



**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE
19/01018/PPP FOR REDEVELOPMENT OF EXISTING SNOWSPORTS
CENTRE TO INCLUDE ADDITIONAL LEISURE FACILITIES, HOTEL,
FUNCTION SUITE, ANCILLARY RETAIL AND RESTAURANT USES,
FORMATION OF ACCESS ROAD AND CAR PARKING AT MIDLOTHIAN
SNOWSPORTS CENTRE, BIGGAR ROAD, HILLEND.**

**THIS APPLICATION IS ACCOMPANIED BY AN ENVIRONMENTAL
IMPACT ASSESSMENT REPORT SUBMITTED UNDER THE TOWN AND
COUNTRY PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT)
(SCOTLAND) REGULATIONS 2017.**

Report by Chief Officer Place

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The application is for the redevelopment of the Midlothian Snowsports Centre (MSC) at Hillend to include additional leisure facilities (zipline and alpine coaster), a hotel, function suite and ancillary retail and restaurant uses and the formation of an access road and car parking. Because of the scale and nature of development it is accompanied by an Environmental Impact Assessment Report (EIAR).**
- 1.2 There have been three letters of representation and consultation responses from Scottish Environment Protection Agency (SEPA), Historic Environment Scotland, NatureScot, Scottish Water, Sport Scotland, Transport Scotland, City of Edinburgh Council, the Council's Archaeological Advisor, the Council's Policy and Road Safety Manager, the Council's Environmental Health Manager, Damhead Community Council and Fairmilehead Community Council (Edinburgh).**
- 1.3 The relevant development plan policies comprises policy 12 of the Edinburgh and South East Scotland Strategic Development Plan 2013 (SESplan) and policies DEV5, DEV6, DEV7, TRAN1, TRAN5, VIS2, VIS3, RD3, RD4, ENV1, ENV2, ENV6, ENV7, ENV10, ENV11, ENV15, ENV23, IMP1 and IMP3 of the Midlothian Local Development Plan 2017 (MLDP).**
- 1.4 The recommendation is to grant planning permission subject to conditions.**

2 LOCATION AND SITE DESCRIPTION

- 2.1 The site comprises the existing MSC located near the north west boundary of Midlothian within the Pentland Hills Regional Park. The site fronts the A702 Trunk Road and is accessed off it onto an approach road to the facilities and car park. Buildings, facilities and car parking associated with the centre are located to the western extent of the site on the sloping gradient between the A702 and the artificial ski slopes. There is a significant gradient to the east down towards the A702.
- 2.2 The facilities at the MSC include the main reception building, two main slopes (one of which is the longest artificial ski slope in the UK), three nursery slopes, tubing runs, a chairlift allowing access to the Pentland Hills and a café. The site previously included a freestyle jump surface, but this is now closed. The centre is used by schools and members of the public.
- 2.3 There are a number of paths through the Pentland Hills including core path MID/39/1 running through the site towards the southern boundary connecting the A702 to the Pentland Hills.
- 2.4 There is significant tree cover on the eastern lower slopes of the site and towards the site entrance and along this section of the approach road from the A702. The tree cover has the impact of screening much of the existing development from views from the A702 and from within the recreational areas of the regional park. It also reduces the impact of existing car parking areas. The landform around the site includes significant changes in levels with some of the variation serving to help to screen the site from wider views. The elevated nature of the site means that some of the existing MSC is open to view, the ski slopes being regional features in the landscape.
- 2.5 Caerketton Hill Fort (SM4067) which is a Scheduled Monument is located outwith the site boundary but close to its southern extent.

3 PROPOSAL

- 3.1 The application is for planning permission in principle for additional leisure facilities (zipline and alpine coaster), a hotel, function suite and ancillary retail and restaurant and the formation of an access road and car parking.
- 3.2 The facilities include an alpine coaster (a roller-coaster type arrangement in which you travel in a carriage on tracks close to the ground – similar to a bobsleigh), zipline and tubing. These facilities are located to the east of the existing chairlift and main ski slopes with the alpine coaster running parallel to the existing slope and the zipline running from south west (from the top of the chairlift) to the north east. The existing tubing runs are to the lower end of the existing ski slopes.

The main building (including restaurant and retail provision) and an activity dome will be to the east of the existing building. The hotel building is shown to the north west of the site, close to the site boundary. Additional car parking is proposed to the east and north east of the existing car park#, which comprises 155 spaces. The Transport Assessment (TA) states a maximum of 455 car parking spaces will be provided. Additional storage buildings are also indicated.

- 3.3 It is proposed to redevelop the MSC by:
- Creating a year-round, all-weather, inclusive and family oriented attraction (for local, national and international visitors);
 - Safeguarding the future educational provision of the site; and
 - Creating economic and employment opportunities for Midlothian.
- 3.4 The detailed design of the new facilities is ongoing, however for the purposes of the EIAR and this planning application, outline design parameters have been established. Indicative locations for the new facilities have been shown and the new facilities include:
- Internal and external leisure facilities;
 - The erection of a building/s incorporating reception, food court, function space and retail space;
 - Hotel;
 - Car parking; and,
 - Improved access road.
- 3.5 The various facilities that are proposed are at a conceptual stage. The assessment therefore considers the elements described (including zip-line, alpine coaster, buildings and car parking) and the design of these will be progressed further at the next stage of the planning process (matters specified in conditions) if the Committee is minded to grant planning permission in principle.
- 3.6 The parameters used for the assessment include; the maximum height of buildings being that of the existing buildings on the site, a maximum floorspace of the main building being 5,000sqm over two floors (this does not include the hotel floor space); a separate 130 bed hotel of 1,650sqm, 1.8ha of car parking and roads/access, attractions/rides are not to be built higher than existing ski-lift structures, a 25m buffer exclusion zone will be provided around Caerketton Hill fort (SM4067) for the duration of the construction works and that the design avoids any visibility of the development on the skyline, viewed from the east.
- 3.7 The site area is 43 hectares and the development area extends to an area of approximately 15 ha.
- 3.8 The application also includes a lighting strategy for the site.

- 3.9 An indicative construction timeline (over 2/3 years) has been included as part of the application. The works have been split into separate phases, which would likely follow one another sequentially or overlap:
- External leisure facilities i.e. zipline;
 - Access road improvements and car park extension;
 - Further external leisure facilities i.e. alpine coaster;
 - Further car park extension;
 - New buildings including reception, food court, function space, retail space and internal leisure facilities;
 - Glamping (subject of a separate application to be submitted); and
 - Hotel
- 3.10 The EIA regulations state that consideration should be given to alternative sites for the development, however as the site is in the ownership of the applicant (the Council) and the development seeks to redevelop the existing facilities into a national tourist attraction in accordance with the MLDP there are no alternative sites which merit consideration.
- 3.11 The development will generate approximately 30 new full-time equivalent (FTE) jobs with the Midlothian Council (there is currently 11 FTE jobs) and approximately 50 permanent jobs through third parties, including; serving food kiosks, retail units and hotel. These figures do not include seasonal instructors.
- 3.12 A number of local environmental enhancements have been identified through the EIAR process. The enhancements include; pathway improvements to improve accessibility, the provision of log piles for invertebrates, small mammals and nesting birds, the provision of interactive obstacles for bikes/natural play areas and replacement fencing more appropriate to the sites location. These improvements, the applicant states, would work towards the NaturalScot goal of net gain biodiversity in development, encourage a broader range of users to the site and ultimately add value to the development.
- 3.13 There is space available to accommodate an 'off-road' trail that would suit biking and running and supplement the current hill walking and running activity.
- 3.14 Natural flood management measures are recommended to improve baseline conditions on and downstream of the site. Options to consider for the design include creating and managing buffer strips and creating a network of grass strips (also known as riparian buffer strips) next to the Lothian Burn watercourse to provide a physical barrier which restricts the flow of storm water. The buffer strips can reduce overland flow impacting roads and neighbouring properties. Planting native trees and vegetation in targeted areas is an inexpensive, attractive and effective approach to significantly slow overland flow of water.

- 3.15 Insect decline, and more specifically butterfly and bee decline, is an increasing global issue. The 'Destination Hillend' development offers an opportunity to improve insect habitat and attract visitors. Wildflower planting with a mix of plants chosen to benefit bees, butterflies and other insects would improve overall biodiversity net gain. With successful projects by Councils across Europe increasing bee populations, it is clear that there are easy, effective, cheap methods of improving insect colonies. Sections of the development can be integrated with existing insect pathways and operational attractions for insect habitat. This includes wildflower planting and insect hotels. Information boards will provide an additional educational benefit to the development.
- 3.16 Access to the site will be via the existing access point off the A702 Trunk Road. However, it is proposed to alter the current bellmouth junction and bus turning area to include a right-hand turn lane for south bound traffic turning into the site. The new junction will have traffic lights and will provide for pedestrian crossing of the trunk road. A nearby junction at the proposed Lothianburn Hotel to the north is also proposed with a traffic light junction. The timing of these traffic lights can be synchronized to allow for better traffic flows on the A702 Trunk Road.
- 3.17 This application is supported by an EIAR in terms of the Environmental Impact Assessment (Scotland) (Regulations) 2017.

