



PRE - APPLICATION REPORT REGARDING RESIDENTIAL DEVELOPMENT, PRIMARY SCHOOL, ASSOCIATED ROADS, LANDSCAPING, OPEN SPACE, FOOTWAYS/CYCLE WAYS, SUSTAINABLE URBAN DRAINAGE (SUDS) AND INFRASTRUCTURE AT LAND SOUTH EAST OF AUCHENDINNY, THE BRAE, AUCHENDINNY (17/00606/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 proposed residential development, primary school, associated roads, landscaping, open space, footpath/cycle ways, sustainable urban drainage (SUDs) and infrastructure at land south east of Auchendinny, The Brae, Auchendinny. This site is identified as site Hs20 in the Midlothian Local Development Plan (MLDP).
- 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 6 June 2017. 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 proposed residential development, primary school, associated roads, landscaping, open space, footpath/cycle ways, sustainable urban drainage (SUDs) and infrastructure at land south east of Auchendinny, The Brae, Auchendinny was submitted on 27 July 2017.
- 2.3 As part of the pre application consultation, a two day public consultation event was held on Friday 20 October (2pm-8pm) and Saturday 21 October (11am-4pm) at the Glencorse Centre. On the

conclusion of the public event the applicant could submit a planning application for the proposal. 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 June 2017) not offer views, as the forum for doing so will be at meetings of the Planning Committee.

- 2.4 Copies of the pre application notices have been sent by the applicant to the local elected members, to the Penicuik and District Community Council, the Glencorse Association, the Head Teacher of Glencorse Primary School and the neighbouring community councils; Roslin and Bilston and Rosewell and District.

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.
- 3.2 The proposed development is situated, on agricultural land and a former the former golf driving range, to the immediate north, east and south of Auchendinny. The land comprises approximately 31.92 hectares.
- 3.3 No indicative masterplan has been submitted with the application.
- 3.4 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Plan (MLP), adopted in December 2008. The Proposed Midlothian Local Development Plan 2014 (MLDP) has been subject to an examination by the Scottish Ministers and was reported to the Council at its meeting of 26 September 2017 with a timetable to adopt the plan by the end of 2017. The Council approved the modifications proposed by the Scottish Government Reporter (with the exception of one proposed technical modification in relation to the Midlothian Science Zone) and referred the plan back to Scottish Ministers who have confirmed they are not going to intervene in the adoption of the plan. At the time of drafting this Committee report it is scheduled to report the MLDP to Council at its meeting of 7 November 2017 for adoption. As this plan is at a very advanced stage of preparation and represents the settled view of the Council it is a material consideration of significant weight. If the Council adopts the MLDP its policies shall supersede those in the MLP and will form the basis of the assessment of any future planning application.
- 3.5 The site is currently in the countryside and identified as prime agricultural land, however the MLDP identifies the central and northern part of the site as being an allocated housing site, Hs20 identified for 350 dwellings and a primary school. There is a presumption in favour of residential development and the provision of a school on this part of

the site. The southern part of the site is identified as countryside, prime agricultural land and a protected river valley where there is protection against inappropriate development including residential land uses. A small piece of the site on its eastern boundary is also identified as countryside, prime agricultural land, protected river valley and an important nature conservation site where there is protection against inappropriate development including residential land uses.

- 3.6 Development considerations identified in the MLDP relevant to housing/school part of site Hs20 include:
- provision of a new primary school, sited to relate to the new development and the wider catchment area;
 - the impact of the new development on Auchendinny and on the hamlet of Woodhouselee;
 - the need to develop/expand the green network in the area including links with the existing footpath in the middle of Auchendinny;
 - development to be restricted to the MLDP site boundary but land to the south can be utilised as open space;
 - a requirement for substantial boundary planting to minimise the impact on the North Esk Valley;
 - inclusion of appropriate links as a contribution to the green networks in the area;
 - retention and enhancement of vegetation along the boundaries including around the former driving range in the north of the site; and
 - a pedestrian tree lined avenue linking Firth Crescent to and throughout the site.
- 3.7 Road access, affordable housing and developer contributions are also significant considerations.
- 3.8 If an application is submitted after the adoption of the MLDP there will be a presumption in favour of residential development and the provision of a school, in accordance with the provisions of the MLDP, subject to securing developer contributions towards infrastructure including education provision and affordable housing.

