

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
01 Vision, Aims and Objectives	Modify the proposed local development plan by: 1. Replacing the first sentence of the second paragraph of The Vision on page 2 with: "Whilst demonstrating a renewed vibrancy, our towns and villages will retain their character and identities, striving to meet needs locally."	3	Accept Reporter's recommendation in full	2
	Modify the proposed local development plan by: 2. Replacing the final sentence of the second paragraph of The Vision on page 2 with: "The natural and built environment will be protected and be an attraction and inspiration to its communities and visitors alike."		Accept Reporter's recommendation in full	2
	Modify the proposed local development plan by: 3. Replacing the fifth Environmental Objective on page 2 with: "Prioritise the reuse of brownfield land over the development of greenfield, especially Green Belt, land and the efficient use of land generally."		Accept Reporter's recommendation in full	2
	Modify the proposed local development plan by: 4. Replacing the seventh Environmental Objective on page 3 with: "Promote sustainable energy solutions where this can be achieved in a manner acceptable in terms of the environment."		Accept Reporter's recommendation in full	3
	Modify the proposed local development plan by: 5. Replacing the ninth Environmental Objective on page 3 with: "Safeguard and enhance biodiversity and take full account of development impact on the water environment whilst consideration being taken for its improvement."		Accept Reporter's recommendation in full	3
	Modify the proposed local development plan by: 6. Replacing paragraph 2.1.2 on page 4 with: "The Plan takes full account of SESplan's spatial development strategy and strategic policy framework and the provisions of the Third National Planning Framework and the revised Scottish Planning Policy."		Accept Reporter's recommendation in full	4

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
02 Committed Development (includes economic)	Modify the proposed local development plan by: 1. Inserting a new paragraph 2.2.5 to section 2.2 'Existing Development Commitments' on page 5 as follows: "2.2.5 There have been some legislative and regulatory changes, as well as identified changes to the physical environment (including updated flood risk mapping), since committed sites were allocated. In order to ensure compliance with legislation, and the provisions of the development plan, the council will require proposals for development on committed sites to be supported by up-to-date information on the physical environment and flood risk. This will allow informed consultation with statutory bodies and ensure that an appropriate response to any identified or potential environmental harm or flood risk is taken."	27	Accept Reporter's recommendation in full	5
	Modify the proposed local development plan by: 2. Replacing the second sentence of the development considerations for site h38 (South Mayfield) on page 104 with: "There is a development brief for the site (and sites h34 and h35 in Newtongrange) which requires to be revised or replaced. The design and layout of development should also relate to adjacent site h49 at Dykeneuk. The developer has experienced..."		Accept Reporter's recommendation in full	104
	Modify the proposed local development plan by: 3. Replacing the third sentence of the development considerations for site h49 (Dykeneuk, Mayfield) on page 105 with: "The design and layout of the site and delivery of the development should be brought forward within the context of the development brief for the adjoining committed development sites (h34, h35 and h38) or any revised or replacement development brief for the area."		Accept Reporter's recommendation in full	105
	Modify the proposed local development plan by: 4. Adding a new final sentence to the development considerations for site h34 (East Newtongrange) on page 109 as follows: "There is a requirement for this brief to be revised or replaced."		Accept Reporter's recommendation in full	109

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 5. Adding a new final sentence to the development consideration for site h35 (Lingerwood) on page 109 as follows: "There is a requirement for this brief to be revised or replaced."		Accept Reporter's recommendation in full	109
	Modify the proposed local development plan by: 6. Amending the status for site h43 (Shawfair) within 'Appendix Table 1A.3 Sites allocated in 2003 Shawfair Local Plan' on page 152 from "M/C" to "Consent".		Accept Reporter's recommendation in full	152
03 Requirement for New Development - Housing Strategy	Modify the proposed local development plan by: 1. Replacing the final sentence of paragraph 2.3.5 under section 2.3 'Requirement for New Development' on page 6 with the following: "Outwith the built-up areas, there will be a general presumption against housing development unless a deficit in the 5 year effective housing land supply emerges." page 6.	60	Accept Reporter's recommendation in full	6
	Modify the proposed local development plan by: 2. Replacing paragraph 2.3.6 under section 2.3 'Requirement for New Development' on page 6 with the following: "2.3.6 To meet the Midlothian requirement to 2024 (12,490 houses), the SESplan Supplementary Guidance on Housing Land predicted a requirement to identify additional housing land to accommodate 2,550 houses through the MLDP, spread across three Strategic Development Areas. As required by SESplan this assumption was re-assessed during production of the local development plan (at the examination stage) producing a revised need for 2,534 houses. Consequently, new allocations (listed in Appendix 3A of this Plan) have been allocated in the three Strategic Development Areas across Midlothian to meet this need. The Midlothian housing requirement and a prediction of how the housing requirement will be met over the lifetime of the plan		Accept Reporter's recommendation in full	6

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

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	<p>through completions, committed housing (the established supply), new allocations, and windfall is as follows:</p> <table><tr><td></td><td>2009-2019</td><td>2019-2024</td><td>2009-2024</td></tr><tr><td>Housing Land Requirement</td><td>8,080</td><td>4,410</td><td>12,490</td></tr><tr><td><i>Minus</i></td><td></td><td></td><td></td></tr><tr><td>Completions (2009-2016)*</td><td>3,652</td><td>0</td><td>3,652</td></tr><tr><td>Established land supply*</td><td>2,195</td><td>3,125</td><td>5,320</td></tr><tr><td>New LDP allocations*</td><td>475</td><td>2,566</td><td>3,041</td></tr><tr><td>Projected windfall*</td><td>369</td><td>615</td><td>984</td></tr><tr><td><i>Equals</i></td><td></td><td></td><td></td></tr><tr><td>Total housing land supply</td><td>6,691</td><td>6,306</td><td>12,997</td></tr></table> <p>* Using the agreed 2016 housing land audit for completions and programming; and an average windfall allowance of 123 homes per year based on 9 years of historic housing land audit data.</p> <p>Table 2.3 Midlothian Housing Land Requirement and Housing Land Supply 2009-2024</p>		2009-2019	2019-2024	2009-2024	Housing Land Requirement	8,080	4,410	12,490	<i>Minus</i>				Completions (2009-2016)*	3,652	0	3,652	Established land supply*	2,195	3,125	5,320	New LDP allocations*	475	2,566	3,041	Projected windfall*	369	615	984	<i>Equals</i>				Total housing land supply	6,691	6,306	12,997			
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	Modify the proposed local development plan by: 3. Deleting 'Table 2.3 SESplan additional housing allowances' from page 6 under section 2.3 'Requirement for New Development'.		Accept Reporter's recommendation in full	6																																				
	Modify the proposed local development plan by: 4. Deleting the last sentence beginning "The combined contribution..." of paragraph 2.3.7 under section 2.3 'Requirement for New Development' on		Accept Reporter's recommendation in full	2.3.7																																				