4 BACKGROUND

- 4.1 A scoping opinion request 19/00417/SCO under the EIA regulations for redevelopment of existing facilities to include: leisure facilities (both internal and external); erection of building/s including reception, food court, function space and retail space; glamping accommodation; hotel; additional car parking; and improved access road at the MSC was submitted in May 2019.
- 4.2 A pre application consultation 18/00970/PAC for the redevelopment of the MSC was considered by the Committee at its meeting in February 2019.
- 4.3 Application 12/00355/DPP for the erection of timber platform and reception cabin; formation of bunding; access track and associated works for zorbing facility was granted planning permission in August 2012.
- 4.4 Application 11/00675/DPP for the formation of new artificial ski slopes; extensions to existing areas of artificial ski slope; erection of floodlighting columns; erection of viewing platform; formation of footpaths; and associated works was granted planning permission in December 2012.

- 4.5 A pre application consultation 19/00126/PAC for the development of mountain bike trail centre; indoor and outdoor leisure; food and beverage; professional service suites; offices; retail; visitor accommodation and associated site access parking; landscaping and other works at the former Lothianburn Golf Club, 106 Biggar Road, Edinburgh was considered by the Committee at its meeting in May 2019 – this site is predominantly in the City of Edinburgh administrative area, with the access being in Midlothian.
- 4.6 The adjacent site to the south at Caulderstones has been the subject of a number of planning applications relating to the demolition of existing dwellinghouse; erection of hotel; erection of replacement house plot; formation of access roads; car parking and associated works (15/00113/PPP, 18/00528/S42, 18/00628/S42 and 20/00466/MSC).

5 CONSULTATIONS

- 5.1 The **Scottish Environment Protection Agency (SEPA)** does not object to the application, but advises that conditions should be attached to any consent in relation to managing waste water and requiring further survey work and mitigation in relation to Groundwater Dependent Terrestrial Ecosystems.
- 5.2 In relation to flood risk, SEPA recommend that the finished floor levels of the proposed hotel building are at an appropriate height above the surrounding ground level to minimise any risk from surface water. SEPA note that with regards any surface water drainage or sustainable urban drainage system (SUDS) it is for the Flood Risk Management Authority (Midlothian Council) to comment on the management of surface water.
- 5.3 **Historic Environment Scotland (HES)** does not object to the application.
- 5.4 **NatureScot (NS)** formerly Scottish Natural Heritage does not object to the application. NS provide landscape visual impact advice in only the highest priority cases where the effects of proposals raise issues of national interest or where they affect place-based priorities for NS. This proposal does not raise landscape issues of national interest. In relation to traffic and transport NS note that proposals for upgrading and improvements to the path network, both within the development site boundary and connecting to the wider Pentland Hills Regional Park, will be submitted as part of a future application. NS request to be consulted when more detailed specifications for the path network are submitted for consideration.
- 5.5 **Scottish Water** does not object to the application.
- 5.6 **SportsScotland** determined to make no comment on the application.

5.7 **Transport Scotland (TS)** does not object to the application subject to conditions and the following comments:

1. The current application is for planning permission in principle (PPiP) and the original application submission states that due to this “the exact floorspace details are not known”. The level of development anticipated, in terms of scale and composition of uses is required to be specified within the Transport Assessment to allow appropriate conditions to be drafted – these details were subsequently provided (see paragraph 3.6 of this report).
2. There is an existing pedestrian access to the development site but non-motorised user (NMU) movements across the A702(T) are currently uncontrolled.
3. The potential diversion of bus services is noted. However, control over the removal of the existing bus stop and turning area will need to be conditioned as part of any grant of planning permission.
4. Following a review of the accident data, it is advised that four of the five recorded collisions involved right-turning vehicles at the existing access junction during the accident assessment period. This issue/risk would be exacerbated by the development.
5. With regard the provision of signage on the trunk road, it is noted that this will be required to comply with set standards and will require approval by Transport Scotland prior to installation.
6. Indicative design for Access Option 2 (a conjoined access solution with the neighbouring Colderstones site) has been provided in Figure 2.3 of the Transport Assessment. However, the figure does not include associated measurements or annotation. Nevertheless, it is acknowledged that Access Option 2 is proposed to be constructed by the developers of an adjacent site. It is noted that the Transport Assessment states that “Midlothian Council has confirmed that in principle, it is willing to switch to using this new shared junction (or any alternative proposal that may be put forward for the Council’s agreement) upon its completion, subject to the completion of all necessary legal agreements”.
7. Transport Scotland would highlight correspondence to SWECO (highway agents) which advised of the potential issue regarding the provision for pedestrians crossing the private driveway on the eastern side of the A702. The current drawing proposes that road traffic accessing the private driveway will cross an uncontrolled pedestrian crossing. However, it is recommended that the private driveway is also signal-controlled, and therefore the pedestrian crossing should also be controlled. In response to this issue SWECO advised that an uncontrolled continuous footway has been retained over the private driveway. This was included within the design on which the stage 1 audit was undertaken. This element should be considered further in any detailed design of the junction.
8. The committed developments considered within the Transport Assessment are appropriate. It is acknowledged that the Pentland

Trail Centre proposal (to the north of the site) sensitivity test does not form part of the assessment.

9. While the level and type of parking provision required is generally a matter to be agreed in consultation with Midlothian Council, it is important that the level of parking proposed does not inadvertently encourage more trips to the site by private car. It is observed that the Transport Assessment does not provide any detail on the calculation of the 455 spaces. Therefore, and as advised in the Transport Assessment, the final level of parking will be confirmed within future detailed applications and agreed through consultation with the Council. It is recommended that Transport Scotland must be consulted on this aspect of the detailed design and that parking levels conform to current standards, are consistent with the requirements of Scottish Planning Policy and Planning Advice Note 75 Planning for Transport and help to meet the mode shift target (5% reduction in car use and a corresponding 5% increase in walking and cycling) identified in Section 5.6 of the Transport Assessment.
10. Various iterations of modelling have been prepared following an initial review by Transport Scotland, which included comments on optimisation, and the modelling of pedestrian phases and lane widths. It is noted that the southbound ahead lane has been defined as 3.0m wide when it is in fact 3.5m wide. This would increase the saturation flow on this lane and improve the overall operation of the junction. It is noted that the lane width has not been corrected in the revised modelling. It is also recommended that on-crossing detection could be used, which could potentially reduce the pedestrian intergreen to 5 seconds, resulting in the junction operating closer to capacity. Combined with the right turn indicative green arrow being demand dependent and the low pedestrian volume, this could alleviate any estimated capacity issues at the junction. Given that there are significant queues of traffic on the A702 already (northbound in the AM peak), the introduction of traffic signals will not relieve these and would introduce additional delay to southbound vehicles that does not currently exist. Nevertheless, it is also recognised that the introduction of signal control would allow for the safe and controlled access and egress at 'Destination Hillend' and would provide safe signal-controlled crossing facilities for pedestrians across the A702 and the 'Destination Hillend' access. It is acknowledged that an uncontrolled crossing has been illustrated over the private driveway on the drawing submitted in September 2020. However, the revised modelling has considered this as a dedicated pedestrian phase in the stage sequence. It is strongly recommended that the private driveway is also signalised, including a pedestrian crossing of the private driveway, as an uncontrolled approach to the middle of the junction increases the risk of vehicle collision. It is also recommended that the detailed design of the proposed junction should consider modelling the proposed junction and the approved Lothianburn Hotel junction

within a network to better understand the impact each junction has on the other.

11. The Transport Assessment uses traffic data for the weekday PM peak assessment that was undertaken on a day when the A703 was closed. Therefore, there appears to be some local re-distribution of trips which results in the A703 arm operating better than it normally would and the Old Pentland Road arm worse than it might normally. Based on supplementary traffic data held by Transport Scotland, a Transport Assessment Addendum has been undertaken by the applicant's consultant, dated 28 October 2020, to determine the impact of the proposed development at these junctions. As anticipated, the operation of the A703 junction (with additional exiting, right-turning traffic) estimates that the queues on the A703 are significantly longer than those summarised in the Transport Assessment in the weekday PM peak. Also, the operation of the Old Pentland Road junction (with less exiting, right-turning traffic) estimates that the queues on Old Pentland Road are less than those summarised in the Transport Assessment in the weekday PM peak. Nevertheless, the relative impact of the proposed development at these junctions is marginal and impractical to mitigate.
12. It is noted that the proposed phasing may not conform to that described in the Transport Assessment. Transport Scotland would advise that the provision of a phasing strategy should be conditioned as part of any grant of planning permission.
13. The Travel Plan proposals set out within the Transport Assessment are consistent with established guidance. Transport Scotland would advise that the provision of a Travel Plan should be conditioned as part of any grant of planning permission.
14. Works cannot take place on the A702 between the A702/A703 junction and the A720 Edinburgh Bypass on weekdays between the hours of 06:30 and 19:30, on public holidays, holiday weekends, or during local holidays.

