

# Minute of Meeting



## Planning Committee

Date	Time	Venue
19 February 2019	1.00 pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Baird	Councillor Cassidy
Councillor Curran	Councillor Hackett
Councillor Hardie	Councillor Lay-Douglas
Councillor McCall	Councillor Milligan
Councillor Muirhead	Councillor Munro
Councillor Russell	Councillor Smail
Councillor Wallace	Councillor Winchester

### In Attendance:

Mary Smith, Director, Education, Communities and Economy	Peter Arnsdorf, Planning Manager
Gordon Aitken, Democratic Services Officer	

## 1. Apologies

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Apologies for absence were intimated on behalf of Councillors Johnstone and Parry.

## 2. Order of Business

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The order of business was confirmed as outlined in the agenda.

## 3. Declarations of interest

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Councillor Milligan intimated a declaration of interest with regard to Item No. 5.6 insofar as he is a Non-Executive Member of the NHS Lothian Board who retained an interest in the application site it being a former NHS property. He would therefore withdraw from the meeting during discussion of this item of business

Councillor Alexander intimated a declaration of interest in the same item on the basis that she felt the granting of planning permission would have an effect on where she resided and therefore she felt she may not be able to be objective in considering the application.

## 4. Minutes of Previous Meetings

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The Minute of Meeting of the Committee which took place on 22 January 2019 was submitted for approval. The Committee unanimously approved the Minute and the Chair was authorised to sign it as a true record of the meeting.

## 5. Reports

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Agenda No	Report Title	Presented by:
5.1	Planning Performance Framework Annual Report 2017/18	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>The Planning Manager spoke to the terms of a report which provided an update on the progress of work undertaken on the Planning Performance Framework (PPF) for Midlothian including feedback from the Scottish Government.</p> <p>He advised that of the 15 performance markers, 12 were rated as giving no cause for concern with the remaining 3 rated as areas for improvement. He noted that feedback on the ratings would help inform the content of the 2018/19 return due in July this year. He noted that the ratings demonstrated an improvement from the previous year's submission and the best PPF "score" Midlothian has achieved in the 6 years the framework has been the primary performance monitoring methodology.</p>		
<b>Decision</b>		
<p>The Committee noted the feedback from the Scottish Government on the Planning Performance Framework (PPF) for 2017/18.</p>		
<b>Action</b>		
<p>Director, Education, Communities and Economy; Planning Manager</p>		

Agenda No	Report Title	Presented by:
5.2	Midlothian Local Biodiversity Action Plan	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>The Committee heard from the Planning Manager who spoke to the terms of a report which sought agreement to adopt the Midlothian Local Biodiversity Plan 2019/2024 (LBAP). He noted that the previous LBAP had been adopted in 2006 and was in need of review and that the new LBAP would focus on the following priorities for the period 2019 – 2024:</p> <ul style="list-style-type: none"> <li>• Supporting pollinators;</li> <li>• Encouraging homes for wildlife;</li> <li>• Enhancement of the water environment;</li> <li>• Tackling invasive non-native species;</li> <li>• Positive integration of people and nature and;</li> <li>• Protected sites and species</li> </ul>		
<b>Decision</b>		
<p>The Committee:</p> <ol style="list-style-type: none"> <li>Adopted the Midlothian Local Biodiversity Action Plan 2019 – 2024;</li> <li>Agreed that the Midlothian Local Biodiversity Action Plan 2019 – 2024 will not have a significant environmental impact triggering the need for a formal Strategic Environmental Assessment and;</li> <li>Instructed the Planning Manager to undertake the required notification/advertisement advising that the Midlothian Local Biodiversity Active Plan 2019 – 2024 will not have a significant environmental impact triggering the need for a formal Strategic Environmental Assessment.</li> </ol>		
<b>Action</b>		
Director, Education, Communities and Economy; Planning Manager		

Agenda No	Report Title	Presented by:
5.3	Major Applications: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>The Planning Manager spoke to the terms of a report which provided an update with regard to major planning applications, formal pre-application consultations by prospective applicants and the expected programme of applications due for reporting to the Committee.</p>		
<b>Decision</b>		
<p>The Committee noted the major planning application proposals which are likely to be considered by the Committee in 2019 and the updates for each as noted in the report.</p>		
<b>Action</b>		
Director, Education, Communities and Economy; Planning Manager		

Agenda No	Report Title	Presented by:
5.5	Proposed residential development and erection of school, with associated engineering works, open space and landscaping at land east and west of Easthouses Road, Easthouses, Dalkeith (18/00962/PAC)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
The Planning Manager spoke to the terms of a report which advised a pre-application consultation had been submitted regarding a proposed residential development and erection of a school with associated engineering works, open space and landscaping at land east and west of Easthouses Road, Easthouses, Dalkeith.		
<b>Decision</b>		
The Committee noted: <ul style="list-style-type: none"> <li>(a) the provisional planning position set out in this report; and</li> <li>(b) that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.</li> </ul>		
<b>Action</b>		
Director, Education, Communities and Economy; Planning Manager		

