

Minute of Meeting

Planning Committee
Tuesday 12 October 2021
Item No: 4.1



Planning Committee

| Date | Time | Venue |
|------------------------|---------|--------------|
| Tuesday 31 August 2021 | 1.00 pm | Via MS Teams |

Present:

| |
|--------------------------|
| Councillor Imrie (Chair) |
| Councillor Alexander |
| Councillor Hackett |
| Councillor Hardie |
| Councillor Johnstone |
| Councillor McCall |
| Councillor McKenzie |
| Councillor Milligan |
| Councillor Muirhead |
| Councillor Russell |
| Councillor Smaill |

In Attendance:

| | |
|-----------------|--------------------------------|
| Peter Arnsdorf | Planning Manager |
| William Venters | Legal Services |
| Derek Oliver | Chief Officer Place |
| James Gilfillan | Consultant Policy and Planning |
| Janet Ritchie | Democratic Services Officer |

1. Apologies

Apologies for absence were intimated on behalf of Councillor Cassidy, Councillor Curran, Councillor Lay-Douglas, Councillor Wallace, Councillor Parry and Councillor Munro.

2. Order of Business

The order of business was as set out in the Agenda.

3. Declarations of interest

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

4. Minutes of Previous Meetings

The Minute of Meeting of 15 June 2021 was submitted and approved as a correct record.

5. Reports

| Agenda No | Report Title | Presented by: |
|---|--|----------------|
| 5.1 | Mavisbank Conservation Area Character Appraisal and Management Plan. | Peter Arnsdorf |
| Outline of report and summary of discussion | | |
| The purpose of this report was to seek the Committee's agreement to adopt the 'Conservation Area Character Appraisal and Management Plan' (CACAMP) for the Mavisbank Conservation Area, attached to the report as Appendix A. | | |
| At its meeting of 24 November 2020 the Committee agreed to undertake a formal consultation on the 'Conservation Area Character Appraisal and Management Plan' for the Mavisbank Conservation Area which ran from 3 December 2020 to 15 February 2021. | | |
| Five consultation responses have been received and are set out in detail in Appendix B attached to this report | | |
| Decision | | |
| The Planning Committee agreed to adopt the Mavisbank Conservation Area Character Appraisal and Management Plan. | | |
| Action | | |
| Planning Manager | | |

| Agenda No | Report Title | Presented by: |
|---|---|----------------|
| 5.2 | Pre- Application Consultation for a mixed use development comprising Class 4, 5 and 6 at land East of Salters Road, Dalkeith (21/00512/PAC) | Peter Arnsdorf |
| Outline of report and summary of discussion | | |
| <p>The purpose of this report was to advise the Committee of the submission of a Proposal of Application Notice (PAN) and corresponding pre-application consultation for a mixed use development comprising of Class 4 (business), Class 5 (general industry) and Class 6 (storage and distribution) at land east of Salters Road, Dalkeith (21/00512/PAC).</p> <p>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 development.</p> <p>The Planning Manager is responding to a comment regarding the traffic issues and potential improvements to the A68 bypass advised that if the application materialises on the back of this pre-application consultation a traffic assessment would be expected and the comments were noted. Also raised was the informal paths through the estate and that these are maintained and the issues of the gates into the Dalkeith Place estate which have been blocked up for many years and the possibility of these getting reopened, the Planning Manager confirmed that these comments would be taken into account and discussed with the Developers.</p> | | |
| Decision | | |
| <p>The Planning Committee noted:</p> <ul style="list-style-type: none"> 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. c) That the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application. | | |
| Action | | |
| The Planning Manager | | |

| Agenda No | Report Title | Presented by: |
|---|--|----------------|
| 5.3 | Application for Planning permission in principle for residential development and associated works at land north of Seafield Road, Bilston (19/01039/PPP) | Peter Arnsdorf |
| Outline of report and summary of discussion | | |
| <p>This application was for planning permission in principle for a residential development on land to the north of Seafield Road, Bilston.</p> <p>There have been four representations and consultation responses from the Coal Authority, the Scottish Environment Protection Agency (SEPA), Scottish Water,</p> | | |

Transport Scotland, the Council's Archaeological Advisor, Damhead and District Community Council, Roslin and Bilston Community Council, the Council's Policy and Road Safety Manager, the Council's Flooding Officer, the Council's Education Resource Manager, the Council's Environmental Health Manager and the Council's Land and Countryside Manager.

In response to comments made by the Committee the issues relating to the impact on local health services and the infrastructure was noted.

Decision

The decision was made to agree that planning permission be granted for the reasons detailed within the report and subject to the conditions also outlined within the report.