5.8 The **City of Edinburgh Council (CEC)** supports the redevelopment of the MSC and considers the application accords with the MLDP.

However, there are a number of specific issues which should be given due consideration, these are as follows:

- The site adjacent to the north of the MSC is currently used by Lothianburn Golf Club for leisure purposes. A planning application notice (pre application consultation) (19/00764/PAN) has been submitted by the owner of the site to redevelop the existing site for a range of uses including; a mountain bike trail centre, indoor and outdoor leisure, food and beverage, offices, retail, short stay visitor accommodation and associated site access arrangements.
- Meetings with Transport Scotland with regard to appropriate access and transport arrangements to the redeveloped golf club have been held and discussions are ongoing. It is understood that Transport Scotland have a preference for a revised joint access

with the MSC as a means of providing safe access to the A702, which has a poor safety record.

- The cumulative impact of development in both Council areas on the Pentland Hills Regional Park and Special Landscape Area should be taken into account when determining the application.

- 5.9 The Council's **Archaeology Adviser** does not object to the application. However, based on the proximity of the proposed development to the scheduled fort, there is the potential for significant impacts on its settings. The EIAR does not conclude that the impacts on the setting of the fort will be significant, however, further information, such as photomontages showing the developments relationship to the fort, is required in order to determine if this is the case – this can be requested by a condition on a grant of planning permission.
- 5.10 The Council's **Policy and Road Safety Manager** does not object to the application subject to conditions securing details of: car, coach, electric vehicle and cycle parking; the proposed upgrading of the access road and remote footpath; SUDS; street lighting and green travel plan. The A702 forms part of the National Trunk Road network and is the responsibility of Transport Scotland.
- 5.11 The Council's **Environmental Health Manager** does not object to the application. The EIAR submitted with the application concluded that no mitigation measures are required in relation to air quality or noise. An initial assessment of lighting issues was included in the EIAR but noted that a more detailed assessment would be undertaken at the next stage of the planning process. It is recommended conditions are imposed on a grant of planning permission to: regulate the operation of the site during construction; undertake work to address contamination and/or former mine workings; provide details of lighting for further assessment and provide additional information in relation to air quality. It is also suggested that a community liaison representative is appointed to ensure availability of information and to resolve complaints expeditiously.
- 5.12 **Damhead Community Council (DDCC)** objects to this planning proposal noting that there are many benefits to this proposal, not least the future sustainability of the MSC which is a significant asset for Midlothian, and the DDCC is supportive of much of the proposal. However, there are a number of issues with the planning proposal that need to be taken into account prior to the DDCC being able to endorse it, which is why DDCC object to the proposal at this stage.
- 5.13 The most crucial of these issues is the negative impact on road and transport infrastructure. The entry road junction with the A702 is not adequate to cope with significant additional transport, regardless of the proposed restructuring of it or whether the majority of traffic will be off-peak or not. Pedestrians already struggle to cross the road and any increase in traffic is going to increase the level of risk unless traffic

management measures are taken. These in turn will impact on traffic flow in the area.

- 5.14 Furthermore, any additional traffic on the A702 along with traffic lights at the junction, particularly if this is in addition to any other additional sets of traffic lights between the MSC and the bypass, is going to have a significantly detrimental impact on the Hillend triple junction (the A702, A703 and Old Pentland Road), which is already dangerous and in need of structural reform.
- 5.15 The traffic assessment indicates that this junction is already operating above capacity in normal conditions. Although the report suggests that the increase in queuing would be minimal, this does not take into account the increase in queuing that would be caused by any additional traffic control measures that would be established at the A702 entry to the MSC. This would lead to queuing from the lights back along the A702 past the triple junction which would, in turn, prevent cars exiting the A703 at this junction thus causing further backlog on the A703. The "transport assessment" is not therefore an accurate assessment of the impact the increased traffic will have on the nearby triple junction and the associated roads, including the A703 and Old Pentland Road.
- 5.16 A radical solution may be required for the triple junction, such as a roundabout further south of this junction. Regardless of the solution, future developments off the A702, including in relation to the MSC cannot be taken in isolation of the impact on the triple junction.
- 5.17 It would also be beneficial to ensure all local residents across Midlothian, particularly young people, are able to access and utilise the facilities. However, currently these facilities are only accessible to those with private transport.
- 5.18 The scale of the proposal is also significant. It is recognised that efforts have been taken to reduce impact of some of the developments on the natural environment, however there is still likely to be a significant impact and it is not clear whether the benefits outweigh these impacts.
- 5.19 Finally, the proposals suggest a significant level of duplication with the types of activities that are also being suggested for development at the trail centre at Swanston, which is causing concern to local residents. As well as the knock-on impacts on the roads infrastructure, it's not clear whether there would be sustainable business for either site if both were developed. It's difficult to imagine how this could be in either Midlothian or the City of Edinburgh Councils' interests or beneficial for the local economy. Therefore, there is a need to ensure a joint consideration of the collective impacts of the proposals on the local area.
- 5.20 The DDCC would be more than willing to work with Midlothian Council, and other partners, to help identify potential solutions to these issues.

5.21 **Fairmilehead Community Council (FCC)** is within the City of Edinburgh Council's administrative area and is immediately to the north of the site. Given their proximity to the site they were consulted on the application and while they are pleased to see significant investment in the facilities at the MSC they raise the following concerns:

- The access and access road off the A702 needs improving to accommodate the increase in traffic/use;
- Nearby developments, both approved and proposed need to be taken into consideration – a shared access solution should be delivered;
- Development further along the A702 or accessing onto the A702 should be taken into consideration when considering transport infrastructure improvements;
- The development will have an impact on the nearby 3-way junction on the A702 (with the A703 and Old Pentland Road);
- The new structures and lighting shall be design/managed so as not to impact the special landscape of the Pentland Hills; and
- The retail and restaurant/café use need to remain ancillary uses.

6 REPRESENTATIONS

6.1 There have been three representations received, which can be viewed in full on the online planning application case file. A summary of the points raised are as follows:

- The development of new hotel facilities in this high profile location is wholly inappropriate and is likely to have a significant and negative impact on views to the MSC, day and night, from a considerable number of vantage points and at a considerable distance from the site. The incursion of hotel facilities will also radically change the way in which this site functions;
- Potential negative impacts of increased traffic on an already inadequate local road network and on the access to and from the site;
- The unprecedented scale of development in Edinburgh/Midlothian has an impact on the environment and supporting infrastructure. The scale of strategic change in the region requires a different and strategic (and aligned/joined up) response from the planning system;
- The MSC should be identified in the National Planning Framework (NPF) to help guide local development policies to help protect the environment. The NPF states "We value, enjoy, protect and enhance our environment". The Performance Framework's Vision for the environment goes on to state that "We are at the forefront of ... biodiversity practice. We promote high quality, sustainable planning design and housing. Our transport infrastructure is integrated, sustainable, efficient and reliable". A purpose of the Framework is to give equal importance to economic, environmental and social progress. But the consideration of this proposed development at the in principle stage removes the level of detailed

oversight required to understand whether this proposal fits with these ideals;

- How can consultees possibly be asked to formulate a full and detailed response to an application for redevelopment of the existing MSC to include additional leisure facilities, tourist accommodation, hotel, function suite, ancillary retail and restaurant, formation of access road and car parking when the details will only come later;
- In the application for planning permission the consultants say the expansion of the MSC will use discreet buildings, giving rise to a low degree of landscape change. This does not address concerns over the potential for increased noise and light pollution from the wider development for the neighbouring residents of Edinburgh whose properties face this proposed development. Whilst it is accepted that there is an existing outdoor sports venue and recreation centre, the case has not been made to augment this to the extent proposed as opposed to simply refurbishing and maintaining the development. It seems that the only way this facility will be properly funded and maintained is if it is significantly expanded, which seems a contradiction;
- Impact on nearby residential amenity;
- Potential detrimental impact on climate change – the development should use sustainable technologies;
- Increased light and noise pollution;
- Increased litter; and
- Detrimental impact on the local landscape.

7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan 2013 (SESPlan1) and the Midlothian Local Development Plan 2017. The following policies are relevant to the proposal:

Edinburgh and South East Scotland Strategic Development Plan 2013 (SESPlan)

- 7.2 **Policy 12 (GREEN BELTS)** requires Local Development Plans to define and maintain Green Belts around Edinburgh whilst ensuring that the strategic growth requirements of the Strategic Development Plan can be accommodated. Local Development Plans should define the types of development appropriate within Green Belts.