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO																				
	Modify the proposed local development plan by: 5. Deleting 'Table 2.4 MLDP new housing land provision' from page 7 under section 2.3 'Requirement for New Development'.		Accept Reporter's recommendation in full	7																				
	Modify the proposed local development plan by: 6. Inserting a new paragraph 2.3.10 under section 2.3 'Requirement for New Development' on page 7 as follows: "2.3.10 These actions should enable the release of further housing. However, where there is an identified deficit in the five year effective housing land supply there will be a requirement to ensure the continued delivery of housing to meet the housing land requirement. Therefore, housing proposals on greenfield/green belt locations may be acceptable where it is demonstrated that they will augment the 5-year effective housing land supply following the provisions of SESplan policy 7."		Accept Reporter's recommendation in full	7																				
	Modify the proposed local development plan by: 7. Amending the paragraph numbering by changing paragraph 2.3.10 to 2.3.11 and 2.3.11 to 2.3.12 under section 2.3 'Requirement for New Development'.		Accept Reporter's recommendation in full	2.3.10 to 2.3.11 & 2.3.11 to 2.3.12																				
	Modify the proposed local development plan by: 8. Replacing the table in Appendix 3A Strategic Housing Land Allocations with the following: <table border="1" data-bbox="277 1209 1111 1430"> <tr> <td></td><td></td><td>Indicative Capacity (to 2024)</td><td>Indicative Capacity (post 2024)</td><td>Safeguarded Capacity (beyond 2024)</td></tr> <tr> <td colspan="5">South East Edinburgh/Shawfair Strategic Development Area</td></tr> <tr> <td>Hs0</td><td>Cauldcoats</td><td>320</td><td>30</td><td>200</td></tr> <tr> <td>Hs1</td><td>Newton Farm</td><td>225</td><td>255</td><td>220</td></tr> </table>			Indicative Capacity (to 2024)	Indicative Capacity (post 2024)	Safeguarded Capacity (beyond 2024)	South East Edinburgh/Shawfair Strategic Development Area					Hs0	Cauldcoats	320	30	200	Hs1	Newton Farm	225	255	220		Accept Reporter's recommendation in full	Appendix 3A
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**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

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	A7/A68/Borders Rail Corridor Strategic Development Area						
	Hs2	Larkfield West, Eskbank	60				
	Hs3	Larkfield South, Eskbank	35				
	Hs4	Thornybank East, Dalkeith	82				
	Hs5	Thornybank North, Dalkeith	30				
	Hs7	Redheugh West (Phase 2), Gorebridge	150	50	400		
	Hs8	Stobhill Road, Gorebridge	80				
	Hs9	Broomieknowe, Bonnyrigg	56				
	Hs10	Dalhousie Mains, Bonnyrigg	300				
	Hs11	Dalhousie South, Bonnyrigg	175	185			
	Hs12	Hopefield Farm 2, Bonnyrigg	375		375		
	Hs13	Polton Street, Bonnyrigg	18				
	Hs14	Rosewell North	60				
	A701 Corridor Strategic Development Area						
	Hs15	Edgefield Road, Loanhead	41				
	Hs16	Seafield Road, Bilston	330	20	200		
	Hs17	Pentland Plants.	75				

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS					REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
		by Bilston						
	Hs18	Roslin Institute, Roslin	180	20				
	Hs19	Roslin Expansion	75	185				
	Hs20	Auchendinny	342	8				
	Hs21	Eastfield Farm Road, Penicuik	12					
	Hs22	Kirkhill Road, Penicuik	20					
	TOTALS		3,041	753	1,395			
	Modify the proposed local development plan by: 9. Amending the settlement statements to reflect changes in programming of new housing allocations following the changes shown in amended Appendix 3A (recommendation 8 above).						Accept Reporter's recommendation in full	Appendix 3A
04 Open Space, Design & Coalescence	Modify the proposed local development plan by: 1. Deleting the first sentence of policy DEV 1 (community identity and coalescence) on page 12 and replacing with: "Development will be supported where it does not result in the physical or visual coalescence of neighbouring communities. Where coalescence may occur, the development must include mitigation measures to maintain visual separation and protect community identity."					105	Accept Reporter's recommendation in full	12
	Modify the proposed local development plan by: 2. Amending policy DEV 2 (protecting amenity within the built-up area) on page 13 by deleting "not" and replacing "where" with "unless".						Accept Reporter's recommendation in full	13
	Modify the proposed local development plan by: 3. Amending criterion 'C' in policy DEV 5 (sustainability in new development) on page 16 by replacing the word "line" with "accordance".						Accept Reporter's recommendation in full	16

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

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	Modify the proposed local development plan by: 4. Amending policy DEV 5 (sustainability in new development) on page 16 by adding a new criterion 'I' which states: "where flood risk has been identified on a development site or where a development proposal will increase flood risk elsewhere, the layout of the site will be designed to reduce flood risk on or off site, in accordance with policy ENV 9."		Accept Reporter's recommendation in full	16
	Modify the proposed local development plan by: 5. Adding the following text to the end of the second sentence of policy DEV 7 (landscaping in new development) on page 18: "be informed by the results of an appropriately detailed landscape assessment, to ensure the landscaping proposals"		Accept Reporter's recommendation in full	18
	Modify the proposed local development plan by: 6. Replacing criterion 'E' of policy DEV 7 (landscaping in new development) on page 18 with: "provide effective screening. Where the development abuts the countryside an effective tree belt will be required to define the urban edge, allow for future growth of the trees and promote pedestrian access to the countryside beyond and wider path networks;"		Accept Reporter's recommendation in full	18
	Modify the proposed local development plan by: 7. Amending paragraph 3.3.4 on page 15 by deleting "seeks to" and replacing "establish" with "defines".		Accept Reporter's recommendation in full	15
	Modify the proposed local development plan by: 8. Amending paragraph 3.3.6 on page 15 by replacing "seeks to" with "will".		Accept Reporter's recommendation in full	15

