



**PRE - APPLICATION REPORT REGARDING A PROPOSED MIXED USE
DEVELOPMENT AT LAND ADJACENT PENTLAND ROAD, LOANHEAD
(14/00729/PAC)**

Report by Head of Communities and Economy

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of a pre application consultation submitted regarding a proposed mixed use development at land adjacent Pentland Road, Loanhead (14/00729/PAC).
- 1.2 The pre application consultation is reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlines the proposal, identifies the key development plan policies and material considerations and states a provisional without prejudice planning view regarding the principle of development.

2 BACKGROUND

- 2.1 Guidance on the role of Councillors in the pre-application process, published by the Commissioner for Ethical Standards in Public Life in Scotland, was reported to the Committee at its meeting of 27 May 2014 and subsequent procedures were reported to the Committee at its meeting of 7 October 2014. The guidance clarifies the position with regard to Councillors stating a provisional view on proposals at pre-application stage.
- 2.2 A pre application consultation for a mixed-use development comprising; film and TV studio and backlot (an outdoor area where large exterior sets are made and some outside scenes are filmed) complex; mixed commercial uses; hotel; and gas heat and power plant at land at Old Pentland, Loanhead was submitted 7th October 2014.
- 2.3 As part of the pre application consultation process the applicants are to hold a public event/drop in session at ASDA, Straiton in the week beginning 12 January 2015 (2pm – 7pm). On the conclusion of the public event the applicant could submit a planning application for the proposal. It is anticipated that a planning application in principle would be submitted. It is reasonable for an Elected Member to attend such a public event without a Council planning officer present, but the Member

should (in accordance with the Commissioner's guidance) not offer views, as the forum for doing so will be at this meeting of the Planning Committee.

- 2.4 Copies of the pre application notices have been sent by the applicant to the Loanhead Community Council, the Roslin and Bilston Community Council and the Damhead and District Community Council.

3 PLANNING CONSIDERATIONS

- 3.1 The proposed development is situated on land either side of Pentland Road, Old Pentland, Loanhead. The land to the south of Pentland Road comprises approximately 23 hectares and plans submitted by the applicant indicatively allocate this land for a proposed film/TV studio and associated backlot and other economic land uses including a data centre, campus and energy centre. The land to the north of Pentland Road comprises approximately 13 hectares and plans submitted by the applicant indicatively allocate this land for a backlot associated with the film/TV studio, a hotel and other economic land uses.
- 3.2 The indicative plans submitted as part of the pre application consultation included an indicative route for the realigned A701, although it lies outwith the 'corridor' on which the Council consulted through the Main Issues Report of the Midlothian Local Development Plan. If a route for the A701 realignment within that 'corridor' were selected it would directly affect part of the application site.
- 3.3 In assessing any subsequent planning application the main planning issue to be considered in determining the application is whether the currently proposed development complies with development plan policies unless material planning considerations indicate otherwise.
- 3.4 The adopted 2008 Midlothian Local Plan (MLP) identifies the site as being in the countryside and green belt and any subsequent planning application will be subject to assessment against policies RP1: Protection of the Countryside and RP2: Protection of the Green Belt. A provisional assessment against these policies does not support the scheme on the basis that the proposed development is not necessary for agriculture or for any other rural business.
- 3.5 However, there are significant material considerations to consider. These are as follows:
 - a. At its meeting of 16 December 2014 the Council approved the Midlothian Local Development Plan Proposed Plan. Although the proposed plan is subject to publication and consultation in the Spring of 2015 and Local Plan Examination in the Autumn of 2015, the development strategy in the plan would be a material consideration which can be given significant weight. The proposed plan identifies the land to the north of Pentland Road as an area of potential retail and commercial leisure use. Although the proposed development falls outwith this stated land uses it does enable the

Council to consider development to the north of Pentland Road if the applicant can make a planning and economic case for the proposed development;

- b. It is anticipated that the proposal would result in economic benefits in terms of inward investment and job creation. These benefits are material considerations. However the weight given to this consideration is dependent on the applicant submitting details of the economic benefits; and
- c. The details of the proposal. The 'unique' nature of the proposed film/TV studio is a material consideration and the applicant could put forward a case that the film/TV studio is a 'one off' development which cannot be allocated through the conventional development plan process.

4. PROCEDURES

- 4.1 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures provides for Councillors to express a 'without prejudice' view and to identify material considerations with regard to a major application.
- 4.2 The Committee is invited to express a 'without prejudice' view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.
- 4.3 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures advises that Councillors are expected to approach their decision-making with an open mind in that they must have regard to all material considerations and be prepared to change their views which they are minded towards if persuaded that they should.

5 RECOMMENDATION

- 5.1 It is recommended that the Committee notes:
 - a) the provisional planning position set out in this report; and
 - b) that any comments made by Members will form part of the minute of the Committee meeting; and
 - c) that the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.

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