Midlothian Local Development Plan 2017 (MLDP)

- 7.3 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.4 Policy **DEV6: Layout and Design of New Development** states that good design and a high quality of architecture will be required in the

overall layout of development proposals. This also provides guidance on design principles for development, materials, access, and passive energy gain, positioning of buildings, open and private amenity space provision and parking.

- 7.5 Policy **DEV7: Landscaping in New Development** requires development proposals to be accompanied by a comprehensive scheme of landscaping. The design of the scheme is to be informed by the results of an appropriately detailed landscape assessment.
- 7.6 Policy **TRAN1: Sustainable Travel** aims to encourage sustainable modes of travel.
- 7.7 Policy **TRAN5: Electric Vehicle Charging** seeks to support and promote the development of a network of electric vehicle charging stations by requiring provision to be considered as an integral part of any new development or redevelopment proposals.
- 7.8 Policy **VIS2: Tourist Accommodation** supports the development of hotels or self-catering tourist accommodation provided the proposal is:
- A. is in scale and in keeping with the character of the local area;
 - B. is sited and designed to respect its setting and is located in an unobtrusive manner within the rural landscape (where applicable);
 - C. is well located in terms of the strategic road network and maximises public transport access; and
 - D. is in accordance with one of the sections below.

Hotels in built-up areas will be supported, provided residential amenity is protected. Hotels in business areas and at key gateway locations with ease of access to the major junctions on the A720 City Bypass, may be supported where it can be demonstrated that:

- there are no suitable alternative sites elsewhere in the urban envelope; and
- the proposal will not undermine the objectives of the Green Belt by detracting from the landscape setting of Edinburgh and its neighbouring towns, or lead to coalescence.

Self-catering tourist accommodation including touring caravan/camping sites, will be permitted where:

- the proposal is not in the Green Belt unless linked to some related existing development;
- the proposal is of a character and scale in keeping with the rural setting and can be located in an unobtrusive manner; and
- the applicant can demonstrate that the proposal is for the furtherance of a viable long-term business.

- 7.9 Policy **VIS3: Midlothian Snowsports Centre Development** supports development proposals for the upgrading and enhancement of the Midlothian Snowsports Centre and ancillary facilities in order to secure its future as a centre for artificial skiing and snowboarding. Proposals

with significant adverse environmental impacts will not be supported unless satisfactory mitigation measures are included in the proposal.

- 7.10 Policy **RD3: Pentland Hills Regional Park** states that proposals within the Pentland Hills Regional Park will not be permitted where it would be contrary to the policy aims of the Park.
- 7.11 Policy **RD4: Country Parks** only supports proposals in a park if they are compatible with the uses and character of the park.
- 7.12 Policy **ENV1: Protection of the Green Belt Development** will not be permitted in the Green Belt except for proposals that:
- A. are necessary to agriculture, horticulture or forestry; or
 - B. provide opportunities for access to the open countryside, outdoor sport or outdoor recreation which reduce the need to travel further afield; or
 - C. are related to other uses appropriate to the rural character of the area; or
 - D. provide for essential infrastructure; or
 - E. form development that meets a national requirement or established need if no other site is available.

Any development proposal will be required to show that it does not conflict with the overall objectives of the Green Belt which is to maintain the identity and landscape setting of Edinburgh and Midlothian towns by clearly identifying their physical boundaries and preventing coalescence.

- 7.13 Policy **ENV2: Midlothian Green Network** supports development proposals brought forward in line with the provisions of the Plan that help to deliver the green network opportunities identified in the Supplementary Guidance on the Midlothian Green Network.
- 7.14 Policy **ENV6: Special Landscape Areas** (Area Name: Pentland Hills SLA) states that development proposals will only be permitted where they incorporate high standards of siting and design and where they will not have significant adverse effect on the special landscape qualities of the area.
- 7.15 Policy **ENV7: Landscape Character** states that development will not be permitted where it significantly and adversely affects local landscape character. Where development is acceptable, it should respect such character and be compatible in terms of scale, siting and design. New development will normally be required to incorporate proposals to maintain the diversity and distinctiveness of the local landscapes and to enhance landscape characteristics where they have been weakened.
- 7.16 Policy **ENV 10: Water Environment** requires that new development pass surface water through a sustainable urban drainage system

(SUDS) to mitigate against local flooding and to enhance biodiversity and the environment.

- 7.17 Policy **ENV11: Woodland, Trees and Hedges** states that development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees (including trees covered by a Tree Preservation Order, areas defined as ancient or semi-natural woodland, veteran trees or areas forming part of any designated landscape) and hedges which have a particular amenity, nature conservation, biodiversity, recreation, landscape, shelter, cultural, or historical value or are of other importance.
- 7.18 Policy **ENV15: Species and Habitat Protection and Enhancement** presumes against development that would affect a species protected by European or UK law.
- 7.19 **Policy ENV23: Scheduled Monuments; Scheduled Ancient Monuments** (Caerketton Hill fort) states that development which could have an adverse effect on a scheduled monument, or the integrity of its setting, will not be permitted.
- 7.20 Policies **IMP1: New Development and IMP2: Essential Infrastructure Required to Enable New Development to Take Place** require the developer to deliver, or contribute to, the required infrastructure to mitigate the impact of the development.
- 7.21 Policy **IMP 3 Water and Drainage** requires sustainable urban drainage systems (SUDS) to be incorporated into new development.

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.

The Principle of Development

- 8.2 MLDP policy VIS3: Midlothian Snowsports Centre (MSC) Development supports development proposals for the upgrading and enhancement of the MSC and ancillary facilities in order to secure its future as a centre for artificial skiing and snowboarding. The policy states that proposals with significant adverse environmental impacts will not be supported unless satisfactory mitigation measures are included in the proposal. In order to assess this development in relation to the stated policy and its impact on the local environment the applicant submitted an Environmental Impact Assessment Report (EIAR) for consideration. MLDP policy VIS3 supports a presumption in favour of the proposed development.

Layout and Form of Development

8.3 The application is for planning permission in principle. This means that the detailed layout, form and design of the development would be subject to further applications (matters specified in conditions) and assessment if the proposal is granted planning permission. In this case, conditions would be imposed requiring the following details to be submitted by way of an application:

- layout, form and design of any proposed buildings;
- proposed materials to be used in the construction of the buildings, ground surfaces and ancillary structures;
- sustainable urban drainage systems and flood mitigation measures;
- details of road, access and transportation infrastructure including cycleway/footway connections up to the boundaries of the site;
- hard and soft landscaping; and
- sustainability and biodiversity details.

The Environmental Impact Assessment Report (EIAR)

8.4 Each chapter in the EIAR is considered in turn:

Noise and Vibration

8.5 Sensitive receptors, such as residential properties, have been assessed for the potential of noise and vibration impacts during both construction and the operation of the development. Noise surveys were carried out as part of the assessment as well as noise modelling based on the traffic data provided as part of the Transport Assessment undertaken in parallel with this EIAR.

8.6 Construction traffic is not considered to have a significant impact with regard to noise and vibration. Potential noise impacts due to the construction activities (including demolition and earthworks) of the development are likely to occur, however they are likely to be localised, temporary in nature and not significant.

8.7 Operational impacts of the site come from a number of different sources, including; fixed plant, new and existing attractions and traffic. All sources were assessed at peak times in combination with the existing baseline levels. A minor to moderate increase in ambient noise levels at the new hotel and glamping accommodation (the glamping part of the development will be subject to a separate application) is predicted due to increased activity on the site. The sensitivity of this receptor is considered to be low since their use is inherently related to the use of the development and noise from the proposed attractions (of which the ski slope and alpine coaster are the dominant sources) is likely to be viewed in a positive manner by the occupants. The effects at on site receptors are not significant.

- 8.8 No significant noise and vibration effects are predicted as a result of the development. Furthermore, the Council's Environmental Health Manager does not object to the proposed development and identifies specific conditions to be attached to any grant of planning permission that could mitigate any impacts further.

Flood Risk and Water Quality

- 8.9 The main water feature in the study area is Lothian Burn, a minor watercourse which runs along the northern border of the site and broadly parallel to the existing access road.
- 8.10 The proposed development includes improvements to the existing access road and as such the related construction activities have the potential to impact on the water course. However, mitigation measures have been agreed with SEPA who are the regulatory authority responsible for the integrity of the water course. The construction of the development will increase the area of impermeable surfaces associated with the site and this is likely to increase the volume and rate of surface water runoff entering the Lothian Burn or existing drainage system. This can impact on the flood risk and water quality - in response, the EIAR considered both the baseline and the future effects of the development and concluded:
- a. the magnitude of impact on fluvial flood risk from the development is predicted to be negligible; and
 - b. the detailed design of the drainage systems will address the small increase in surface water runoff to the Lothian Burn and access road and address any water quality issues. The detailed drainage system will also seek to improve the existing situation where possible.
- 8.11 In response to the flood risk, SEPA advise that conditions should be attached to any grant of planning permission to mitigate waste water/runoff water and any associated impacts on Groundwater Dependent Terrestrial Ecosystems. Finished floor levels of any buildings should be set above adjacent ground levels to prevent pooling of surface water causing problems to the buildings.