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

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05 Affordable and Specialist Housing	Modify the proposed local development plan by: 1. Replacing the first sentence of paragraph 3.2.3 within section 3.2 'Providing for Housing Choices' on page 13 with the following: "Affordable housing is "housing of a reasonable quality that is affordable to people on modest incomes" (Scottish Planning Policy, 2014)".	128	Accept Reporter's recommendation in full	13
	Modify the proposed local development plan by: 2. Updating the waiting list information within the third sentence of paragraph 3.2.3 in section 3.2 'Providing for Housing Choices' on page 13 with the following: "This assessed need and the Council's housing waiting list (4,782 households in April 2016)..."		Accept Reporter's recommendation in full	13
	Modify the proposed local development plan by: 3. Adding a sentence to the end of paragraph 3.2.2 within section 3.2 'Providing for Housing Choices' on page 13 as follows: "The application of the 25% requirement to committed, windfall, and strategic housing land allocations should ensure that the need for 1,053 affordable houses identified in the HNDA is met together with improving the supply of housing for those on the waiting list across Midlothian."		Accept Reporter's recommendation in full	13
	Modify the proposed local development plan by: 4. Replacing the first sentence of the third paragraph of policy DEV 3 (affordable and specialist housing) on page 14 as follows: "Providing lower levels of the affordable housing requirement, or a commuted sum, may be acceptable where this has been fully justified to the Council."		Accept Reporter's recommendation in full	14

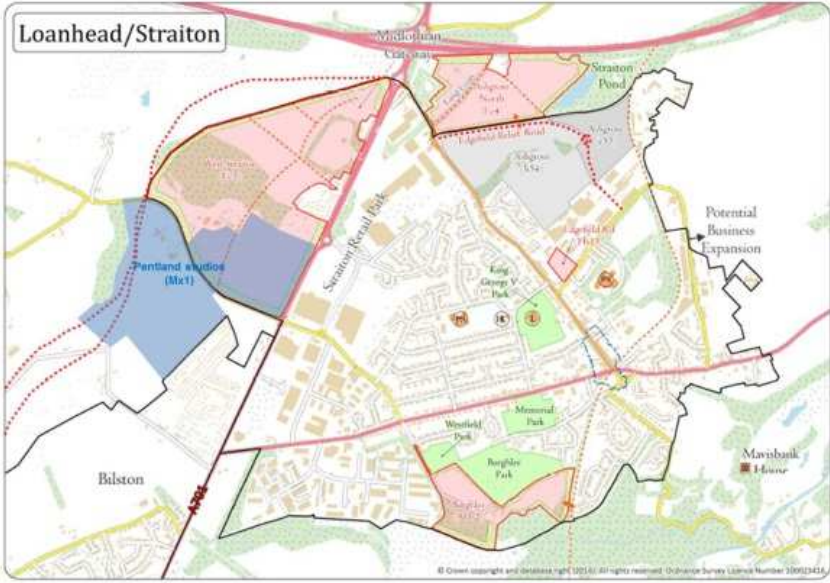
**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

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06 Improving Transport Connectivity	Modify the proposed local development plan by: 1. Replacing the second sentence of paragraph 4.5.8 on page 28 with: "This is considering the longer term impacts on the strategic transport network of potential future growth as part of the SESplan spatial strategy."	144	Accept Reporter's recommendation in full	28
	Modify the proposed local development plan by: 2. Replacing the transport intervention "Redheugh Station" within policy TRAN 2 (transport network interventions) on page 28 with "Potential rail station at Redheugh".		Accept Reporter's recommendation in full	28
	Modify the proposed local development plan by: 3. Replacing the first transport requirement in Table 8.18 'Gorebridge Implementation Requirements' on page 117 with: "Borders Rail, including Gorebridge station and related car park and/or potential new Redheugh station and related car park".		Accept Reporter's recommendation in full	117
07 Site Ec3 and A701 Relief Road	Modify the proposed local development plan by: 1. Replacing the sixth sentence in paragraph 8.3.4 on page 126 with: "Uses could include retail, hotel, office, commercial leisure, and housing".	182	Accept Reporter's recommendation in full	126
	Modify the proposed local development plan by: 2. Replacing the third sentence in the development considerations for site Ec3 (West Straiton) in Table 8.25 'Loanhead/Straiton Employment Allocations' on page 129 with: "Acceptable uses could include retail, hotel, office, commercial leisure, and housing".		Accept Reporter's recommendation in full	129

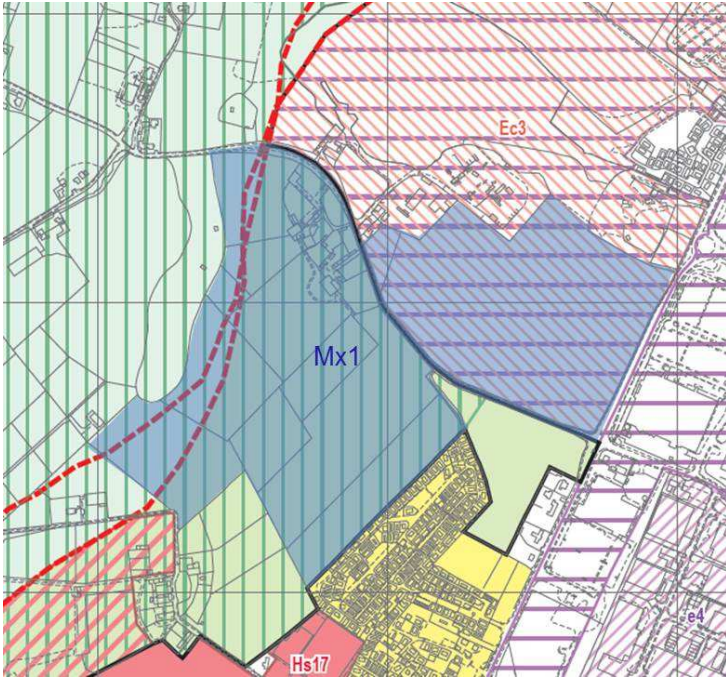
**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

