



**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE  
(13/00877/PPP) FOR THE RESIDENTIAL REDEVELOPMENT OF LAND  
PREVIOUSLY OCCUPIED BY THE ROSLIN INSTITUTE AND LAND  
PRESENTLY OCCUPIED BY THE ROSLIN BIOCENTRE, ROSLIN,  
MIDLOTHIAN**

**Report by Head of Communities and Economy**

**1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION**

- 1.1 The application is for planning permission in principle for residential redevelopment of the site comprising the land previously occupied by the Roslin Institute and the land presently occupied by the Roslin BioCentre. There has been 28 letters of representation, and consultation responses from Historic Scotland, Scottish Natural Heritage, the Scottish Environment Protection Agency, East Lothian Archaeological Service, the Council's Head of Education and Policy and Roads Safety Manager. The relevant development plan policies are policies 5, 12 and 13 of the Edinburgh and South East Scotland Strategic Development Plan (2013) and policies RP1, RP2, RP3, RP4, RP5, RP7, RP8, RP13, RP14, RP15, RP27, RP28, RP32, HOUS4 and IMP1, 2 and 3 of the Midlothian Local Plan (2008). The Midlothian Local Development Plan development strategy (approved at Council 26 June 2014) is a material consideration in the assessment of the application. The recommendation is to grant planning permission in principle subject to conditions and the prior signing of a legal agreement to secure developer contributions.**

**2 LOCATION AND SITE DESCRIPTION**

- 2.1 The site is located immediately to the north of the built up area of Roslin and slopes upwards gently from south to north. Kill Burn Wood; which is included in the Ancient Woodland Register, and through which flows the Kill Burn, bounds the site to the north. Agricultural fields bound the site to the east. A section of former railway line demarcates the entire southern boundary of the site beyond which is extensive woodland planting and then the built up area of Roslin. Manse Road bounds the site to the southeast. The B7006 road bounds the site to the west. The site sits well in the local and wider landscape with limited short distance views in and out of the site. There are some longer views to and from the Pentland Hills to the west and north-west.**

- 2.2 The existing built form of the northern edge of Roslin comprises a mixture of single and two-storey detached, semi-detached and terraced houses.
- 2.3 All of the land subject to the planning application is outwith the settlement boundary of Roslin and is designated as countryside, green belt and prime agricultural land in the adopted Midlothian Local Plan (2008). The land is part of the established Midlothian economic land supply and is part of the existing economic site known as the Roslin Institute (site b5). Site b5 is part of the classified major non-conforming land uses in the Green Belt. The southern part of the site; comprising an area of some 16.5 hectares and is the land of the recently vacated former Roslin Institute. It is identified as site RN5 in the Midlothian Local Development Plan development strategy approved by the Council at its meeting of the 26 June 2014 and has an indicative capacity of between 180 - 200 houses. In 2011 the Roslin Institute relocated to the University of Edinburgh's Veterinary Campus at the Bush, making the site and institute buildings; including several derelict poultry buildings, surplus to requirements. The northern part of the site covers an area of some 13.4 hectares. There are two detached buildings on that part of the site known as the Logan and Wallace buildings. They are presently occupied under lease by the Roslin BioCentre to the Biotechnology and Biological Sciences Research Council (BBSRC).

### **3 PROPOSAL**

- 3.1 The application proposes planning permission in principle for residential development. However, the applicant has also submitted an indicative masterplan comprising a design concept for the development of the site. The masterplan considers urban design, development form and housing mix, access, core streets, landscape and open space, drainage and phasing. The application indicatively shows between 280-300 dwellings on the site. On the basis of a development of this size the average housing density across the whole site is anticipated to be between 17 - 18 dwellings per hectare. On a net development area of 9.5ha (excluding strategic green space, boundary structural landscaping and site infrastructure) densities would equate to a range of between 29 and 32 dwellings per hectare (dph). It is stated in the indicative masterplan that the development mix could comprise a broad range of housing types including a mix of detached, semi-detached, terraces and flatted units.
- 3.2 Vehicular access is indicatively shown as being off the B7006 road from a point in the west boundary of the site. SUDs are indicatively shown located in the northern corner of the site.
- 3.3 The application is accompanied by a Pre-Application Consultation Report, a Masterplan Report, an Environmental Information Report, an Ecological Walkover Survey Report, a Transportation Assessment, an Infrastructure and Utilities Report, a Drainage Strategy Report, a Flood Risk Assessment, and Archaeological Desk Based Assessment a Landscape and Visual Impact Assessment, a Tree Survey, a Geo-Environmental Desk Based Study and a coal authority report.

## 4 BACKGROUND

- 4.1 Pre-application consultation 13/00157/PAC for a residential development was received in March 2013.
- 4.2 An Environmental Impact Assessment (EIA) Screening Opinion request, 13/00336/SCR, for a proposed residential development was submitted 17 April 2013. The applicant was advised that an EIA was not required under schedule 2 of the regulations.

