

Midlothian Council Meeting

Tuesday 27 December 2024

Requirement for Approval and Additionality of Planning Obligations associated with increasing Major developments

This Council proposes that any major development which increases the number of units beyond 1 or 2, after the Section 69 or 75 terms have been agreed, must return to elected members for approval. This approval should be contingent on agreement of additional planning obligations commensurate to the scale of the changes in the development.

In addition, motion proposes a discrete review of the Section 69 and 75 developer contribution rates for council decision before budget council meeting

Rationale:

1. **Transparency and Accountability:** Ensuring that significant changes in development plans are reviewed by elected members promotes transparency and accountability in the decision-making process.
2. **Fair Contributions:** Where Major Development plans are changed to increase the number of units, further Planning Obligation terms will ensure that developers make fair contributions to local infrastructure and community benefits, proportional to the increased scale of the development.
3. **Community Impact:** Major developments can have substantial impacts on local communities. Elected members, as representatives of the community, should have the opportunity to reassess and address these impacts.
4. **Consistency in Planning:** This motion will help maintain consistency and fairness in the planning process, ensuring that all major developments are subject to the same level of scrutiny and negotiation, through the lifecycle of the process.

Proposal:

1. Approval Requirement: Any major development that increases the number of units beyond 1 or 2, after the initial Planning Obligation terms have been agreed, must be brought back to the Council for approval.
2. Renegotiation of Terms: Approval of such developments will be contingent upon the addition of Section 69 or 75 terms to adequately address the increased scale and impact of the development.
3. Monitoring and Reporting: Implement a system for monitoring compliance with the additional Planning Obligations and regularly report on the outcomes to the Council.
4. Review: A discrete review of Section 69 and 75 rates, to bring options for changes before elected members at the earliest opportunity

Proposed by: Cllr Peter Smaill

Proposed by: Cllr Peter Smaill

Seconded by: Cllr David Virgo