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	<p>Modify the proposed local development plan by:</p> <p>3. Inserting a new final sentence in the first paragraph in the development considerations for site Ec3 (West Straiton) in Table 8.25 'Loanhead/Straiton Employment Allocations' on page 129 as follows:</p> <p>"The masterplan should take into account the Damhead and District Neighbourhood Plan 2015-2030 including respect for the character of the wider area; providing opportunities to link to existing cycle/pedestrian routes; and protecting/enhancing woodland, hedgerows and green spaces."</p>		Accept Reporter's recommendation in full	129
	<p>Modify the proposed local development plan by:</p> <p>4. Replacing the eighth sentence in paragraph 8.3.4 on page 126 with:</p> <p>"The development of the 'Gateway' is related to the realigned route for the A701, between the A720 Straiton Junction and the A703. The extent of Ec3 will be defined..."</p>		Accept Reporter's recommendation in full	126
	<p>Modify the proposed local development plan by:</p> <p>5. Deleting the following sentence in the development considerations for site Ec3 (West Straiton) in Table 8.25 'Loanhead/Straiton Employment Allocations' on page 129:</p> <p>"This road must be constructed before development of site Ec3 can proceed (refer to paragraph 8.3.4 – 8.3.6 above)."</p>		Accept Reporter's recommendation in full	129

Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	<p>Modify the proposed local development plan by:</p> <p>6. Amending the Loanhead/Straiton Settlement Statement map on page 132 to include a transparent blue wash over the area of land promoted for development by Pentland Studios Limited (representee 907634; representation PP2784) as shown in the diagram below.</p>  <p>Loanhead/Straiton Settlement Statement map</p>		<p>Accept Reporter's recommendation in full</p>	<p>132</p>

Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	<p>Modify the proposed local development plan by:</p> <p>7. Amending proposals map 6 for Loanhead, Straiton & Bilston to include a transparent blue wash over the area of land promoted for development by Pentland Studios Limited (representee 907634; representation PP2784) and label the site "Mx1" as shown in the diagram below. And, amending the proposals maps key accordingly.</p> 		Accept Reporter's recommendation in full	Proposals Map

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO								
	<div>Modify the proposed local development plan by: 8. Inserting a new Table on page 130 entitled 'Table 8.27 Loanhead/Straiton Mixed Use Site' as follows:</div> <table><tr><th>Site Ref</th><th>Site Name</th><th>Indicative Capacity</th><th>Expected Contribution up to 2024</th></tr><tr><td>Mx1</td><td>Pentland Studios</td><td>36 ha</td><td>N/A</td></tr></table> <div><i>Development Considerations</i> In April 2017 Scottish Ministers' issued a notice of intention indicating that they were "minded to grant" planning permission in principle for "a mixed use development comprising film and TV studio including backlot complex; mixed employment uses retail/office/commercial; hotel; gas and heat power plant/energy centre; film school and student accommodation; studio tour building; earth station antenna and associated infrastructure including car parking, SUDS features and landscaping on land to the north & south of Pentland/Damhead Road, Straiton". The 36 hectare site comprises two parts on either side of Pentland Road. The southern site (approximately 23 hectares) is promoted for a film and television studio including a studio tour site, backlot areas, a hotel, an energy centre, a film school campus with student accommodation, a data centre, and an earth station antenna. The northern site includes land (approximately 13 hectares) wholly within allocation Ec3 (West Straiton) where it is proposed to locate employment land and backlots. Planning permission in principle is subject to a planning obligation to finance road improvements and a series of conditions which include restrictions on development over a reserved area of the A701 relief road and the development of any</div>	Site Ref	Site Name	Indicative Capacity	Expected Contribution up to 2024	Mx1	Pentland Studios	36 ha	N/A		Accept Reporter's recommendation in full	130
Site Ref	Site Name	Indicative Capacity	Expected Contribution up to 2024									
Mx1	Pentland Studios	36 ha	N/A									

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	<p>retail or commercial leisure development. Until such time as the planning obligation is completed/registered, and conditions are fulfilled, there remains uncertainty over development of the site. The intention of Scottish Ministers is unique to the development proposed and therefore the principle of allowing any other development of the site would not necessarily be supported. Consequently, the designations of Green Belt/Countryside/ Prime Agricultural Land on the southern site will remain until that part of the site is fully developed.</p> <p>Development of the site will require investigation of ground stability and contamination; archaeological investigation; tree and hedgerow protection; and a robust landscaping scheme to integrate with landscaping required for site Ec3.</p>			
	<p>Modify the proposed local development plan by:</p> <p>9. Making consequential changes by amending the table numbers to account for the insertion of Table 8.27.</p>		Accept Reporter's recommendation in full	Table Numbers
	<p>Modify the proposed local development plan by:</p> <p>10. Inserting a new paragraph 8.3.5 on page 127 as follows: "8.3.5 Proposals for a film and TV studio and associated uses to the north and south of Pentland Road are "minded to grant" by Scottish Ministers'. The land incorporating mixed-use development promoted is shown on the proposals map and settlement statement map as site Mx1. The site includes part of Ec3 and, consequently, proposals across the site should relate to site Ec3 particularly in relation to access, layout and landscaping. Until such time as the southern site is fully developed it shall remain outwith the settlement boundary and remain as green belt/countryside/prime agricultural land."</p>		Accept Reporter's recommendation in full	127

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 11. Making consequential changes by amending the paragraph numbering to account for the insertion of paragraph 8.3.5.		Accept Reporter's recommendation in full	Paragraph Numbering
08 Town Centres & Retail	Modify the proposed local development plan by: 1. Replacing the first bullet point in paragraph 4.6.2 on page 30 with: "town centres (including local centres)".	220	Accept Reporter's recommendation in full	30
	Modify the proposed local development plan by: 2. Amending figure 4.4 (retail centres) to ensure that the area identified for "potential site of new supermarket" aligns with that shown on the Newtongrange settlement statement map on page 112 of the plan.		Accept Reporter's recommendation in full	112
	Modify the proposed local development plan by: 3. Inserting a new initial sentence under the heading 'Local centres' in policy TCR 2 (location of new retail and commercial leisure facilities) on page 33 as follows: "Local centres and neighbourhoods Proposals to change the use or redevelop existing shopping facilities within local centres and neighbourhoods will only be supported where their loss can be justified."		Accept Reporter's recommendation in full	33
09 Tourism	Modify the proposed local development plan by: 1. Adding the following text to policy VIS 1 (tourist attractions) on page 34 in between the first and second paragraphs of the policy: "When assessing proposals for tourism-related development due weight will be given to the net economic benefit of the proposed development."	251	Accept Reporter's recommendation in full	34