## 5 CONSULTATIONS

- 5.1 The Council's **Head of Education** has advised that based on a development of 300 dwellings there would arise a demand for the following number of pupils:
- |                                |    |
|--------------------------------|----|
| • Primary Non Denominational   | 84 |
| • Primary Denominational       | 8  |
| • Secondary Non denominational | 60 |
| • Secondary Denominational     | 6  |
- 5.2 St Margaret's RC Primary School has sufficient spare capacity for this development. Roslin Primary School does not have sufficient capacity for this development and other committed sites. Therefore the non-denominational primary school provision will be at the planned new single stream (with capacity for an additional second stream) primary school for the Bilston area. The applicants will be required to make developer contributions towards the new Bilston Primary School.
- 5.3 Beeslack High School will not have sufficient capacity for this development and other committed sites. The developer will be required to contribute towards the consequential cost of additional secondary school accommodation.
- 5.4 The Council's **Policy and Road Safety Manager** requires details of access, parking, footpaths, SUDS, public transport infrastructure and a Green Travel Plan to be submitted as part of the matters specified in conditions applications.
- 5.5 The proposed development lies within the boundary of the Battle of Roslin, fought in 1303 and part of the Scottish Wars of Independence. Evidence relating to the Battle, which has not been extensively studied, may lie within the topsoil. Although there has been no archaeological work carried out on the proposed site, the location of the site within the boundary of the medieval Battle of Roslin suggests that battlefield remains may survive within the site. Other archaeological remains throughout the area also suggest that archaeological remains may be encountered during groundbreaking operations. Consequently any archaeological remains that may survive *in situ* could provide important information about the archaeology of the area, particularly relating to the

Battle. Any groundbreaking works therefore carried out as part of the development process are considered as having a potential archaeological impact and require a suitable mitigated response. The Council's **Archaeological Advisor** recommends that a requirement for a programme of archaeological works (metal detector survey and evaluation) to be carried out which will record any metal finds related to the Battle of Roslin 1303 and determine whether the development will disturb any buried archaeological deposits and record and excavate them if they cannot be preserved *in situ*.

- 5.6 **Historic Scotland** does not object to the principle of the development. However, they advise that if planning permission in principle is granted it should be subject to conditions to mitigate the physical impact on buried archaeological remains.
- 5.7 The **Scottish Environment Protection Agency (SEPA)** was consulted on the application and did not raise an objection on flood risk grounds. They state that because the Kill Burn is located between 3.46 and 9.11 metres below the lowest level of the site it is unlikely that the site is at risk of flooding from this source.
- 5.8 **Scottish Natural Heritage** does not object to the application. They confirm that they support the recommendation in the main ecology report submitted with the application that a detailed badger survey is carried out. They advise that the best time of year to carry this survey out is the Spring. In addition, if the badger survey concludes that badgers may be affected by the development then they recommend that the applicant prepares a Badger Protection Plan. They state that if Midlothian Council approves the application for planning permission in principle it could impose a suspensive condition requiring that detailed badger surveys are carried out prior to construction works commencing. However, they advise that while this is possible it is not an approach that they recommend. They advise that there is a risk that detailed badger surveys bring in new information that may affect the proposed development. For example if a badger sett were found within 30m of a property footprint then the applicant may have to redesign the site layout, or provide mitigation, in order to obtain a badger licence.

## 6 REPRESENTATIONS

- 6.1 Twenty eight letters of objection have been received. The main points of objection raised are as follows:
- The mature woodland immediately beyond the edges of the site should be retained
  - The layout of the development should not prohibit wildlife from accessing the areas of woodland immediately beyond the edges of the site;
  - The loss of area of woodland would result in the loss of amenity of neighbouring residences;

- There exists insufficient infrastructure to cope with a development of 300 dwellings;
- There should be separation distances between the built development and the areas of woodland immediately beyond edges of the site;
- Concern about existing trees to the rear of houses in Station Road being removed to facilitate the development; which trees are on land owned by the owners of the houses in Station Road;
- The proposed development would result in the loss of existing bus stops or the displacement of them to a less safe location;
- The existing road infrastructure is not currently of a standard to cope with the increase in use of it resulting from the redevelopment of the site with dwellings of a density indicated in the masterplan.
- Accesses to the site along Manse Road could become a “rat run” should the proposed development go ahead;
- Insufficient information has been submitted about how it is intended to deliver the affordable housing requirement for the site;
- There is insufficient school capacity to meet the demand that would be generated by the proposed development;
- There is not a need within this particular location for a development of the scale proposed;
- Existing sewerage and water systems do not have adequate capacity to meet the increase in demand on them that would be generated by the proposed development.
- A development of 300 dwellings would irreversibly and negatively change the character of the village of Roslin and would have a detrimental impact on the existing residents of the village;
- If the development were to go ahead, any future development would result in a loss of distinction of where Roslin stops and Bilston begins;
- The proposed development will be car dominated with the principal mode of travel to and from the site being by private vehicles;
- If planning permission in principle is to be granted the scale of development on the site should be restricted;
- If planning permission in principle is to be granted it should be subject to a control by the Council prohibiting the developer from seeking to develop the adjacent field;
- If planning permission in principle is to be granted the developer should contribute to local services and facilities, including the provision of a new local shop;
- An opportunity has not yet been given to neighbours to comment on an accurate site layout plan for a proposed residential development on the site.