Action

The Planning Manager

| Agenda No | Report Title | Presented by: |
|------------------|---|----------------------|
| 5.4 | Section 42 Application to amend condition 10 and 11 imposed on a grant of Planning Permission (13/00681/DPP) for the continuation of landfill operations without erection of waste management complex at Drummond Moor landfill site, Rosewell (21/00101/s42) | Peter Arnsdorf |

Outline of report and summary of discussion

The report outlined that the committee had previously granted the continuation of landfill operations without the erection of a waste management complex in November 2013 subject to conditions. This Section 42 application sought to amend the wording of Conditions 10 and 11 attached to planning permission 13/00681/DPP to amend the approved landfill restoration masterplan. Specifically, an amended restoration masterplan contours to provide a development platform, amended surface water drainage management /sustainable urban drainage system (SUDS) approach and amended restoration planting. These amendments are sought to accommodate a proposal for tourist accommodation (planning application 20/00268/DPP) due to be determined by the Planning Committee at its meeting on 31 August 2021.

The report advised that there have been no representations received and consultation responses from; the Coal Authority, Scottish Water, Scottish Environment Protection Agency (SEPA), the Council's Flooding Officer and the Council's Environmental Health Manager. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.

Decision

The decision was made to agree that planning permission be granted for the reasons detailed within the report and subject to the conditions also outlined within the report.

| Action |
|----------------------|
| The Planning Manager |

| Agenda No | Report Title | Presented by: |
|-----------|--|----------------|
| 5.5 | Application for Planning Permission for erection of up to 64 Holiday Lodges, Reception, Amenity building and associated works at land at Drummond Moor, Rosewell (20/00268/DPP) | Peter Arnsdorf |

Outline of report and summary of discussion

This application was for detailed planning permission for up to 64 holiday lodges and associated reception and amenity building, formation of access roads, footpaths, sustainable urban drainage system (SUDS) and associated works at land at Drummond Moor Landfill, Rosewell.

There were no letters of representation and consultation responses from the Coal Authority, Scottish Water, Scottish Environment Protection Agency (SEPA), Historic Environment Scotland (HES), Nature Scotland, the Council's Flooding Officer, the Council's Policy and Road Safety Manager, the Council's Environmental Health Manager, the Council's Land Resources Manager, the Council's Economic Development Manager, the Howgate Community Council and the Rosewell & District Community Council.

In responding to a questions raised with regards to the Local Development plan in relation to tourist accommodation and activities confirmed that the Local Development Plan takes this into consideration.

Decision

The decision was made to agree that planning permission be granted for the reasons detailed within the report and subject to the conditions also outlined within the report and that a direction be applied to the planning permission to increase the expiry timescale from 3 years to 5 years.

Action

The Planning Manager

| Agenda No | Report Title | Presented by: |
|-----------|---|----------------|
| 5.6 | Application for Planning Permission for Subdivision of existing dwelling house to form two dwelling houses and associated works at 172 main street, Pathhead (21/00188/DPP) | Peter Arnsdorf |

Outline of report and summary of discussion

The application was for the subdivision of an existing dwellinghouse, to form two dwellinghouses; the demolition of an existing extension; and erection of a new extension and associated works at a residential property at 172 Main Street, Pathhead. 172 Main Street, Pathhead is a listed building and within a conservation area.

There have been six letters of representation and consultation responses from Scottish Water, Transport Scotland, Tynewater Community Council, the Council's Archaeological Advisor, The Wildlife Information Centre and the Council's Policy and Road Safety Manager.

Councillor Smaill called this application to the Committee and highlighted the reasons for the call-in as detailed within the report and also highlighted the comments made by the Architectural Heritage Society of Scotland. There followed a lengthy discussion regarding this application and the design of the extension.

Thereafter Councillor Smaill moved a Motion to refuse the application and this was seconded by Councillor Russell.

Councillor Milligan moved an Amendment to grant planning permission as detailed within the report and this was seconded by Councillor Johnstone.

On a vote being taken by way of a roll call vote there was 3 votes for the Motion not to grant planning permission and 7 votes for the Amendment to grant Planning Permission that then became the decision of the committee. Details of the Roll Call vote are appended to the Minute.

Decision

The Committee agreed to grant planning permission subject to the conditions detailed within the report. The proposal would not have a detrimental impact on the character of the listed building or the conservation area; and would not have a significant detrimental impact on the amenity of local residents.

Action

The Planning Manager

6. Private Reports

No items for discussion

7. Date of Next Meeting

The next meeting will be held on Tuesday 12 October 2021

The meeting terminated at 13.31 pm