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

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10 Mineral Extraction	Modify the proposed local development plan by: 1. Modifying policy MIN 3 (onshore oil and gas) on page 38 by inserting the following additional sentence after the first sentence: "All proposals for appraisal, exploration or production must demonstrate proposals for suitable restoration and aftercare should development cease at any phase of extraction."	262	Accept Reporter's recommendation in full	38
11 Rural Development (including low density rural housing & Wellington school)	Modify the proposed local development plan by: 1. Adding the following text at the end of the sixth paragraph of policy RD 1 (development in the countryside) on page 39: "or equivalent standard for any successor assessment."	295	Accept Reporter's recommendation in full	39
	Modify the proposed local development plan by: 2. Deleting the final sentence of the first paragraph under the housing section of policy RD 1 (development in the countryside) on page 39.		Accept Reporter's recommendation in full	39
	Modify the proposed local development plan by: 3. Deleting the fourth bullet point in policy RD 1 (development in the countryside) on page 39 and replacing with: "enabling development where it can be clearly shown to be the only means of preventing the loss of a heritage asset and securing its long-term future."		Accept Reporter's recommendation in full	39
	Modify the proposed local development plan by: 4. Deleting criterion "c" of policy RD 1 (development in the countryside) on page 39 and replacing with: "capable of being provided with drainage and a public water supply at reasonable cost, or an acceptable private water supply. Development must protect and where appropriate improve the water environment, avoiding unacceptable and unnecessary surface water and foul water discharges to watercourses."		Accept Reporter's recommendation in full	39

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
12 Green Belt	<p>Modify the proposed local development plan by:</p> <p>1. Amending the second paragraph of policy ENV 1 (protection of the green belt) on page 43 to read:</p> <p>"Any development proposal will be required to show that it does not conflict with the overall objectives of the Green Belt which are to:</p> <ul style="list-style-type: none"> • Direct development to the most appropriate locations and support regeneration; • Protect and enhance the character, landscape setting and identity of the City and Midlothian towns by clearly identifying their physical boundaries and preventing coalescence; and • Protect and provide access to open space." 	309	Accept Reporter's recommendation in full	43
13 Green Network & Newbattle Strategic Greenspace Safeguard	No modifications.	326	None	N/A
14 Prime Agricultural Farmland and Peat and Carbon Rich Soils	<p>Modify the proposed local development plan by:</p> <p>1. Adding the following text to policy ENV 4 (prime agricultural land) on page 47 between "system)," and "unless" in the first sentence of the policy:</p> <p>"or land of a lesser quality that is locally important,"</p>	343	Accept Reporter's recommendation in full	47
	<p>Modify the proposed local development plan by:</p> <p>2. Replacing the word "adverse" with "unacceptable" in the first and second paragraphs of policy ENV 5 (peat and carbon rich soils) on page 48.</p>		Accept Reporter's recommendation in full	48

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
15 Special Landscape Areas and Landscape Character	Modify the proposed local development plan by: 1. Replacing the text "a significant adverse effect" from policy ENV 6 (special landscape areas) on page 49 with "an unacceptable impact".	356	Accept Reporter's recommendation in full	49
	Modify the proposed local development plan by: 2. Replacing the word "within" from the first sentence of policy ENV 6 (special landscape areas) on page 49 with "affecting".		Accept Reporter's recommendation in full	49
	Modify the proposed local development plan by: 3. Deleting the final sentence from policy ENV 6 (special landscape areas) on page 49.		Accept Reporter's recommendation in full	49
	Modify the proposed local development plan by: 4. Replacing the second sentence of paragraph 5.1.17 on page 48 with: "These are identified as Special Landscape Areas (SLAs) which are sensitive to development, both within and outside their boundaries, that could potentially damage their distinctive qualities." And, therefore, deleting " , including in some cases development outwith their identified boundaries. Therefore, policy ENV 6 will also apply to developments situated outwith an SLA." from paragraph 5.1.17.		Accept Reporter's recommendation in full	48
	Modify the proposed local development plan by: 5. Deleting "significantly and adversely affect" from policy ENV 7 (landscape character) on page 49 and replacing with "have an unacceptable affect on".		Accept Reporter's recommendation in full	49
16 Flooding and Water Environment	Modify the proposed local development plan by: 1. Adding the word "such" after "free from" in the first sentence of paragraph 5.1.26 on page 51.	370	Accept Reporter's recommendation in full	51

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 2. Replacing the first sentence of policy ENV 9 (flooding) on page 51 with: "Proposals for development will be assessed in relation to the flood risk framework and flood risk policy as set out in Scottish Planning Policy, using the SEPA flood maps to delineate the zones of little or no risk, low to medium risk, and medium to high risk."		Accept Reporter's recommendation in full	51
	Modify the proposed local development plan by: 3. Replacing the second paragraph of policy ENV 9 (flooding) on page 51 with: "The functional flood plain will be protected; in undeveloped and sparsely developed areas development may be acceptable in areas at medium to high risk of flooding if the location is essential for operational reasons and an alternative, lower risk location is not available. Where flood protection measures to the appropriate standard already exist or are planned (under the adopted Local Flood Risk Management Plan) in built-up areas, development for residential, institutional, commercial and industrial development may be suitable. Any loss of flood storage capacity should be mitigated to achieve a neutral or better outcome. All proposals should be considered in accordance with the flood risk framework."		Accept Reporter's recommendation in full	51
	Modify the proposed local development plan by: 4. Replacing the phrase "Sustainable Urban Drainage Systems" and its abbreviation "SUDS" in policies ENV 9 (flooding) and ENV 10 (water environment) and where used in paragraphs 5.1.24 to 5.1.28 with the phrase "Sustainable Drainage Systems" and its abbreviation "SuDS", as required.		Accept Reporter's recommendation in full	Policy ENV9/ENV 10

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 5. Replacing the phrase "Sustainable Urban Drainage Systems" and its abbreviation "SUDS" in the second and fourth paragraphs of policy IMP 3 (water and drainage) on page 78 with the phrase "Sustainable Drainage Systems" and its abbreviation "SuDS", as required.		Accept Reporter's recommendation in full	78
17 Nature Conservation Policy Framework	Modify the proposed local development plan by: 1. Replacing the word "suitable" in criterion "C" of policy ENV 15 (species and habitat protection and enhancement) on page 55 with "appropriate and effective".	381	Accept Reporter's recommendation in full	55
18 Other Natural Environment	Modify the proposed local development plan by: 1. Adding the following text to the end of the second paragraph of policy ENV 11 (woodland, trees and hedges) on page 52: "If a development would result in the severing or impairment of connectivity between important woodland habitats, workable mitigation measures should be identified and implemented, preferably linked to a wider green network".	398	Accept Reporter's recommendation in full	52
	Modify the proposed local development plan by: 2. Replacing the second sentence of the second paragraph of policy ENV 11 (woodland, trees and hedges) on page 52 with: "Removal of woodland, trees and hedges will only be permitted where it would achieve significant and clearly defined additional public benefits".		Accept Reporter's recommendation in full	52
	Modify the proposed local development plan by: 3. Adding the following text to the end of the final sentence of policy ENV 16 (vacant, derelict and contaminated land) on page 55: "and land instability."		Accept Reporter's recommendation in full	55
	Modify the proposed local development plan by: 4. Adding "effective" in between "seek" and "mitigation" in the second sentence of policy ENV 17 (air quality) on page 56.		Accept Reporter's recommendation in full	56

