

Minute of Meeting



Planning Committee

Date	Time	Venue
22 August 2017	2.00 pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

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

1. Apologies

Apologies received from Councillors Hardie and Montgomery.

2. Order of Business

The order of business was confirmed as outlined in the agenda that had been circulated.

3. Declarations of interest

Councillor Winchester declared a non pecuniary interest in agenda item 5.8 - Application for Planning Permission (17/00219/DPP) for the Partial Change of Use of Land and Buildings for Wedding Events (Part Retrospective) at 32A Damhead, Lothianburn – on the grounds that she had been approached by the Community Council and also an objector, albeit she had not offered either party an opinion on the application. She indicated that she felt that the nature of her interest was such that she did not feel the need to withdraw and would remain in attendance during the debate, and contribute to the consideration of this particular item.

4. Minutes of Previous Meetings

The Minutes of Meeting of 6 June 2017 were submitted and approved as a correct record.

5. Reports

Agenda No	Report Title	Presented by:
5.1	Proposed Revision of the Councils' Scheme of Delegation for the Determination of Planning Applications	Peter Arnsdorf
Executive Summary of Report		
<p>There was submitted report, dated 8 August 2017, by the Head of Communities and Economy, seeking approval for an amended scheme of delegation for planning matters, under which specific types of planning applications were delegated to the appointed officer to determine.</p> <p>The report explained that following a Planning Service Review the Development Management and Planning Policy and Environment teams had been conjoined into a single Planning team with a new structure being implemented from March 2016. As part of the new structure, roles and responsibilities and associated job titles had changed. As a consequence the approved scheme of delegation required to be updated to identify the correct appointed officers who were delegated to determine applications. The proposed updating of the scheme of delegation did not however change which applications Elected Members delegate to officers to determine. Prior to the adoption of the amended scheme, the scheme required to be approved by the Scottish Ministers.</p>		

Decision

Having heard from the Planning Manager, the Committee agreed:-

- (a) to approve the amended 'Revised Scheme of Delegation for the Determination of Planning Applications for Planning Permission' as set out at Appendix A of this report; and
- (b) that this amended 'Revised Scheme' be formally submitted to Scottish Ministers for approval.

On a procedural matter, the Committee also agreed that in future applications for 20 units or more, should be referred to the local ward members for their interest.

Action

Head of Communities and Economy/Planning Manager

Agenda No	Report Title	Presented by:
5.2	Major Developments: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 8 August 2017, by the Head of Communities and Economy, updating the Committee on 'major' planning applications, formal pre-application consultations by prospective applicants and the expected programme of applications due for reporting.

Summary of Discussion

The Committee, heard from the Planning Manager who, in responding to Members' questions, gave updates on the progress of the applications for proposed developments at land north of Oak Place, Mayfield and land at Cauldcoats, Dalkeith. He also confirmed that the landownership certification issue at Cauldcoats had now been resolved.

Decision

- (a) To note the current position in relation to major planning application proposals which were likely to be considered by the Committee in 2017; and
- (b) To note the updates for each of the applications.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.3	Appeal and Local Review Body Decisions	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 8 August 2017, by the Head of Communities and Economy, detailing the notices of review determined by the Local Review Body (LRB) at its meeting in June 2017, and advising of the outcome of three appeals determined by Scottish Ministers.

Appended to the report were copies of the following appeal decision notices from the Scottish Government, Planning and Environmental Appeals Division:-

- dated 13 July 2017, dismissing an appeal by Mr B Wilson (SC Dalkeith Limited) against refusal of planning permission for the Erection of retail unit, formation of access and car parking at Land south-west of Tesco superstore, Dalkeith (16/00618/DPP) and refusing planning permission;
- dated 8 June 2017, upholding an appeal by Mr G Hateley against refusal of listed building consent for the removal of condition 6 attached to listed building consent 09/00498/LBC to allow the retention of conservatory at West House, Crichton House, Laird's Entry, Crichton, Pathhead (16/00857/LBC) and varying listed building consent 16/00857/LBC by deleting condition 6; and
- dated 12 July 2017, upholding an appeal by The Society of the Sacred Heart against refusal of listed building consent for the extension to building and alteration to wall at Rosehill, 27 Park Road, Dalkeith (17/00092/LBC) and granting listed building consent subject to conditions.

Summary of Discussion

The Committee, having heard from the Planning Manager, welcomed the Ministers' decision safeguarding the Land south-west of the Tesco superstore at Hardengreen.

Decision

- (a) To note the decisions made by the Local Review Body at its meeting on 13 June 2017; and
- (b) To note the outcome of the appeals determined by Scottish Ministers

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.4	Pre-Application Consultation: Proposed Installation of sustainable urban drainage system (SUDS) and foul water drainage system at Easter Bush Campus, Bush Farm Road, Roslin (17/00339/PAC).	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 8 August 2017, by the Head of Communities and Economy advising that a pre application consultation had been submitted regarding the proposed installation of a sustainable urban drainage system (SUDS)

and foul water drainage system at Easter Bush Campus, Bush Farm Road, Roslin (17/00339/PAC).

