



PRE - APPLICATION REPORT REGARDING THE ERECTION OF HIGH SCHOOL, ASN FACILITY AND COMMUNITY FACILITIES, SWIMMING POOL, VETERINARY CLINIC AND ASSOCIATED WORKS AT LAND EAST AND WEST OF SEAFIELD MOOR ROAD, BILSTON (24/00076/PAC)

Report by Chief Officer Place

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of the submission of a Proposal of Application Notice (PAN) and corresponding pre application consultation for the erection of a high school, ASN (additional support needs) facility and community facilities, swimming pool, veterinary clinic and associated works at land to the east and west of Seafield Moor Road, Bilston.
- 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 30 August 2022. The guidance clarifies the position with regard to Councillors stating a provisional view on proposals at pre-application stage.
- 2.2 A previous pre application consultation for the erection of a high school, community facilities, veterinary clinic, formation of sports pitches, car parking and associated works at the same site as the current consultation was submitted on 28 July 2022. The consultation was reported to the 30 August 2022 meeting of the planning committee. The public consultation events that were proposed for the previous consultation did not take place.
- 2.3 The current pre application consultation for the erection of high school, ASN facility and community facilities, swimming pool, veterinary clinic and associated works at land to the east and west of Seafield Moor Road, Bilston was submitted on 26 January 2024. The proposal will

provide a replacement for the existing Beeslack High School in Penicuik - the Council is likely to be the applicant for the planning application.

- 2.4 As part of the pre-application consultation process, two public events will be arranged at Beeslack High School. A minimum period of 14 days must occur between the two public events. It is reasonable for an elected member to attend such a public event without a Council planning officer present, but the Member should (in accordance with the Commissioner's guidance reported to the Committee at its meeting in August 2022) not offer views, as the forum for doing so will be at meetings of the Planning Committee.
- 2.5 An applicant must wait 12 weeks from the date of submission of a PAN before submitting a planning application. The earliest date that the planning application for this proposal could be submitted is 20 April 2024. The subsequent planning application must be accompanied by a Pre-Application Consultation Report detailing the consultation undertaken, a summary of written responses and views expressed at the public events, and an explanation of how the applicant took account of the views expressed and an explanation of how members of the public were given feedback on the applicant's consideration of their views.
- 2.6 Copies of the pre application notice have been sent by the applicant's agent to the local elected members in wards 1 (Penicuik) and 4 (Midlothian West) and the Damhead and District, Loanhead and District, Rosewell and District, Roslin and Bilston and Penicuik and District Community Councils.

3 PLANNING CONSIDERATIONS

- 3.1 In assessing any subsequent planning application the main planning issue to be considered in determining the application is whether the currently proposed development complies with development plan policies unless material planning considerations indicate otherwise. The views of consultees and representors will be material considerations in the assessment of an application for the proposed development.
- 3.2 The development plan is comprised of National Planning Framework 4 (2023) and the Midlothian Local Development Plan 2017 (MLDP). Section 24(3) of the Town and Country Planning (Scotland) Act 1997 states that where there is an incompatibility between the provisions of the National Planning Framework and the provisions of a local development plan whichever of them is the later in date is to prevail. At present this means that where there is an incompatibility NPF4 takes precedence, this will change when a new local development plan is adopted.
- 3.3 The site is situated to the west of Bilston on either side of Seafield Moor Road. It comprises two grazing fields and the trees and hedgerows that surround the fields. The western field is immediately adjacent to the Midlothian Innovation Centre and is identified in the Midlothian Local Development Plan 2017 as forming part of the Midlothian Science Zone.

The eastern field is situated at the edge of Bilston; it forms part of the built-up area of Bilston and is part of the allocated housing site h55.