Air Quality

- 8.12 The air quality assessment considers the impact of the development on nitrogen dioxide (NO₂) and particulate matter measuring ten micrometres (PM₁₀) concentrations in and around the area surrounding the site. The assessment primarily considers the impact of construction activities i.e. dust assessment, and the impact from traffic at both construction and operational phases of the development. Traffic data is provided as part of the Transport Assessment undertaken in parallel with the EIAR.
- 8.13 An assessment of the potential effect of dust emissions caused by construction and emissions associated with construction vehicles and plant has been undertaken. It concluded the effects would be

insignificant compared to the existing baseline. No additional mitigation measures, other than those associated with standard construction best practicable are required. The Council's Environmental Health Manager recommends that conditions be attached to any grant of planning permission requiring further assessment in relation to air quality and the agreement of a dust management plan.

Biodiversity

- 8.14 There are valuable habitats and species of nature conservation importance which could be impacted by the proposed scheme. While there are no statutory designated sites within 2km of the site, there are five non-statutory sites, including ancient woodland. Different ecological surveys including an extended phase 1 habitat survey in April 2019 identified the receptors for inclusion in the EIAR.
- 8.15 Construction and operational phases of the development were assessed and potential impacts identified. These were:
- loss or damage to natural habitats, including woodland areas;
 - risk of killing, injury and disturbance of protected species during construction works from plant and machinery; and
 - disturbance of the breeding success of protected and notable species.
- 8.16 Mitigation measures including requirements to undertake habitat surveys and protected species surveys by suitably qualified and professional persons prior to development commencing - this will result in appropriate mitigation recommendations in relation to both habitats and protected species. These works can be secured by conditions on a grant of planning permission.

Socio-economic

- 8.17 A socio-economic assessment was undertaken which considered impacts (both positive and negative) of the development on employment and the local economy. No significant negative effects as a result of the development were identified. However, there were positive impacts that would change in magnitude depending on the final design and implementation of the component parts of the proposal. The first positive impact relates to the income generation that result from increased capital investment. This will allow the Council to reinvest in a wide range of services elsewhere in order to continue to support the residents of Midlothian. The effect of this impact could be enhanced by using the funding to target initiatives supporting the most vulnerable members in the community.
- 8.18 The second positive impact relates to a change in the type of visitor to the development - the inclusion of accommodation in the development will change the type of visitor attracted to the site and open a new market of opportunities. Overnight visitors have a larger employment and local economy impact than day visitors and typically come from

further away. Employment and local economy effects can be enhanced by employing local labour and providing training and work placement for local residents.

- 8.19 The third positive socio-economic impact relates to the increase in the number of visitors to the development. The inclusion of new attractions such as the zipline should increase the number of visitors to the development. Visitor numbers will be enhanced through effective marketing campaigns aimed at identified target customers.
- 8.20 The final positive socio-economic impact relates to construction. Substantial effects from construction will only be achieved through a procurement strategy which maximises the likelihood of using local labour and providing apprenticeship and training opportunities. This includes using clauses in the contractual arrangements (within the Council procurement rules) and advertising locally.

Landscape and Visual

- 8.21 A Landscape and Visual Impact Assessment was undertaken to assess the developments impact on the sites landscape features, its surroundings and views into the site. Much of the southern and western part of the study area were scoped out of the assessment due to the location of the works and activities on the north facing hillside – the southern and western parts of the site therefore not being significantly affected by the development.
- 8.22 The ski slopes are highly visible from the north given their location on the higher parts of the slope and due to the pale surface material, which contrasts against the darker hillside. From most vantage points the ski slopes are considered established parts of the existing view. Despite the wide visibility of the existing ski slope it is noteworthy that the existing buildings and car parking areas on the site are only visible from one viewpoint located on the high ground to the south on the site boundary.
- 8.23 The new development can be sensitively locating and sensitively designed using appropriate external materials on the buildings, structures and hard surfaces so as to fit into the landscape and to be read as part of the leisure use of the hillside.
- 8.24 It is important that a tree survey is undertaken as part of the detailed design of the development and that conditions are used to secure the provision and maintenance of the landscaping. The tree survey should inform the design and layout of the development in order to protect and retain trees wherever possible. The tree survey should cover trees on the site and on its immediate site boundaries, including small trees in hedgerows. It should be accompanied by a tree schedule setting out the condition of the trees, recommended works and a tree retention, protection and removal plan. This must be used to inform the layout of the development, identifying root protection areas and construction

exclusion zones for all trees (including those in adjacent ownership where these have root protection areas within the site boundary). Landscape proposals will be required to distinguish between existing vegetation and trees to be retained or removed and new planting proposals. This should consider both the development footprint and any likely needs for construction access or visibility splays or utilities connections. The impact of the proposals on trees on site and adjacent can then be used to establish the likely landscape impact of the tree removals and can also be used to inform the ongoing design process.

Traffic and Transport

- 8.25 The EIA assessment is split into two topics:
- Traffic and Transport – conclusions drawn from the supporting Transport Assessment (TA) and focusses primarily on motorised users; and
 - Non-Motorised Users (NMUs) – considers the developments implications for NMUs.
- 8.26 The potential effects of increased road traffic expected during the construction and operation of the development have been identified. The EIA assesses the potential effects against recognised guidelines and appropriate mitigation measures have been proposed. The data used in the assessment is based principally on that contained within the applications supporting Transport Assessment which concluded there will be no significant effects on traffic. Furthermore, the development does not directly infringe on the core path network – a number of path improvements have been identified as part of the development, including; increased accessibility, interactive trail and off-road trail.
- 8.27 The modified access/junction layout will incorporate traffic signals which Transport Scotland have made detailed comments on and are supportive of subject to seeing the details at the matters specified in conditions stage. Transport Scotland have also suggested a number of conditions, including one to phase the development to help manage the volume of construction traffic on site at any one time.

Cultural Heritage

- 8.28 The EIA considers the effects of the development on the historic environment and seeks to:
- Describe the location, nature and extent of any known heritage assets or areas of archaeological potential which may be affected by the development;
 - Provide an assessment of the importance of these assets;
 - Assess the likely scale of any impacts on the historic environment posed by the development;
 - Outline suitable mitigation measures to avoid, reduce or offset significant adverse effects; and
 - Provide an assessment of any residual effects remaining after mitigation.

- 8.29 There is only one historic asset within the site – Caerketton Hill Fort. In response, a buffer zone around it is to be established throughout the construction process.
- 8.30 The steep slopes of the site are considered to be of negligible archaeological potential, meaning that it is possible, though highly unlikely, for direct impacts upon archaeological deposits that may survive as buried remains within the development footprint. However, a programme of archaeological works, evaluation and monitoring will need to be agreed with Midlothian Council's archaeological advisors. There are no significant effects on cultural heritage anticipated for both the construction and operational phases of the development.

Cumulative Effects

- 8.31 The EIAR considers the effects of the development on the environment from cumulative impacts. Cumulative effects result from multiple actions on receptors over time, potentially adding to the significance of individual effects. They can also be considered as effects resulting from progressive changes caused by other past, present or reasonably foreseeable actions from other local developments, together with the development. However, no significant combined or cumulative effects were identified as part of this assessment and therefore no additional mitigation is recommended.
- 8.32 Conditions relating to mitigation measures are not considered necessary in relation to cumulative impacts because no significant cumulative impacts are identified. The mitigation measures identified in relation to each individual impact of the development have been identified separately. One such mitigation measure is the requirement for a Construction Environment Management Plan to manage the construction process to mitigate its impact. It should also be noted that the design and layout, including the location of various elements of the proposal must take into account the development parameters and the mitigation measures in order that the design of the proposed development is acceptable.
- 8.33 MLDP Policy VIS3: Midlothian Snowsports Centre states that proposals to upgrade and enhance the centre and associated facilities will be permitted in order to secure its future as a centre of excellence for artificial skiing and snowboarding, on the proviso that any significant adverse environmental impacts can be appropriately mitigated. The EIAR concludes that subject to appropriate mitigation measures, being secured by condition, planning permission in principle can be granted and that development can proceed to the detailed design stage.