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.

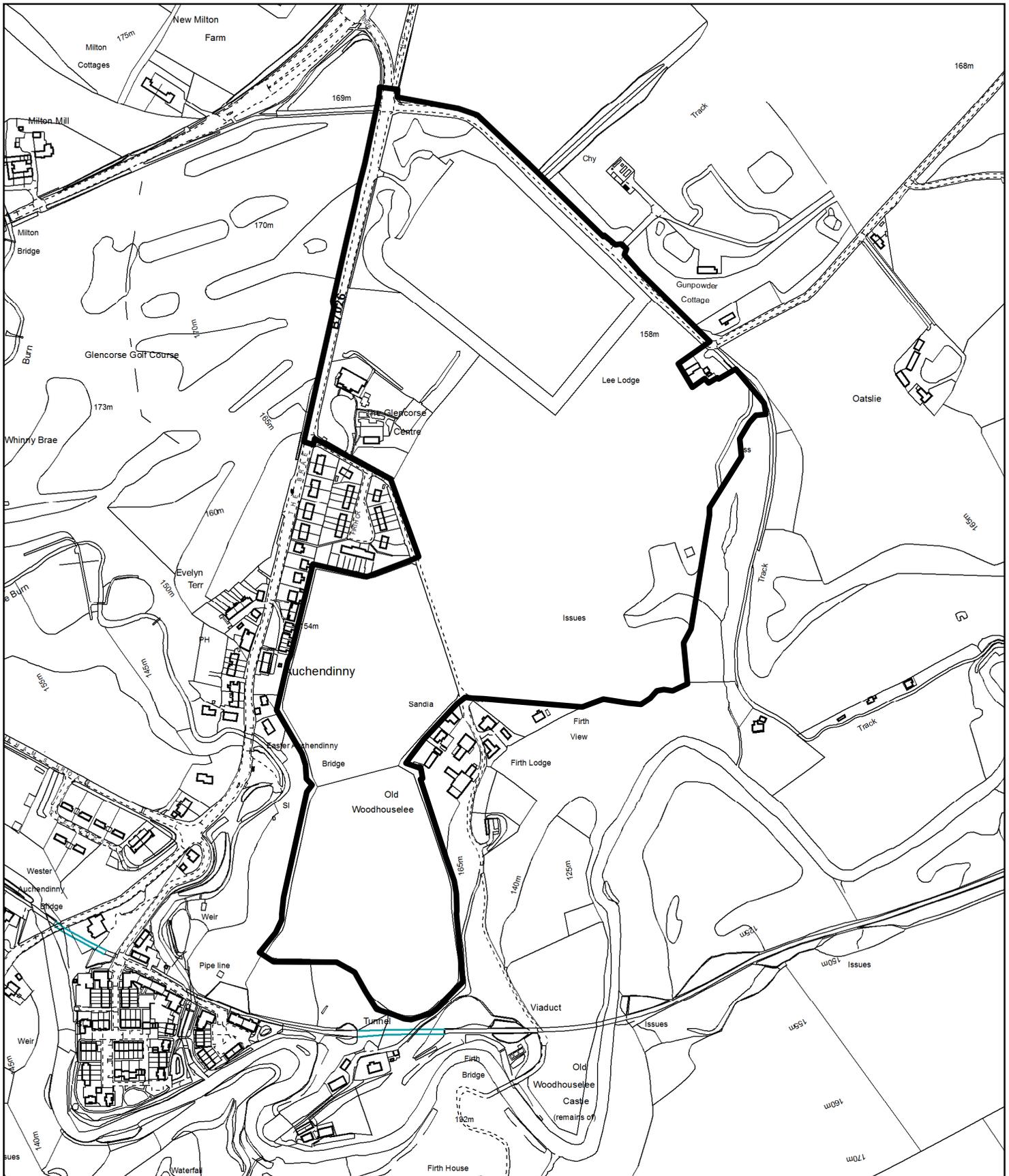
- 4.3 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures advises that Councillors are expected to approach their decision-making with an open mind in that they must have regard to all material considerations and be prepared to change their views which they are 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;
 - 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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Date: 7 November 2017
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& Communities**
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**Land South East Of Auchendinny, The Brae, Auchendinny,
Penicuik**

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