3.4 The relevant policies of the National Planning Framework 4 (NPF4) are:

- Policy 1 Tackling the climate and nature crises
- Policy 2 Climate mitigation and adaptation
- Policy 3 Biodiversity
- Policy 4 Natural Places
- Policy 5 Soils
- Policy 6 Forestry, woodland and trees
- Policy 12 Zero Waste
- Policy 13 Sustainable Transport
- Policy 14 Design, quality and place
- Policy 15 Local living and 20 minute neighbourhoods
- Policy 16 Quality Homes
- Policy 18 Infrastructure first
- Policy 19 Heat and cooling
- Policy 20 Blue and green infrastructure
- Policy 21 Play, recreation and sport
- Policy 22 Flood risk and water management
- Policy 23 Health and Safety
- Policy 27 City, town, local and commercial centres
- Policy 31 Culture and creativity

3.5 The MLDP identifies the western portion of the site as being within the Midlothian Science Zone where there is a presumption in favour of development that supports and expands bioscience research and development; and the eastern portion of the site as being part of an allocated housing site within the built-up area of Bilston where there is a presumption in favour of appropriate development. An application for the proposed development will be assessed against the following MLDP policies:

- STRAT1 – Committed development;
- STRAT3 – Strategic Housing Land Allocations;
- STRAT5 – Strategic Employment Land Allocations;
- DEV1 – Community Identity and Coalescence;
- DEV2 – Protecting Amenity within the Built-Up Area;
- DEV5 – Sustainability in New Development;
- DEV6 – Layout and Design of New Development;
- DEV7 – Landscaping in New Development;
- DEV8 – Open Spaces;
- DEV9 – Open Space Standards;
- ECON2 – The Midlothian Science Zone;
- TRAN1 – Sustainable Travel;
- TRAN2 – Transport Network Interventions;
- TRAN5 – Electric Vehicle Charging;
- IT1 – Digital Infrastructure;
- ENV7 – Landscape Character;

- ENV9 – Flooding;
- ENV10 – Water Environment;
- ENV11 – Woodland, Trees and Hedges;
- ENV15 – Species and Habitat Protection and Enhancement;
- ENV17 – Air Quality;
- ENV18 – Noise;
- ENV22 – Listed Buildings;
- ENV25 – Site Assessment, Evaluation and Recording;
- NRG6 – Community Heating;
- IMP1 – New Development;
- IMP2 – Essential Infrastructure Required to Enable New Development to Take Place;
- IMP3 – Water and Drainage.

- 3.6 The views of consultees and representors will be material considerations in the assessment of an application for the proposed development. The Council's Learning Estate Strategy 2017-2047 will also be a material consideration in the assessment of an application for the proposed development.
- 3.7 There is a presumption in favour of *appropriate development* within the site; the land to the east of Seafield Moor Road is identified for housing and the land to the west of Seafield Moor Road is within the Midlothian Science Zone where there is long term support for bioscience research and development. Although the proposed development does not fall within the stated development categories (housing and bioscience) the sites are within the built-up area and there is the potential to set out material considerations which support the proposed development on the site – these would include the provision of much needed education and community facilities which would benefit from their strategic location in close proximity to the Midlothian Science Zone and their central location to serve the dispersed communities of Bilston, Roslin, Loanhead and Auchendinny.

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 be 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 that they are minded towards if persuaded that they should.

