

# Minute of Meeting



## Planning Committee

| Date                    | Time    | Venue        |
|-------------------------|---------|--------------|
| Tuesday 12 January 2021 | 1.00 pm | Via MS Teams |

### Present:

|                          |                      |
|--------------------------|----------------------|
| Councillor Imrie (Chair) | Councillor Alexander |
| Councillor Cassidy       | Councillor Curran    |
| Councillor Hackett       | Councillor Johnston  |
| Councillor Lay-Douglas   | Councillor McCall    |
| Councillor Milligan      | Councillor Muirhead  |
| Councillor Parry         | Councillor Russell   |
| Councillor Smail         | Councillor Wallace   |
| Councillor Winchester    |                      |

### In Attendance:

|                |                              |
|----------------|------------------------------|
| Peter Arnsdorf | Planning Manager             |
| Derek Oliver   | Chief Officer: Place         |
| Alan Turpie    | Legal Services Manager       |
| Sandra Banks   | Resource Manager - LES       |
| Jim Gilfillan  | Consultant Policy & Planning |
| Gordon Aitken  | Democratic Services Officer  |

## 1. Apologies

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Apologies for absence were intimated on behalf of Councillors Baird, Hardie and Munro.

## 2. Order of Business

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The order of business was as outlined in the agenda which had been previously circulated.

## 3. Declarations of interest

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No declarations of interest were intimated at this stage of the proceedings.

## 4. Minutes of Previous Meetings

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The Minute of Meeting of 24 November 2020 was submitted and approved as a correct record.

## 5. Reports

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| Agenda No   | Report Title  | Presented by:  |
|---|---|----------------|
| 5.1   | Supplementary Guidance: Food And Drink and Other Non-Retail Uses in Town Centres. | Peter Arnsdorf |
| There was submitted a report dated 21 December 2020 by the Chief Officer Place seeking agreement to enable Planning officers to take an alternative position when determining applications for a hot food takeaway or an application with a hot food takeaway component to the one set out in the Food and Drink and Other Non-Retail Uses in Town Centres Supplementary Guidance in relation to the stated uses proximity to schools.  |   |                |
| <b>Decision</b>   |   |                |
| The Committee, having heard from the Planning Manager agreed,<br><br>(a) To instruct officers to take an alternative approach to the 'within 400metres of a school restriction' set out in the guidance and instead impose a condition which limits hot food takeaway to 16.00 – 23.00 Monday to Friday when considering an application for a hot food takaway, or an application with a hot food takeaway component; and<br><br>(b) To confirm that the above stated alternative position set out in recommendation (a) does not change the assessment of an application for a hot food takeaway or an application with a hot food takeaway component, against the other criteria, the non 'within 400metres of a school restriction' set out in the guidance. |   |                |
| <b>Action</b>   |   |                |
| Planning Manager  |   |                |

| Agenda No | Report Title  | Presented by:  |
|-----------|---|----------------|
| 5.2       | Pre-application report regarding pre-application consultation for mixed use development including; business and employment uses (class 4, 5 and 6), Residential, hotel, residential institutions and ancillary Uses including retail, financial and professional Services, food and drink, non-residential institutions, Assembly and leisure and other infrastructure Including park and ride, and associated works at site EC3, West Straiton and Land North of Site EC3, Loanhead (20/00803/PAC) | Peter Arnsdorf |

#### Outline of report and summary of discussion

There was submitted report, dated 21 December 2020 by the Chief Officer Place regarding the above application. The pre-application consultation was reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of the development. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.

#### Decision

The Committee agreed to note::

- (a) the provisional planning position set out within the report; and
- (b) that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning Application.