Other Matters

- 8.34 The MLDP identifies the importance of the MSC and that complimentary and ancillary proposals might include accommodation

and related retail and restaurant facilities. It is further noted that such proposals must respect the sensitivity of the landscape setting and any environmental assets of the Country Park and the wider Pentland Hills. It is noted that a balance must be struck between maximising the potential of the site and its opportunities and controlling the number of visitors to levels compatible with the local environment.

- 8.35 MLDP Policy VIS2 Tourist Accommodation supports hotel accommodation at 'Key Gateway Locations' with ease of access to the A720 City Bypass where there are no alternative locations within the built-up area and which do not undermine the objectives of the green belt by detracting from the landscape setting of Edinburgh or neighbouring towns, or lead to coalescence. In this case, and subject to good design, location and appropriate scale and massing of the hotel accommodation, hotel accommodation is considered to be acceptable in principle.
- 8.36 The transportation and access issues related to this site are complex because of its relationship with the A702 and because of the other potential and approved developments in close proximity. Of particular relevance in relation to this site is the neighbouring Calderstones development. There is a willingness for a joint access to be secured to the two sites and the conditions encourage the provision of a single access to the two developments. The development to the north, the trailbike proposal may also be able to connect to the new access point subject to the agreement of the Council (whose land the access may cross) and depending on where the single access is provided.
- 8.37 In relation to the representations, the issues raised are addressed above or will be considerations for the detailed, or matters specified in conditions, stage of the development process.

9 RECOMMENDATION

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

The proposed development accords with the Midlothian Local Development Plan 2017, in particular policy VIS3 which gives the policy framework to support the redevelopment and enhancement of the Midlothian Snowsports Centre. The proposed development does not have significant adverse environmental impacts, subject to conditions to secure the mitigation measures identified in the Environmental Impact Assessment Report. Furthermore, the proposed development will secure a number of economic benefits for the area and will help to secure the future of the Midlothian Snowsports Centre as a centre of excellence for artificial skiing and snowboarding.

subject to the following conditions:

1. Notwithstanding that delineated on application drawings/stated in documents submitted with the application the glamping pods have now been removed from this application and no consent is hereby granted for the glamping pods proposed within the site.

Reason: *The glamping pods and the associated light from the pods and related facilities (such as pathways) are not yet designed in sufficient detail to enable appropriate assessment of the impact of the lighting.*

2. In addition to the conditions attached to this consent, all of the matters identified in Table 14.2 within Chapter 14 Schedule of Mitigation of the EIAR shall be complied with and addressed in the detailed design of the development. All application(s) for Matters Specified in Conditions required will refer to this table and show compliance with the contents, it shall show compliance with the parameters set out in the EIAR, as well as in relation to the conditions attached to the consent.

Reason: *To ensure that all of the mitigation measures identified in the EIAR are addressed in the detailed design of the proposed development and that the development is well designed and that it fits within the parameters identified in the EIAR.*

3. Development shall not begin until an application for approval of matters specified in conditions regarding the phasing of the development has been submitted to and approved in writing by the planning authority. The phasing schedule shall include the construction of the hotel, leisure facilities, retail provision, the provision of landscaping, SUDS provision and transportation infrastructure (including roads, footpaths, cycle trails and car and coach and bus parking). Development shall thereafter be carried out in accordance with the approved phasing unless agreed in writing with the planning authority.

Reason: *To ensure the development is implemented in a manner which mitigates the impact of the development process on existing land users and the future occupants of the development and in the interest of safeguarding the character and amenity of the area.*

4. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include where relevant to the particular phase of development:
 - i existing and finished ground levels and floor levels for all buildings and roads in relation to a fixed datum. It should be

noted that SEPA recommend building floor levels are set above surrounding ground levels in order that pooled water does not cause building problems;

- 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 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 and subsequent maintenance of all soft and hard landscaping;
- vii drainage details and sustainable urban drainage systems to manage water runoff;
- viii proposed car park configuration and surfacing;
- ix proposed footpaths and enhanced safety on the access road for cyclists as well as off road cycle trails; and,
- x proposed cycle parking facilities.

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 the Midlothian Local Plan and national planning guidance and advice.*

5. With the exception of the works to the access road and main trunk road junction, Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for the siting, design and external appearance of all buildings and other structures has been submitted to and approved in writing by the planning authority. The application shall include samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures. No building shall have an under-building that exceeds 0.5 metres in height above ground level. 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*

the Midlothian Local Plan and national planning guidance and advice.

6. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for 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, footways and cycle ways in relation to a fixed datum;
 - ii the proposed vehicular, cycle and pedestrian accesses into the site;
 - iii the proposed roads (including turning facilities), footpaths and cycle ways including suitable walking and cycling routes linking the development with the local public transportation network;
 - iv proposed visibility splays, traffic calming measures, lighting and signage;
 - v proposed construction traffic access and haulage routes;
 - vi proposed car parking arrangements, including the provision of electric vehicle parking areas and details of the means of car charging; and
 - vii 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.*

7. The development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
 - i the nature, extent and types of contamination and/or previous mineral workings on the site;
 - ii measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
 - iii measures to deal with contamination and/or previous mineral workings encountered during construction work; and

- iv the condition of the site on completion of the specified decontamination measures.
8. On completion of the decontamination/ remediation works referred to in Condition 7 above and prior to any part of the development being occupied, a validation report or reports shall be submitted to the Planning Authority confirming that the works have been carried out in accordance with the approved scheme. No part of the development shall be occupied unless or until the Planning Authority have approved the required validation.

Reason for condition 7 and 8: *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.*

9. Development shall not begin until an application for approval of matters specified in conditions for proposed lighting within the site including of the car parking areas, service areas, roads and footpaths have been submitted to and approved in writing by the planning authority in consultation with Transport Scotland, as Trunk Roads Authority. The scheme shall be designed to minimise the spread of light in the night sky. Development shall therefore be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *To reduce light pollution to the night sky and to ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished. It is noted that an initial lighting assessment has been completed which has indicated that the proposed development will not cause significant adverse impacts. However it is proposed by the applicant that a detailed assessment will be completed at the next stage(s) of the process and this will be submitted to and approved by the Planning Authority.*

10. Development shall not commence on the site until an application for matters specified in condition has been submitted to and approved by the Planning Authority in consultation with Transport Scotland (as Trunk Roads Authority), for:
- i. The access onto the A702, as generally illustrated on SWECO drawing no 65200975/SK009 Rev A and incorporating the recommendations made in the Road Safety Audit, to a layout compliant with DMRB CD 123, or other means of access, to a layout standard compliant with DMRB, as may be approved under separate planning approval that can also be demonstrated to accommodate the level of development under consideration;

- ii. The proposed means of access shall include details of a footway to be provided across any part of the existing access that will not form part of the proposed access, as appropriate in terms of Condition 11i;
- iii. Any new footway provision shall be constructed to adoptable standard; and
- iv. The means of relocating/revising the layout of the bus turning area, together with a method and operational statement to be approved by the bus operators. This is to ensure that vehicles entering or exiting the access can undertake the manoeuvre safely and with minimum interference to the safety and free flow of traffic on the trunk road.

Reason: *To minimise interference with the safety and free flow of the traffic on the trunk road.*

11. No part of the development shall begin ~~demolition or construction~~ unless or until:
- i. The new access has been provided in accordance with the approved matters specified in conditions, or separate planning permission, as detailed in Condition 10 and is available for use by Calderstones and Midlothian Snowsports Centre;
 - ii. All new footways have been provided in accordance with the matters approved in terms of Condition 10iii;
 - iii. The bus turning area has been appropriately relocated/revised as appropriate in terms of Condition 10iv; and
 - iv. A Construction Management Plan has been submitted to and approved by the Planning Authority in consultation with Transport Scotland which allows works to the private access road and car parking to commence at the same time as the new access approved in terms of condition 10i is under construction.

Reason: *To minimise interference with the safety and free flow of the traffic on the trunk road.*

12. Prior to the commencement of the first phase of development (and any subsequent phase of development if there has been a change in design which impacts on vehicle numbers), additional traffic modelling shall be undertaken. The updated modelling assessment will include the final design of the site access and the proposed signalised junction to serve the Lothianburn Hotel development to the north. This assessment shall be submitted to and agreed in writing with the Planning Authority after consultation with the Roads Authority, Transport Scotland. This modelling will allow a better understanding of the impact each junction has on the other.

Reason: *To minimise interference with the safety and free flow of the traffic on the trunk road.*

13. Prior to the commencement of any phase of development, a Public Transport Strategy shall be submitted to and agreed in writing with the Planning Authority in consultation with the Roads Authority, Transport Scotland, that considers the various public transport improvements cited in the Transport Assessment. Thereafter the approved Public Transport Strategy shall be implemented at the site.