The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' 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 development for the Committee's consideration.

Summary of Discussion

The Committee, having heard from the Planning Manager, acknowledged that whilst precise details of the SUDS feature would become clear once the application for detail consent was submitted, there was an opportunity to provide an attractive feature which with appropriate planting would enhance the locality.

Decision

- (a) To note the provisional planning position set out in the report;
- (b) To note the comments made by Members; and
- (c) To note that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.5	Pre-Application Consultation: Proposed Residential Development, Community Facilities, Primary School, Open Space and Associated Infrastructure at Site Hs12 Hopefield Farm 2, Bonnyrigg (17/00367/PAC).	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 8 August 2017, by the Head of Communities and Economy advising that a pre application consultation had been submitted regarding a proposed Residential Development, Community Facilities, Primary School, Open Space and Associated Infrastructure at Site Hs12 Hopefield Farm 2, Bonnyrigg (17/00367/PAC).

The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' 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 development for the Committee's consideration.

Summary of Discussion

Having heard from the Planning Manager, the Committee in discussing the proposals questioned the ability of local infrastructure to support ongoing and emerging development in the area, in particular the ability of the local road network to adequately support the additional traffic movements likely to be generated; access to the site; pressure on health facilities and education provision; and also measures to encourage greater use of public transport. The Committee felt that in this regard a Master Plan for this and the adjoining site would be beneficial.

Decision

- (a) To note the provisional planning position set out in the report;
- (b) To note the comments made by Members; and
- (c) To note that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.6	Pre-Application Consultation: Proposed Residential Development at Land at Site Hs11, Dalhousie South, Bonnyrigg (17/00402/PAC).	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 8 August 2017, by the Head of Communities and Economy advising that a pre application consultation had been submitted regarding a proposed Residential Development at Land at Site Hs11, Dalhousie South, Bonnyrigg (17/00402/PAC).

The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' 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 development for the Committee's consideration.

Summary of Discussion

Having heard from the Planning Manager, the Committee in discussing the

proposals again questioned the ability of local infrastructure to support residential development at this location, in particular the ability of the local road network to adequately support the additional traffic movements likely to be generated; the possibility of a roundabout/controlled access to the site; pressure on health facilities and education provision; and also measures to encourage greater use of public transport, in particular the possible provision of a pedestrian access to the railway station at Eskbank.

Decision

- (a) To note the provisional planning position set out in the report;
- (b) To note the comments made by Members; and
- (c) To note that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.7	Pre-Application Consultation: Proposed Extension to the Existing Sand Quarry at Upper Dalhousie, Rosewell (17/00565/PAC).	Peter Arnsdorf

Executive Summary of Report

There was submitted report, dated 8 August 2017, by the Head of Communities and Economy advising that a pre application consultation had been submitted regarding a proposed Extension to the Existing Sand Quarry at Upper Dalhousie, Rosewell (17/00565/PAC).

The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' 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 development for the Committee's consideration.

Summary of Discussion

The Committee, having heard from the Planning Manager, discussed the impact that the proposals would have on the local road network given the ongoing and emerging developments in the area; the provision of adequate wheel wash facilities; and the general environmental impacts that it might have.

Decision

- (a) To note the provisional planning position set out in the report;

- (b) To note the comments made by Members; and
- (c) To note that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

Action

Head of Communities and Economy

Agenda No	Report Title	Presented by:
5.8	Application for Planning Permission (17/00219/DPP) for the Partial Change of Use of Land and Buildings for Wedding Events (Part Retrospective) at 32A Damhead, Lothianburn.	Peter Arnsdorf

Executive Summary of Report

With reference to paragraph 5.14 of the Minutes of 6 June 2017 and following an unaccompanied site inspection visit on 17 August 2107, there was re-submitted report, dated 23 May 2017, by the Head of Communities and Economy concerning the above application.

Summary of Discussion

Having heard from the Planning Manager, who provided Members with an update on events since the June meeting, the Committee acknowledged that the application continued to generate considerable comments both in support of, and opposition to, the proposals. The Committee then gave consideration to the issues of noise and disturbance arising from the wedding events, which appeared to be a key concern and discussed if there was scope to address these issues by way of appropriate conditions. The retrospective nature of the application was also commented upon. Whilst opinion was divide over whether the case for a departure from the policy position had been clearly established, there was a general feeling amongst the Committee that there would be merit in exploring further if appropriate conditions could be identified that might allow the development to proceed in the event that the Committee was minded to approve it.

Decision

The Committee agreed to continue consideration of the application to allow further discussion to take place regarding potential conditions should the Committee be minded to approve the application.

Action

Head of Communities and Economy/Democratic Services

The meeting terminated at 3.16pm.