of Communities and Economy		

Agenda No	Report Title	Presented by:
5.4	Pre - application report regarding mixed use Development including classes 1, 2, 3, 4, 9 and 10 with associated access, car parking, open space and landscaping at land to the north of Hardengreen House, Dalkeith (17/00670/pac)	Peter Arnsdorf
Executive Summary of Report		
<p>There was submitted report, dated 26 September 2017, by the Head of Communities and Economy advising that a pre application consultation had been</p>		

submitted regarding a mixed use development including classes 1, 2, 3, 4, 9 and 10 with associated access, car parking, open space and landscaping at land to the north of Hardengreen House, Dalkeith (17/00670/pac).

The report advised that the pre-application consultation is 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.

Summary of Discussion

Having heard from the Planning Manager, the Committee in discussing the proposals questioned how this relates to the Council's policy in encouraging this sort of development in Town Centres; the additional traffic in this area which at present has no restrictions; the proximity of the car park to Eskbank Station and ensuring this development has adequate car parking.

Decision

- (a) To note the provisional planning position set out in the report;
- (b) To note the comments made by Members;
- (c) To note 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

Agenda No	Report Title	Presented by:
5.5	Application for Planning Permission (17/00219/DPP) for the Partial Change of Use of Land and Buildings for Wedding Events (Part Retrospective) at 32A Damhead, Lothianburn.	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.8 of the Minutes of 22 August 2017 to allow further discussion to take place regarding potential conditions, there was re-submitted report, dated 26 September 2017, by the Head of Communities and Economy concerning the above application.

Summary of Discussion

Having heard from the Planning Manager, who provided Members with an update on events since the August meeting, the Committee acknowledged that the application continued to generate considerable comments both in support of, and opposition to, the proposals.

After discussion Councillor Parry moved approval of this application with the conditions as set out on pages 34 – 36. This was seconded by Councillor Russell. As an amendment Councillor Smail moved in similar terms but with a change to condition 6 to restrict the number to 60; this was seconded by Councillor Winchester.

After a vote being taken 6 members voted for the amendment and 9 for the motion which accordingly became the decision of the Committee.

Decision

The Committee approved the application with the conditions 1 - 20 set out in 3.12 within the report.

Action

Head of Communities and Economy

With reference to Agenda item 3 Councillor Hackett, having declared an interest in 5.6 below, left the meeting at 14.44 pm, taking no part in the discussion.

Agenda No	Report Title	Presented by:
5.6	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.	Peter Arnsdorf
Executive Summary of Report		
<p>There was submitted report, dated 26 September 2017, by the Head of Communities and Economy advising that an application had been submitted for the erection of 20 flatted dwellings on the site of the former Mayfield Inn, Bogwood Road, Mayfield.</p> <p>The report advises that there had 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.</p>		
Summary of Discussion		
<p>Having heard from the Planning Manager, Councillor Smail commented on the objection submitted by Mayfield Community Council to the application. The Chair moved to support this application noting the comments made by Mayfield Community Council.</p>		

Decision

The Committee approved the application subject to a legal agreement to secure contributions and with the conditions as set out in the recommendations in 9.1 of the report.

Action

Head of Communities and Economy

The meeting terminated at 14.50 pm.