Agenda No	Report Title	Presented by:
5.4	Proposed redevelopment of existing snow sports centre to include leisure facilities; tourist accommodation; hotel; function suite and ancillary retail and restaurants; formation of access and car parking at Midlothian Snow Sports centre, Biggar Road, Hillend (18/00970/PAC)	
<b>Outline of report and summary of discussion</b>		
The Planning Manager spoke to the terms of a report advising of a pre-application consultation submitted regarding the redevelopment of the existing snow sports centre to include leisure facilities, tourist accommodation, hotel, function suit and ancillary retail and restaurant at Midlothian Snow Sports Centre, Biggar Road, Edinburgh.		
<b>Decision</b>		
The Committee noted: <ul style="list-style-type: none"> <li>(a) the provisional planning position set out in the report and;</li> <li>(b) the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.</li> </ul>		
<b>Action</b>		
Director, Education, Communities and Economy; Planning Manager		

**Sederunt:** Prior to consideration of the following item, Councillors Alexander and Milligan who had previously intimated declarations of interest, left the meeting room and took no part in the consideration of the application.

Agenda No	Report Title	Presented by:
5.9	Application for Planning Permission considered at a previous meeting – in principle Planning Permission and Listed Building Consent for the conversion of listed buildings to dwellings and residential and commercial development in the grounds of the former Rosslynlee Hospital, Roslin (17/0980/PPP; 17/01001/DPP and 18/00061/LBC)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>The Chair noted that at the meeting of the Committee on 22 January 2019 consideration of the application was deferred to enable officers and the applicant to further negotiate on the level of developer contribution, the provision of affordable housing and highway infrastructure improvements.</p> <p>The Planning Manager spoke to the terms of the report where it was noted that, in January 2019, the Committee expressed a desire to see the restoration of the former Rosslynlee Hospital listed building but balanced the position with concern at the level of developer contribution proposed by the application, in particular with regard to meeting the educational requirements arising from the development. He advised that in response to the Committee’s concern the applicant is proposing to increase the developer contribution offer to fully cover the cost of meeting the educational requirements arising from the proposed development – this includes primary and secondary denominational and non-denominational provision and meeting the Council’s anticipated school transport costs over a defined time period. He further noted that in meeting the educational requirements, the applicant was not proposing to make a contribution towards community facilities, Borders Rail or rural public transport as required by Midlothian Local Development Plan 2017 (MLDP). Further the applicant is proposing to not provide any affordable housing units on site or make a commuted sum towards the Council’s own housing programme.</p> <p>After discussion, Councillor Smaill seconded by Councillor Hardie moved that the application be granted. As an amendment, Councillor Hackett, seconded by Councillor Muirhead moved that the application be refused on the terms of the report. Councillor Hackett further requested that a roll call vote be taken which was agreed by 6 Members of the Committee thereby satisfying the requirements of Standing Order 11.5(ii) for one-third of the Members present (or the nearest whole number to this) for a roll call vote.</p>		

On a vote being taken by way of a Roll Call, Members voted as follows:-

<b>Councillor</b>	<b>For Motion</b>	<b>For Amendment</b>
Councillor Baird	√	
Councillor Cassidy	√	
Councillor Curran		√
Councillor Hackett		√
Councillor Hardie	√	
Councillor Imrie	√	
Councillor Lay-Douglas	√	
Councillor McCall	√	
Councillor Munro	√	
Councillor Muirhead		√
Councillor Russell		√
Councillor Small	√	
Councillor Winchester	√	
Councillor Wallace	√	
<b>TOTAL</b>	<b>10</b>	<b>4</b>

#### Decision

The Committee:

- (a) noted the update as set out in the report;
- (b) granted planning permission and listed building consent as per the applications lodged;
- (c) agreed that the Planning Manager draft the relevant conditions to be attached to the grants in discussion with the applicants and that the final decision in relation to the conditions be delegated to the Chair to approve and;
- (d) requested the Planning Manager to pursue with the applicant the developer contributions as detailed within the report.

#### Action

Planning Manager

**Sederunt: Councillors Alexander and Milligan re-entered the meeting room**

Agenda No	Report Title	Presented by:
5.7	Application for Planning Permission for the Erection of 28 dwellinghouses and 44 flatted dwellings; formation of access roads and car parking and associated works at land east of Conifer Road, Mayfield, Dalkeith (19/00042/DPP)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
The Planning Manager spoke to the terms of a report advising that an application had been submitted for the erection of 28 houses and 44 flats on land east of Conifer Road, Mayfield which is the site of the former Bryans Primary School.		
<b>Decision</b>		
The Committee agreed to grant the planning permission for the reasons as set out in the report.		
<b>Action</b>		
Planning Manager		

Agenda No	Report Title	Presented by:
5.8	Application For Planning Permission for the Erection of 5 dwellinghouses and 16 flatted dwellings, formation of access and associated works at Site HS22, land to the north of Kirkhill Road, Penicuik (18/00494/DPP)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
The Planning Manager spoke to the terms of a report advising that an application had been submitted for the erection of 5 houses and 16 flats on land to the north of Kirkhill Road, Penicuik.		
<b>Decision</b>		
The Committee agreed to grant the planning permission for the reasons as set out in the report.		
<b>Action</b>		
Planning Manager		

## **6. Exclusion of Members of the Public**

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In view of the nature of the business to be transacted, the Council agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

6.1 Enforcement Report: Gorebridge – Report by Director, Education, Communities and Economy

The meeting terminated at 2.25 pm.