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 5. Adding the following to the end of the second sentence of paragraph 5.1.22 on page 50: "and as such, they are a vital part of Midlothian's green network."		Accept Reporter's recommendation in full	50
19 Preserving our Historic Environment	Modify the proposed local development plan by: 1. Adding the following text to policy ENV 19 (conservation areas) on page 57 as a new sentence following the first sentence of the policy: "In assessing proposals, regard will be had to any relevant Conservation Area Character Appraisal."	411	Accept Reporter's recommendation in full	57
	Modify the proposed local development plan by: 2. Amending policy ENV 19 (conservation areas) on page 57 by deleting 'traditional natural' from the start of the second sentence in the second paragraph, between 'Conservation Area.' and 'materials appropriate'		Accept Reporter's recommendation in full	57
	Modify the proposed local development plan by: 3. Amending policy ENV 20 (nationally important gardens and designed landscapes) on page 60 by adding the following text at the start of the policy: "Development should protect, and where appropriate enhance, gardens and designated landscapes."		Accept Reporter's recommendation in full	60
	Modify the proposed local development plan by: 4. Amending the first sentence of policy ENV 21 (nationally important historic battlefields) on page 61 by deleting "character, appearance, setting or the key features of the battlefield." and replacing with: "key landscape characteristics and special qualities of the battlefield."		Accept Reporter's recommendation in full	61

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 5. Deleting the second paragraph of policy ENV 21 (nationally important historic battlefields) on page 61 and inserting the deleted text as a new paragraph 5.2.16 in the supporting text, following paragraph 5.2.15.		Accept Reporter's recommendation in full	61
	Modify the proposed local development plan by: 6. Making consequential changes to the paragraph numbering from paragraph 5.2.15 onwards to account for the insertion of new paragraph 5.2.16.		Accept Reporter's recommendation in full	Paragraph numbering
20 Renewable Energy Technologies including Wind Energy	Modify the proposed local development plan by: 1. Replacing the final two sentences of paragraph 6.1.2 on page 64 of the plan with; "All proposals for renewable and low carbon energy projects will be assessed against the criteria identified in policy NRG 1. All wind energy proposals will also be assessed against the criteria of policy NRG 2."	425	Accept Reporter's recommendation in full	64
	Modify the proposed local development plan by: 2. Amending the wording of criteria within policy NRG 1 (renewable and low carbon energy projects) on pages 64 and 65 to read: "A. cause an unacceptable significant adverse effect upon the historic environment..." "B. cause an unacceptable significant adverse effect upon natural heritage..." "C. cause an unacceptable significant adverse effect upon the green belt..." "D. cause an unacceptable significant adverse effect on peat/carbon rich soils* or prime agricultural farmland; (*when available, reference should be made to the relevant Scottish Government "Carbon Calculator" and any updated information in relation to known peat/carbon rich soil in the development and		Accept Reporter's recommendation in full	64, 65

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	assessment of proposals). “H. cause an unacceptable significant adverse effect upon the landscape or visual impact...”			
	Modify the proposed local development plan by: 3. Deleting the third sentence of paragraph 6.2.3 on page 65 and adding the following sentence: “Figure 6.1 also identifies areas with the potential for wind farm developments which the council considers have the capacity to successfully accommodate wind turbines of 30 metres and above.”		Accept Reporter's recommendation in full	65
	Modify the proposed local development plan by: 4. Amending the legend of Figure 6.1 on page 67 of the plan by: <ul style="list-style-type: none"> replacing “Site of Special Scientific Importance” with “Site of Special Scientific Interest”; replacing “2 km settlement buffer” to read “2 km community separation for consideration of visual impact”; deleting the heading “Wind Farm Opportunity Areas” and associated notation and replace with the following the heading “Areas with Potential for Wind Farm Development” and the text “all areas other than those defined as having significant protection”. 		Accept Reporter's recommendation in full	67
	Modify the proposed local development plan by: 5. Deleting the word “significantly” from the beginning of criterion 1 of policy NRG 2 (wind energy) on page 66.		Accept Reporter's recommendation in full	66
	Modify the proposed local development plan by: 6. Deleting the words “with the flight path of migratory birds” from criterion 3 of policy NRG 2 (wind energy) on page 66 and replacing with “to qualifying species of Special Protection Areas”.		Accept Reporter's recommendation in full	66
	Modify the proposed local development plan by: 7. Amending Figure 6.2 on page 68 by adding the source of the information that has informed its preparation.		Accept Reporter's recommendation in full	68

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
21 Building Design, Energy Efficiency & Community Heating	Modify the proposed local development plan by: 1. Amending the first paragraph of policy NRG 3 (energy use and low & zero-carbon generating technology) on page 69 by deleting the words "and energy which is required supplied efficiently." from the end of the first sentence. The sentence would then read as follows: "Through attention to location, development mix, phasing, site and building layout and adaptability of buildings to future use, demand for energy should be limited."	444	Accept Reporter's recommendation in full	69
	Modify the proposed local development plan by: 2. Amending paragraph 6.3.1 on page 69 by adding the following sentences after the second sentence: "The policy requires all new buildings to meet or exceed the target emissions rate of the current Building Regulations (2015). It is recognised, however, that the Building Regulations will change during the lifetime of the Plan and likely to require higher greenhouse gas reductions over time."		Accept Reporter's recommendation in full	69
	Modify the proposed local development plan by: 3. Deleting the second paragraph of policy NRG 3 (energy use and low & zero-carbon generating technology) on page 69 and replacing with the following: "Each new building shall incorporate low and/or zero-carbon generating technology in order to meet the minimum carbon dioxide emission reduction target of the 2015, and any subsequent revision to, Building Regulations. The council encourages all proposals for new development to incorporate measures to achieve the higher levels of sustainability, as defined by the Building Regulations."		Accept Reporter's recommendation in full	69
	Modify the proposed local development plan by: 4. Deleting clause 'A' from policy NRG 4 (interpretation of policy NRG 3) on page 69.		Accept Reporter's recommendation in full	69

