

MINUTES of MEETING of the MIDLOTHIAN COUNCIL PLANNING COMMITTEE held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday 14 January 2014 at 2.00 pm.

Present:- Councillors Bennett, Bryant, de Vink, Imrie, Johnstone, Milligan, Montgomery, Pottinger, Rosie, Russell and Wallace.

Apologies for Absence: - Councillors Baxter, Beattie, Boyes, Constable, Coventry, Muirhead and Thompson.

1. Chair

In the absence of the Chair, Councillor Thompson, it was agreed, on a motion by Councillor Wallace, seconded by Councillor Johnstone, that in terms of Standing Order 7.3, Councillor Bryant be appointed to Chair the Meeting.

2. Declarations of Interest

No declarations of interest were intimated.

3. Minutes

The Minutes of Meeting of 19 November 2013 were submitted and approved as a correct record, subject to the tabled statement by Councillor de Vink regarding Planning Application (13/00105/DPP) for the Extraction of Coal and Fireclay by Surface Mining Methods and Restoration of Site at Cauldhall Moor, Penicuik being included as a further Appendix to the Minutes.

(Action: Legal and Secretariat Manager)

4. Major Developments: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage

With reference to paragraph 4 of the Minutes of 19 November 2013, there was submitted report, dated 7 January 2014 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.

The Committee, heard from the Development Management Manager who, in responding to Members' questions, clarified the location of the sites which were the subject of pre-application consultations for proposed residential developments on land adjacent to Rullion Road, Penicuik and land between Deanburn and Mauricewood Road, Penicuik.

Decision

- (a) To note the current position in relation to major planning application proposals which were likely to be considered by the Committee in 2014; and

- (b) To agree to receive further updated information on the procedural progress of major applications on a regular basis.

(Action: Head of Communities and Economy)

5. Appeal and Local Review Body Decisions

There was submitted report, dated 7 January 2014, by the Head of Communities and Economy, detailing the notices of reviews determined by the Local Review Body (LRB) and advising that there were no appeals determined by Scottish Ministers to report.

Decision

To note the decisions made by the Local Review Body at its meeting on 26 November 2013.

6. Applications for Planning Permission

Applications for planning permission were dealt with as shown in the **Appendix** hereto.

The meeting terminated at 2.25 pm.

APPENDIX

(relative to paragraph 6)

Application for Planning Permission (13/00847/DPP) by Mr S Martin for the Change of Use from Vacant Land to Display and Sale of Motor Vehicles for a Temporary Period of 5 Years at Land 25 meters South of 5 Newbattle Road, Newtongrange.

There was submitted report, dated 7 January 2014, by the Head of Communities and Economy concerning the above application.

The Committee, having heard from the Development Management Manager who responded to Members' questions, discussed the proposed development in particular, consideration was given to the potential future development of the wider site of which the current application site formed part of and also issues concerning vehicular access.

Thereafter, Councillor Pottinger, seconded by Councillor Imrie, moved that planning permission be granted subject to appropriate conditions, which should include limiting the number of vehicles displayed for sale to a maximum of 25. Additionally, whilst issues concerning vehicular access to the site were acknowledged it was felt that these should be picked up as part of consideration of any potential application for the future development of the wider site.

As an amendment, Councillor Johnstone, seconded by Councillor Wallace, moved that consideration of the application be continued in order that an alternative access to the site could be agreed with the applicant.

On a vote being taken, four Members voted for the amendment and six for the motion which accordingly became the decision of the meeting.

The Committee thereby agreed that planning permission be granted for the following reason:-

The proposed development in terms of its use, scale and means of access is considered acceptable on a temporary basis and as such complies with Midlothian Local Plan policy RP20. The presumption for development within the settlement boundary of Newtongrange is not outweighed by any other material consideration.

subject to the following conditions:

1. Permission is hereby granted for a period of 5 years from the date of this consent. The use of the site for the display and sale of motor vehicles shall cease at the end of that period and all vehicles, equipment and materials parked, sited or stored on the site in connection with the use shall be removed from the site by 16 January 2019.

Reason: *The use of the land for display and sale of motor vehicles is granted for a temporary period only.*

2. A maximum of 25 cars shall be displayed for sale at the site at any one time.
3. All vehicles located within the site shall be set back 5 metres from the heel of the pedestrian footpath at Newbattle Road, Newtongrange.

Reason for conditions 2 and 3: *To protect the visual amenity of the area and to mitigate any impact on highway safety.*

(Action: Head of Communities and Economy)