Reason: *To ensure that the development is adequately served by public transport services; and to minimise any interference with the safety and free flow of traffic on the trunk road network.*

14. Prior to the occupation of any part of the development, a comprehensive Travel Plan that sets out proposals for reducing dependency on the private car has been submitted and approved in writing by the planning authority, in consultation with Transport Scotland, as the Trunk Roads Authority. The Travel Plan shall identify the measures to be implemented, the system of management, monitoring, review, reporting and the duration of the plan. Once approved the Travel Plan shall be implemented at the site.

Reason: *To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.*

15. Prior to the commencement of any development on the site, details of the parking strategy within the site shall be submitted for the approval of the Planning Authority, in consultation with Transport Scotland, as the Trunk Roads Authority. Thereafter the approved parking strategy shall be implemented at the site.

Reason: *To be consistent with the requirements of Scottish Planning Policy (SPP) and PAN 75 Planning for Transport.*

16. There shall be no drainage connections to the trunk road drainage system.

Reason: *To ensure that the efficiency of the existing drainage network is not affected.*

17. The proposed development shall be limited to the scale assessed within the Transport Assessment.

Reason: *To restrict the scale of the development to that assessed in relation to the Transport Assessment.*

18. Prior to the commencement of any development on the site, a Construction Traffic Management Plan for each phase of the development and addressing the relevant construction of the

phase, shall be submitted for approval of the Planning Authority in consultation with the Trunk Road Authority, Transport Scotland.

Reason: *To minimise interference with the safety and free flow of the traffic on the trunk road; to ensure the safety of pedestrians and cyclists using the trunk road and adjacent facilities; and to be consistent with current guidance and best practice.*

19. The design and layout shown on the Location Plan illustrating Proposed Development is not approved as the development shown is illustrative only and is yet to be finalised and will be the subject of further submission and assessment.

Reason: The application is for planning permission in principle and the details delineated within the illustrative site layout plan prospective images are for illustrative purposes only.

20. The proposed retail use on the site shall remain ancillary to the overall use of the site as a leisure destination and Snowsports Centre. The retail use shall be limited to a maximum of 1000m² GIFA.

Reason: General retail use on this site would not comply with MLDP policy, retail use which remains ancillary to the main use of the site as a leisure destination and Snowsports Centre and of appropriate floor space is considered acceptable.

21. Development shall not begin until an application for approval of matters specified in conditions for a programme of archaeological works (Evaluation) focussing on those areas unaffected by woodland and existing buildings, has been submitted to and approved in writing in by the planning authority. The location of the areas to be investigated will be subject to agreement in advance with the planning authority and the archaeology officer. The approved programme of works shall be carried out by a professional archaeologist prior to any construction works, demolition or pre commencement ground works take place unless otherwise agreed in writing by the planning authority.

Reason: *To ensure this development does not result in the unnecessary loss of buried archaeological material in accordance with Policy RP28 of the adopted Midlothian Local Plan.*

22. With regard to construction site operations the following noise levels shall be met - 75 dB LAeq(12hr) (façade), with the best practicable means (BPM) at all times in accordance with BS5228 guidance.

The hours of operation during the construction period shall be restricted to:

Mon – Fri 08:00 – 19:00 hrs
Saturday 08:00 – 13:00 hrs

23. All fixed plant / machinery noise shall comply with the following:-

Night time (22:00 – 07:00 hrs) NR25 (internal, open window)
Day time (07:00 - 22:00 hrs) - NR30 (internal, open window)

24. For commercial / industrial / leisure noise affecting residential use (existing or proposed) when rated in accordance with BS 4142: 2014, shall be less than +5dB above an agreed representative LA90.

25. In relation to all environmental, commercial, leisure sources, the combined noise level shall comply with the Night Noise Guidelines for Europe 2009 - 42 dB LAmax (fast) (internal) for the avoidance of sleep disturbance; 40 dB(A) Lnight (external) as defined by the Environmental Noise Directive, to protect from the long term adverse effects of night noise.

The Midlothian Council design standards in relation to anonymous noise sources for residential uses are as follows:

- 55 dB LAeq(1hr) for daytime external garden amenity
- 35 dB LAeq(1hr) for daytime internal living apartment
- 30 dB LAeq(15min) for night time internal living apartment (excluding fixed plant controlled by NR25 or NR20 if tonal).

Reasons for conditions 22 to 25: To ensure noise for the site during the construction and operational period do not significantly adversely impact on the nearby sensitive receptors.

26. In relation to dust generation, the Air Quality Assessment states that with no mitigation during the construction phase, the significance of dust soiling and PM10 is, at worst, medium adverse. To minimise impact on sensitive receptors it is recommended that a dust management plan is submitted to and approved in writing by the Planning Authority and thereafter the approved dust management plan is implemented in full during the construction period.

Reason for condition: *Further assessment in relation to Air Quality and dust generation during the construction period in order to satisfactorily mitigate the potential impact of the development.*

27. There shall be no external storage of materials, packaging or other items out with storage or other buildings, unless approved by the planning authority along with appropriate screening.

Reason: Given the prominence of the site and the provision of storage buildings on the site the need for further stage on the site

should be minimised and provided only where absolutely necessary and where appropriate screening is provided.

28. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for a Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the planning authority. The CEMP shall include:
- i. signage for the construction traffic, pedestrians and other users of the site;
 - ii. controls on the arrival and departure times for the construction vehicles and for site workers;
 - iii. details of piling methods (if employed);
 - iv. details of earthworks;
 - v. control of emissions strategy;
 - vi. a dust management plan strategy;
 - vii. waste management and disposal of material strategy;
 - viii. a community liaison representative will be identified to deal with the provision of information on the development to the local community and to deal with any complaints regarding construction on the site;
 - ix. prevention of mud/debris being deposited on the public highway; and,
 - x. material and hazardous material storage and removal.

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: *In order to control the construction activity on the site, ensure environmental impact during the construction period is acceptable and to ensure appropriate mitigation is in place. The applicant has submitted an outline CEMP in support of the application at Chapter 14 of the EIAR.*

29. Permitted development under Class 40, section (1) (e) of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 as amended, replaced or superseded by any subsequent regulation is expressly excluded within the site and no electricity substation shall be erected within the site unless details of its position and appearance have been submitted to and approved in writing by the planning authority.

Reason: *To ensure that any substation is unobtrusive and not unduly close to any occupied building.*

30. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for the provision and use

of electric vehicle charging stations 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 TRAN5 of the Midlothian Local Development Plan 2017.*

33. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions for a scheme of sustainability/biodiversity for the site, including the provision of bricks and boxes for bats and swifts, and biodiversity friendly landscaping 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 Midlothian Local Development Plan 2017.*

34. Development shall not begin on an individual phase of development (identified in compliance with condition 3) until an application for approval of matters specified in conditions setting out details, including a timetable of implementation, of high speed fibre broadband has 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 commercial building. The delivery of high speed fibre broadband shall be implemented as per the approved details.

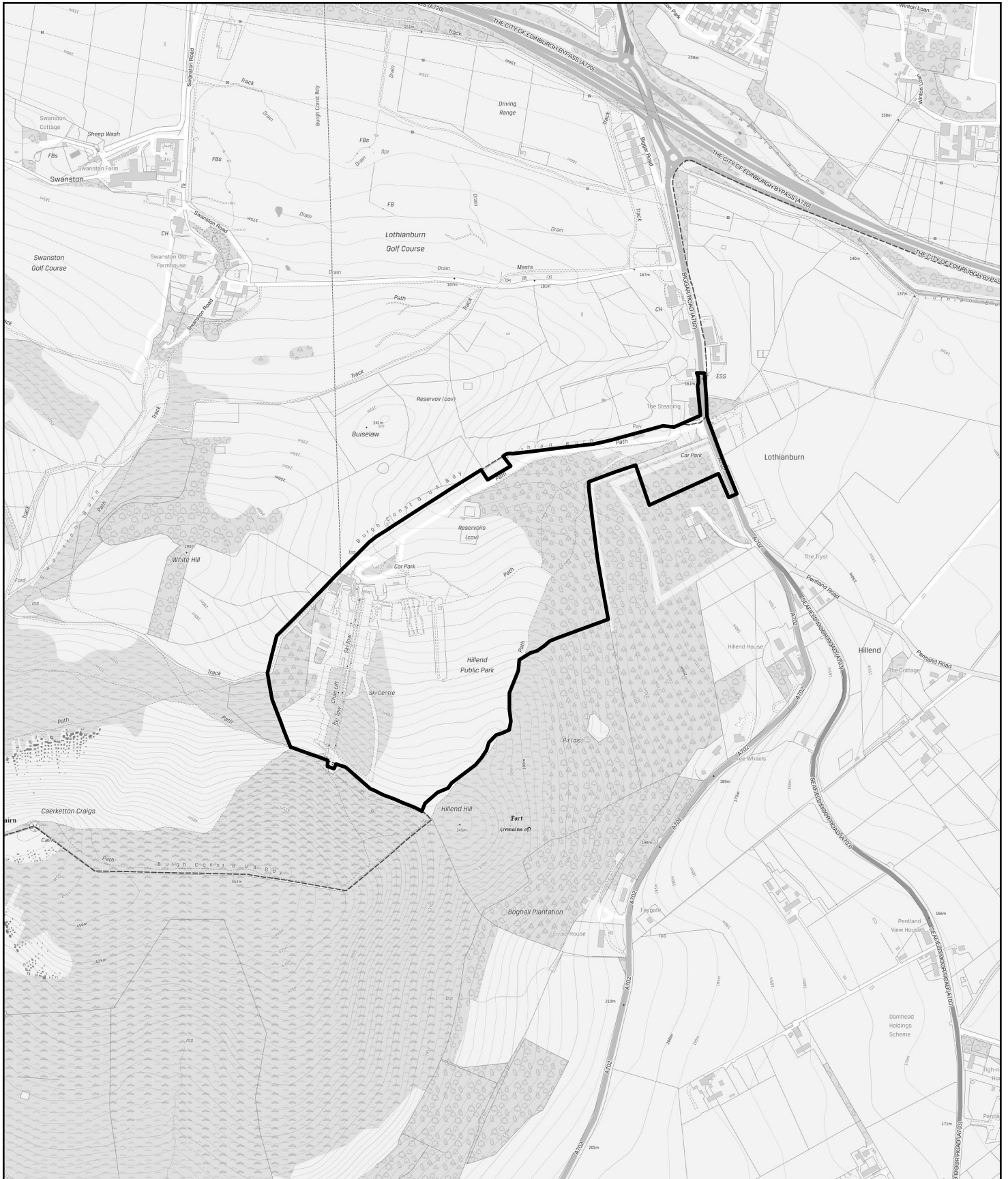
Reason: *To ensure the quality of the development is enhanced by the provision of appropriate digital infrastructure.*