#### Action

Planning Manager

#### Declarations of Interest

Councillors Winchester, Parry and Imrie all declared a non-pecuniary interest in the aforementioned item of business as they had all been present at a meeting of a Community Council during which this proposal had been raised although none of them had expressed a view on the matter.

| Agenda No | Report Title   | Presented by:  |
|-----------|--|----------------|
| 5.3       | Application for planning permission (17/00408/DPP) for Residential development including park and ride; Allotments; Land safeguarded for possible education use; formation of access roads and car parking and associated works on land at Newton Farm, Old Craighall Road, Millerhill, Dalkeith | Peter Arnsdorf |

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| <b>Outline of report and summary of discussion</b>  |
| There was submitted report dated 13 November 2020 by the Chief Officer: Place regarding the above application advising that the purpose of this report was to request the Committee's approval of an amendment to a planning condition previously approved by the Committee, details of which were contained within the report. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments. |
| <b>Decision</b>   |
| The Committee approved the proposed amendment to condition 4 of planning application 17/00408/DPP as detailed within the report   |
| <b>Action</b>   |
| Planning Manager  |

| Agenda No | Report Title   | Presented by:  |
|-----------|--|----------------|
| 5.4       | Application for planning permission in principle 19/01018/PPP for redevelopment of existing Snowsports Centre to include additional leisure facilities, hotel, function suite, ancillary retail and restaurant uses, formation of access road and car parking at Midlothian Snowsports Centre, Biggar Road, Hillend. | Peter Arnsdorf |

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| <b>Outline of report and summary of discussion</b>  |
| There was submitted report dated 13 November 2020 by the Chief Officer: Place with regard to the above application advising that there had been three letters of representation and consultation responses from Scottish Environment Protection Agency (SEPA), Historic Environment Scotland, NatureScot, Scottish Water, Sport Scotland, Transport Scotland, City of Edinburgh Council, the Council's Archaeological Advisor, the Council's Policy and Road Safety Manager, the Council's Environmental Health Manager, Damhead Community Council and Fairmilehead Community Council (Edinburgh). The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments |
| <b>Decision</b>   |
| The Committee agreed that planning permission be granted subject to the conditions as detailed within the report.   |
| <b>Action</b>   |
| Planning Manager  |

| Agenda No | Report Title   | Presented by:  |
|-----------|--|----------------|
| 5.5       | Application for planning permission 20/00630/DPP for Change of use of detached garage to food production Unit (class 4) (retrospective) at 19 Peacock Parkway, Bonnyrigg | Peter Arnsdorf |

#### Outline of report and summary of discussion

There was submitted report dated 21 December 2020 by the Chief Officer: Place with regard to the above application advising that the site was within a residential area of Bonnyrigg and comprised a detached garage associated with the dwellinghouse at 19 Peacock Parkway. The house and garage were under the ownership of the applicant. The residential plot comprised a detached two storey dwellinghouse, double garage and associated garden ground with two ancillary structures in the garden. It was proposed to change the use of the domestic garage to a food production unit. The food production business had been operating at the site since September 2020. The applicant stated they previously operated a restaurant and produced food in an industrial unit elsewhere. However these operations were closed earlier this year as a result of the COVID-19 pandemic. The applicant then began operating a frozen food delivery service from the application site. The applicant's business involved the making and freezing of food products within the garage and delivering these products to customers.

The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.

#### Decision

The Committee agreed that planning permission be granted subject to a condition being applied that it would be for a period of 2 years with the situation being monitored throughout as a result of the ongoing Covid-19 pandemic.

#### Action

Planning Manager

### Exclusion of Members of the Public

In view of the nature of the business to be transacted, the Committee 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 paragraph 13 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-

| Agenda No   | Report Title                     | Presented by:  |
|---|----------------------------------|----------------|
| 6.1   | Proposed Tree Preservation Order | Peter Arnsdorf |
| <b>Decision</b>   |                                  |                |
| The Committee agreed to issue of a TPO to protect the identified tree and to receive a further report to consider confirming the TPO once the owner(s) of the land and other interested parties have had the opportunity to make comment. |                                  |                |
| <b>Action</b>   |                                  |                |
| Planning Manager  |                                  |                |

### 6. Date of Next Meeting

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The next meeting will be held on Tuesday 23 February 2021.

The meeting terminated at 1.38 pm.