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 5. Amending the second paragraph of policy NRG 5 (heat supply sources and development with high heat demand) on page 70 by adding the words "to be co-located with" after the word "seek". The beginning of the second paragraph would then read: "Where technically feasible and financially viable, development with a high heat demand should seek to be co-located with and make use of heat supply sources where optimal in mitigating Midlothian's territorial greenhouse gas emissions."		Accept Reporter's recommendation in full	70
	Modify the proposed local development plan by: 6. Amending Table 7.1 (list of supplementary guidance and other planning guidance) on page 80 to add the following text to the beginning of 'scope and content' column in respect of Community Heating: "Identifies where heat networks, heat storage and energy centres exist and policies to support their implementation. In addition, identifies..."		Accept Reporter's recommendation in full	80
	Modify the proposed local development plan by: 7. Deleting the final sentence of policy NRG 6 (community heating) on page 70.		Accept Reporter's recommendation in full	70
22 Sustainable Waste Management	Modify the proposed local development plan by: 1. Replacing the sixth sentence of paragraph 6.5.2 on page 71 with: "When considering the need for a waste management facility (for source segregated recyclables or unsorted waste) the council will have regard to Scotland wide operational waste capacity. The council will require proposals to be supported by regional capacity reports."	460	Accept Reporter's recommendation in full	71

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 2. Replacing the first part of the second paragraph of policy WAST 1 (new waste facilities) on page 71 with: "With the exception of employment land allocated at The Bush Bioscience Cluster, the location of waste management facilities is supported at established waste management sites and on sites in the established economic land supply that are allocated for business, general industrial, or for storage and distribution uses, or a combination of these uses; ..."		Accept Reporter's recommendation in full	71
23 General Delivery Issue	No modifications.	469	None	N/A
24 Policy - IMP1, IMP2, IMP3, IMP4 & IMP5	Modify the proposed local development by: 1. Amending policy IMP 1 (new development) on page 77 criterion 'E' to read "connections to all forms of public transport services (including financial support for services), bus stops and shelters, rail stations and associated car parks..."	482	Accept Reporter's recommendation in full	77
	Modify the proposed local development by: 2. Replacing the second sentence of the final paragraph of policy IMP 1 (new development) on page 77 with the following: "A proportion of the net building costs (ideally 1%) should be set aside for commissioning new works by an artist, craftsperson or designer. Such a contribution can be in the form of, for example, sculpture, murals, tiling, paving design, stained glass or textiles. Account will also be taken of the cost of developing sites, including essential infrastructure which is to be provided by a developer."		Accept Reporter's recommendation in full	77

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development by: 3. Amending the paragraph that follows criterion 'C' of policy IMP 2 (essential infrastructure required to enable new development to take place) on page 78 to read: "The following essential infrastructure requirements (in addition to those items of committed infrastructure listed in appendices 1C and 1D) have been identified to mitigate the impact of the local development plan's development strategy. A developer may be required to contribute to one or more of these infrastructure requirements."		Accept Reporter's recommendation in full	78
25 Action Programme	No modifications.	491	None	N/A
26 Site Specific Delivery	Modify the proposed local development plan by: 1. Amending the beginning of the third sentence of paragraph 8.2.60 on page 120 by replacing the words "As part of this development" with "Adjoining this site,"	500	Accept Reporter's recommendation in full	120
	Modify the proposed local development plan by: 2. Amending Table 8.19: Rosewell Committed Development, site reference h69 on page 122 to read "Conversion of A-listed Whitehill House"		Accept Reporter's recommendation in full	122
	Modify the proposed local development plan by: 3. Amending Table 8.22: Rosewell Implementation Requirements on page 124 under 'Other Requirements' and 'Relevant Site' by adding reference to 'Community facilities' and 'ALL', respectively		Accept Reporter's recommendation in full	124
	Modify the proposed local development plan by: 4. Amending Table 8.37: Penicuik/Auchendinny Housing Allocations (proposed site Hs20, Auchendinny) on page 148 by adding the sentence "A flood risk assessment will be required." at the end of the commentary.		Accept Reporter's recommendation in full	148

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 5. Amending Table 8.30: Bilston Biotechnology/Knowledge-based Industries/Research Allocations (proposed site Bt3, Technopole North West) on page 137 by adding the sentence "A flood risk assessment will be required." at the end of the commentary.		Accept Reporter's recommendation in full	137
	Modify the proposed local development plan by: 6. Amending Table 8.38: Penicuik/Auchendinny Additional Housing Development Opportunities (proposed site AHs3, Belwood Crescent, Penicuik) on page 149 by adding the sentence "A flood risk assessment will be required." at the end of the commentary.		Accept Reporter's recommendation in full	149
	Modify the proposed local development plan by: 7. Amending Table 8.38: Penicuik/Auchendinny Additional Housing Development Opportunities (proposed site AHs4, Pomathorn Mill, by Penicuik) on page 149 by adding the sentence "A flood risk assessment will be required." at the end of the commentary.		Accept Reporter's recommendation in full	149
	Modify the proposed local development plan by: 8. Amending Table 8.38: Penicuik/Auchendinny Additional Housing Development Opportunities (proposed site AHs5, Wellington School, by Howgate) on page 149 by adding the sentence "A flood risk assessment will be required." at the end of the commentary.		Accept Reporter's recommendation in full	149
27 South East Edinburgh (Danderhall & Shawfair)	Modify the proposed local development plan by: 1. Amend the first sentence of the second paragraph to the development considerations section of Hs0 (Cauldcoats) on page 84 by adding "and appropriate landscaping" following "rehabilitation/decontamination" . "and its relationship with the new settlement of Shawfair."	526	Accept Reporter's recommendation in full	84

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 2. Replacing "agreement" at the end of the first sentence of the second paragraph of the Hs1 (Newton Farm) housing allocation on page 85 with "agreements".		Accept Reporter's recommendation in full	85
	Modify the proposed local development plan by: 3. Deleting "the setting of" from the first sentence of the development considerations section of Hs1 (Newton Farm) on page 85.		Accept Reporter's recommendation in full	85
	Modify the proposed local development plan by: 4. Adding the following text to the end of the first sentence of the development considerations section of Hs0 (Cauldcoats) on page 84:		Accept Reporter's recommendation in full	84
	Modify the proposed local development plan by: 5. Adding the following text after the first comma in the first sentence of the development considerations section of Hs1 (Newton Farm) on page 85: "its relationship with the new settlement of Shawfair,"		Accept Reporter's recommendation in full	85
28 A701 Corridor Strategic Development Area - Bilston, Loanhead & Auchendinny etc	Modify the proposed local development plan by: 1. Adding the following sentence to Table 8.25 (proposal Ec4, Ashgrove North) after the sixth sentence on page 129: "Regard should also be had to the elevated nature of the site and the potential impact of new development on views, particularly when travelling west along the Edgefield relief road."	543	Accept Reporter's recommendation in full	129
	2. Adding the following sentence after the first sentence of Table 8.29 (proposal Hs16, Seafeld Road) on page 135: "The masterplan for the site should draw upon the sustainable place-making and design policies of this Plan and the supplementary guidance 'Quality of Place'."		Accept Reporter's recommendation in full	135