35. Further survey work and associated mitigation measures in relation to waste water and the potential impact on Groundwater Dependent Terrestrial Ecosystems shall be submitted to and approved in writing by the planning authority in consultation with SEPA.

Reason: *To ensure groundwater dependent terrestrial ecosystems are not significantly adversely impacted by the development.*

Peter Arnsdorf
Planning Manager

Date: 21 December 2020
Application No: 19/01018/PPP (Available online)
Applicant: Midlothian Council
Agent: Montagu Evans LLP
Validation Date: 11 December 2019
Contact Person: Joyce Learmonth
Email: joyce.learmonth@midlothian.gov.uk
Background Papers: 19/01018/PPP, 19/00970/PAC, 19/00417/SCO



Planning Service
Place Directorate
 Midlothian Council
 Fairfield House
 8 Lothian Road
 Dalkeith
 EH22 3AA

Application for planning permission in principle for redevelopment of existing snowsports centre to include additional leisure facilities, tourist accommodation, hotel, function suite, ancillary retail and restaurant, formation of access road and car parking at Midlothian Snow Sports Centre, Biggar Road, Edinburgh, EH10 7DU

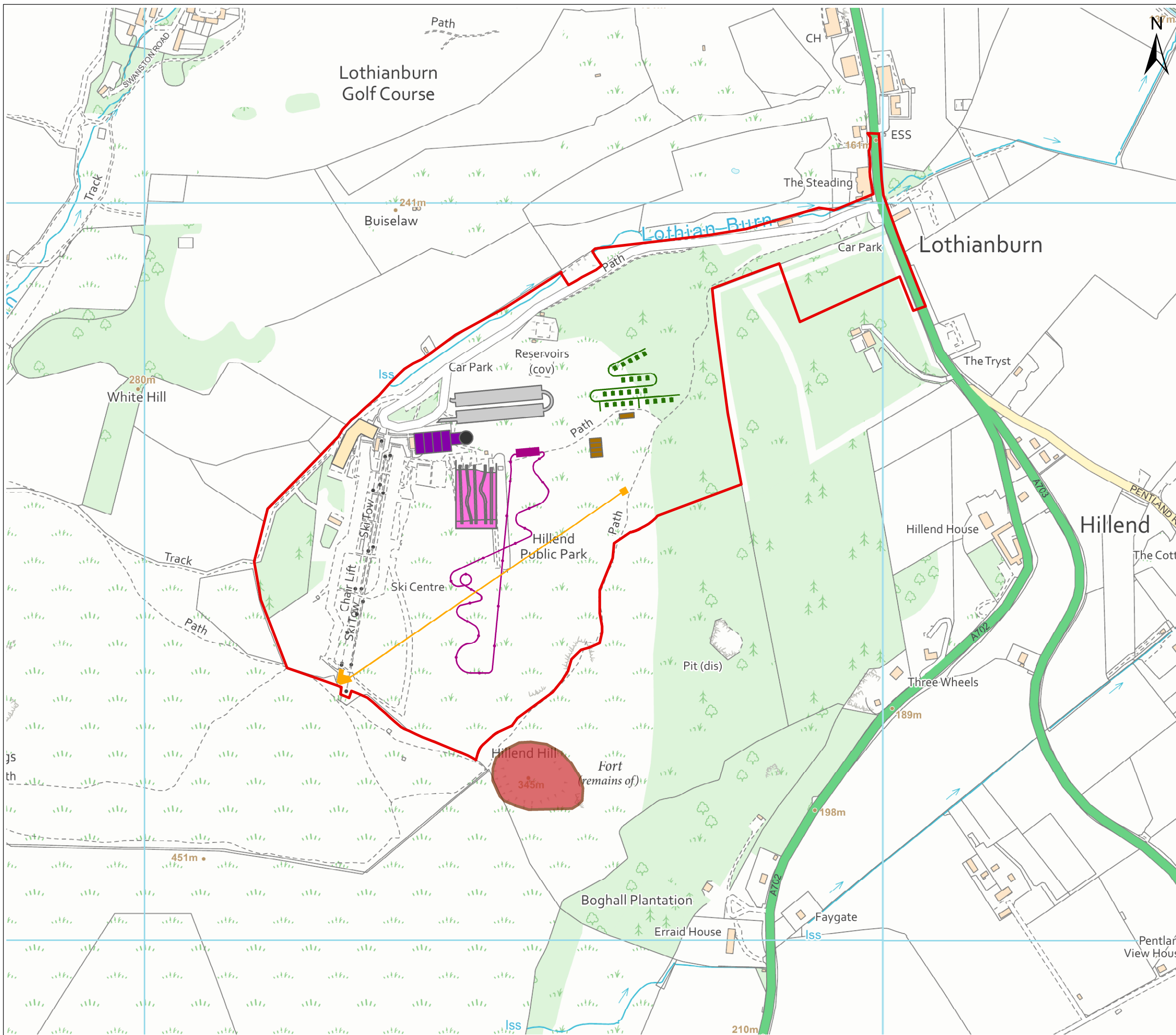
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File No: 19/01018/PPP

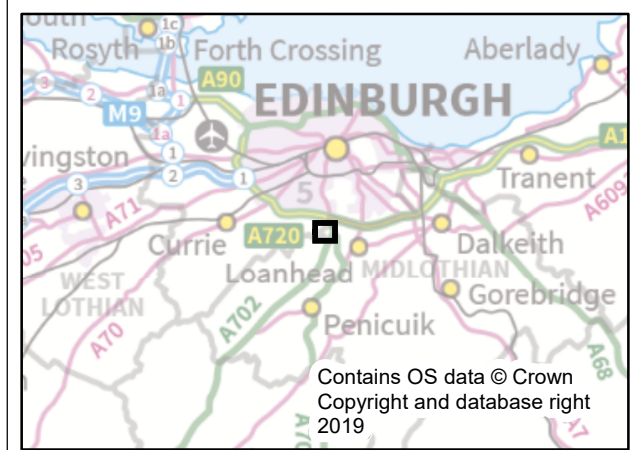
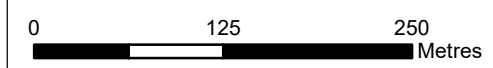
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Scale: 1: 10,000





- Legend**
- Red Line Boundary - 30 ha
 - Car Park
 - Hotel
 - Main Building
 - Storage Buildings
 - Activity Dome
 - Zipline
 - Alpine Coaster
 - Wigwams
 - Tubing
 - Scheduled Monument



P01.1	03/12/2019	For Information	JB	MM
Rev.	Rev. Date	Drawing Suitability	Drawn	Appr'd

SWECO

Sweco UK Limited, 2nd Floor Quay 2, 139 Fountainbridge, Edinburgh, EH3 9QG
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Client

Midlothian

Project

Destination Hillend

Drawing Title

Location Plan illustrating Proposed Development

Scale @ A3	1:5,000
Project No.	121618

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