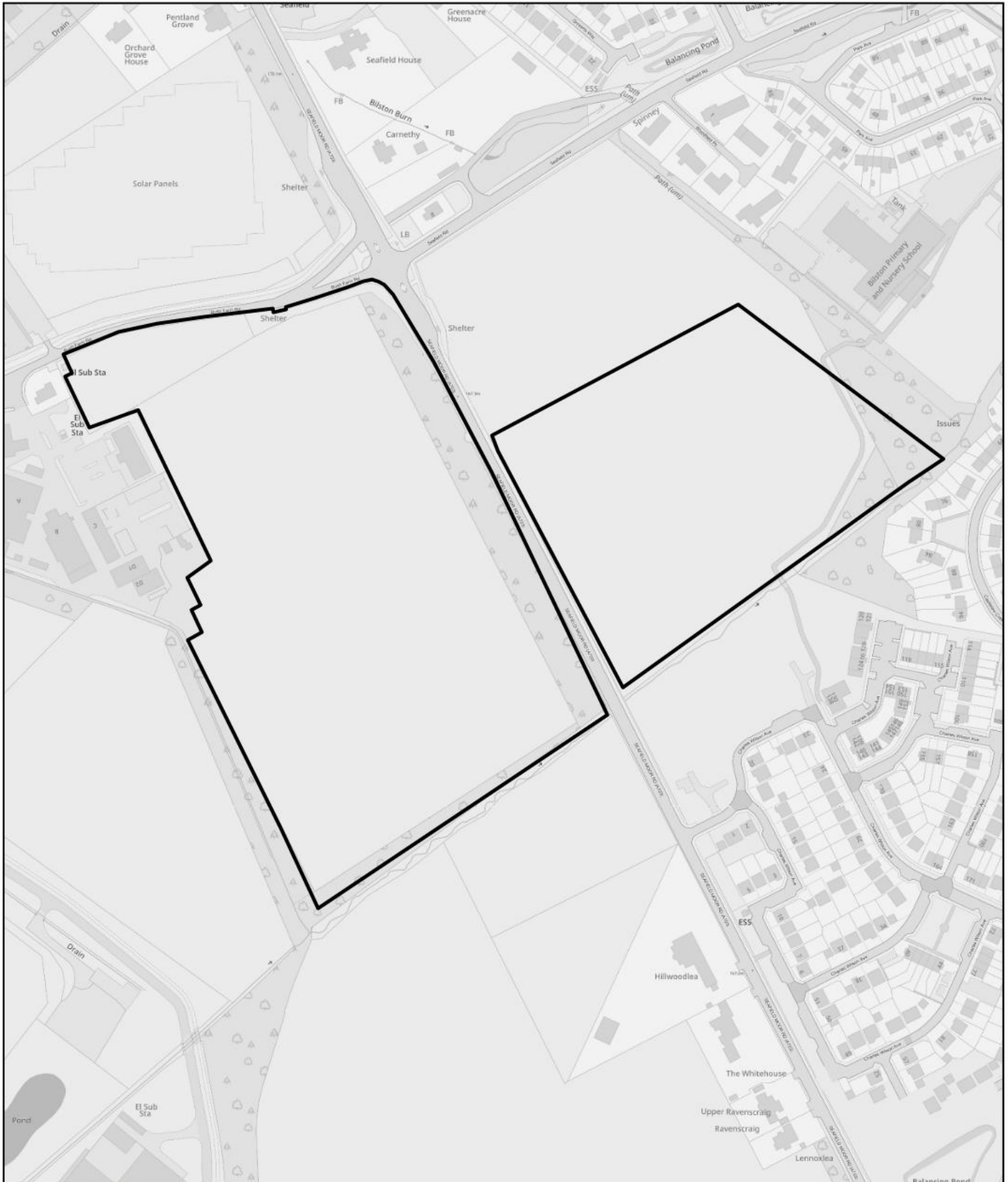
5 RECOMMENDATION

5.1 It is recommended that the Committee notes:

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

Peter Arnsdorf
Planning, Sustainable Growth and Investment Manager

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| Date: | 1 March 2024 |
| Application No: | 24/00076/PAC |
| Applicant: | Midlothian Council |
| Agent: | Architype |
| Validation Date: | 26 January 2024 |
| Contact Person: | Graeme King |
| Email: | graeme.king@midlothian.gov.uk |
| Attached Plan: | Location plan |



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Proposal of application notice for erection of high school, ASN facility and community facilities, swimming pool, veterinary clinic and associated works at Land East and West of Seafield Moor Road, Bilston, Roslin,

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