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	3. Adding the following text to end of the eighth sentence of Table 8.29 (proposal Hs16, Seafield Road) on page 135: “..., while the provision of other areas of green space could contribute to maintaining outward views to the west of the Pentland Hills.”		Accept Reporter's recommendation in full	135
	4. Adding the following sentence after the first sentence of Table 8.37 (proposal Hs20, Auchendinny) on page 148: “In this regard consideration should be had to the sustainable place-making and design policies of this Plan and to supplementary guidance ‘Quality of Place’.”		Accept Reporter's recommendation in full	148
	5. Adding the following sentence after the fifth sentence of Table 8.37 (proposal Hs20, Auchendinny) on page 148: “The provision of green spaces, with appropriate planting, adjacent to existing properties could help retain a degree of separation and distinction between the village and new development.”		Accept Reporter's recommendation in full	148
29 A701 Corridor Strategic Development Area – Penicuik	Modify the proposed local development plan by: 1. Adding a second sentence to the development considerations for site Hs22 (Kirkhill Road) on page 148 as follows: “Existing outdoor tennis courts should be retained on the site, upgraded on the site to a better quality or replaced (to a better quality) at another location convenient for users.”	580	Accept Reporter's recommendation in full	148
30 A701 Corridor Strategic Development Area – Roslin	No modifications.	609	None	N/A

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
31 A7/A68/Borders Rail Corridor Strategic Development Area – Other Settlements	Modify the proposed local development plan by: 1. Deleting reference to Dalhousie Castle as a designed landscape within Table 8.17 on page 117; and amending Figure 5.8 and paragraph 5.2.12 to note that there are “twelve” designated areas.	637	Accept Reporter's recommendation in full	117
	2. Amending the proposals map 4 (Gorebridge) to remove the 'nationally important gardens and designed landscape' notation formerly associated with Dalhousie Castle.		Accept Reporter's recommendation in full	Proposals Map
32 A7/A68/Borders Rail Corridor Strategic Development Area – Bonnyrigg	No modifications.	691	None	N/A
33 Economic Sites	Modify the proposed local development plan by: 1. Defining the boundaries of each of the business allocations (b1, b2, b3, b4, b6, b7, b8, b9, Bt1, Bt2, and Bt2) within The Bush by using a darker tone along the edge of each designation on the proposals maps. “This extension is identified for business (Class 4) and industry (Class 5) (plus ancillary support activities).”	720	Accept Reporter's recommendation in full. The Council notes the typographical error in the listed site references opposite and assumes the correct reference in the recommendation for the “Bt” sites should be Bt1, Bt2 and Bt3, not Bt1, Bt2 and Bt2 as stated.	Proposals Map

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	<p>Modify the proposed local development plan by:</p> <p>2. Showing the white land within The Bush (north and east of business site b4 and west of strategic employment allocation Bt3) as "open space (outside settlement area)" on the proposals maps.</p>		<p>No change. The Council considers that this recommendation falls to be considered under section 2 (c) of the statutory regulations setting out the grounds for declining to make recommended modifications to the Proposed Plan.</p> <p>The open spaces identified on the proposals map and covered by policy DEV8 were identified by the open space audit prepared for the current open space strategy. While the majority of these spaces are located within settlement boundaries, some are located outwith settlement boundaries and are annotated differently on the proposals map. The Bush (now rebranded as the Midlothian Science Zone) is a separate and distinct policy area (since the Government changed its policy position on non-conforming uses in the Green Belt) and has its own Masterplan which identifies potential development zones within the context of a landscape and greenspace framework of which these "white land" areas form part. The Council considers that the Reporter has misinterpreted the reference to open space designation in the plan and on the proposals map in respect of its intended application and has incorrectly applied it to the MSZ policy boundary. Accordingly the Council does not consider the recommendation appropriate or necessary and does not propose to change the plan in this case.</p>	Proposals Map

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
	Modify the proposed local development plan by: 3. Deleting criterion A. within policy ECON 3 (ancillary development on business parks) on page 24 and changing criterion B. to A. and criterion C. to B.		Accept Reporter's recommendation in full	24
	Modify the proposed local development plan by: 4. Replacing the third sentence in the development considerations for site Ec1 (Shawfair Park Extension 2) on page 86 with: "The MLDP has identified this site for business (Class 4) and industry (Class 5) (plus ancillary support activities)."		Accept Reporter's recommendation in full	86
	Modify the proposed local development plan by: 5. Replacing the final sentence in the development considerations for site e14 (Salter's Park) on page 92 with: "The MLDP has extended the potential range of uses to include storage and distribution (Class 6) in recognition of the site's accessibility to the major road network (plus ancillary support activities)."		Accept Reporter's recommendation in full	92
	Modify the proposed local development plan by: 6. Replacing the fourth sentence in the development considerations for site Ec2 (Salter's Park Extension) on page 94 with: "This extension is identified for business (Class 4) and industry (Class 5) (plus ancillary support activities)."		Accept Reporter's recommendation in full	94
	Modify the proposed local development plan by: 7. Removing the last sentence of the first paragraph of policy STRAT 5 (strategic employment land allocations) on page 9 which reads "proposals for non-employment uses will not be permitted".		Accept Reporter's recommendation in full	9
	Modify the proposed local development plan by: 8. Replacing the word "permitted" with "supported" in the first sentence of policy ECON 6 (working from home/micro business) on page 25.		Accept Reporter's recommendation in full	25

**Proposed Midlothian Local Development Plan Examination
Report to Midlothian Council – 10 July 2017**

ISSUES	REPORTERS' RECOMMENDATIONS	REPORT PAGE NO	COUNCIL'S MODIFICATIONS	PLAN PAGE/ PARA NO
34 Process, Consultation etc	No modifications.	747	None	N/A