## 7 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan, approved in June 2013 and the Midlothian Local Plan, adopted in December 2008. Also relevant are the provisions of the Midlothian Local Development Plan (MLDP)

development strategy approved by the Council at its meeting of 24 June 2014, as well as current and emerging Scottish Government Planning Policy. The following policies are relevant to the proposal:

South East Scotland Strategic Development Plan 2013 (SESPlan)

- 7.2 **Policy 5** (HOUSING LAND) requires Local Development Plans to allocate sufficient land for housing which is capable of becoming effective in delivering the scale of the housing requirements for each period.
- 7.3 **Policy 12** (GREEN BELTS) requires Local Development Plans to define and maintain Green Belts around Edinburgh whilst ensuring that the strategic growth requirements of the Strategic Development Plan can be accommodated. Local Development Plans should define the types of development appropriate within Green Belts.
- 7.4 **Policy 13** (OTHER COUNTRYSIDE DESIGNATIONS) requires Local Development Plans to review and justify additions or deletions to other countryside designations fulfilling a similar function to those of the Green Belt as appropriate. Opportunities for contributing to the Green Network proposals should also be identified.

The Midlothian Local Plan 2008

- 7.5 The Midlothian Local Plan (2008) (MLP) is the adopted Local Plan.
- 7.6 All of the land subject of this planning application is outwith the settlement boundary of Roslin and is designated as countryside, Green Belt and prime agricultural land. All of the land within the boundary of the planning application is part of the established Midlothian economic land supply and is part of the existing economic site known as the Roslin Institute (site b5). Site b5 is part of the classified major non-conforming land uses in the Green Belt.
- 7.7 Policy **RP1: Protection of the Countryside** states that development in the countryside will only be permitted if: it is required for the furtherance of agriculture, including farm related diversification, horticulture, forestry, countryside recreation, tourism, or waste disposal (where this is shown to be essential as a method of site restoration); it is within a designated non-conforming use in the Green Belt; or it accords with policy DP1.
- 7.8 The MLP sets out at paragraph 2.1.16 that the Roslin Institute has intimated to the Council possible future proposals to relocate from the current site at Roslin to land within the Bush Estate. Paragraph 2.1.16 continues by setting out that the Council will be supportive of this relocation and will look at reviewing the use of the non-conforming Green Belt site and that this can be addressed as part of the development plan review process. No indication of preferred uses for the site is intimated in the MLP.

- 7.9 Policy **RP2: Protection of the Green Belt** advises that Development will not be permitted in the Green Belt except for proposals that:
- A. are necessary to agriculture, horticulture or forestry; or
  - B. are for opportunities for access to the open countryside, outdoor sport or outdoor recreation which reduce the need to travel further afield; or
  - C. are related to other uses appropriate to the rural character of the area; or
  - D. are in accord with policy RP3, ECON1, ECON7 or are permitted through policy DP1.

Any development proposal will be required to show that it does not conflict with the overall objectives of the Green Belt.

- 7.10 Policy **RP3: Major Non-Conforming Land Uses in the Green Belt** states that planned development of established activity at the 'non-conforming' site of the Roslin Institute will be permitted.
- 7.11 Policy **RP4: Prime Agricultural Land** states that development will not be permitted which leads to the permanent loss of prime agricultural land (Classes 1, 2 and 3.1 of the Macaulay Institute Land Classification for Agricultural system) unless: A. the site is allocated to meet Structure Plan requirements; or B. there is a location justification for the development which outweighs the environmental or economic interest served by retaining the farmland in productive use; and C. the development accords with all other relevant Local Plan policies and proposals.
- 7.12 Policy **RP5: Woodland Trees and Hedges** does not permit development that would lead to the direct or indirect loss of woodland which has a particular value in terms of amenity, nature conservation, recreation, landscape character or shelter.
- 7.13 Policy **RP7: Landscape Character** which advises that development will not be permitted where it may adversely affect the quality of the local landscape. Provision should be made to maintain local diversity and distinctiveness of landscape character and enhance landscape characteristics where improvement is required.
- 7.14 Policy **RP8: Water Environment** aims to prevent damage to water environment, including groundwater and requires compliance with SEPA's guidance on SUDs.
- 7.15 Policy **RP13: Species Protection** requires that any development that would affect a species protected by law will require an appropriate level of environmental and biodiversity assessment. Where development is permitted, proposals will require: A. measures for mitigation; and B. measures for enhancement or sustainable habitat replacement, where appropriate.

- 7.16 Policy **RP14: Habitat Protection Outwith Formally Designated Areas** requires that where a development affects sites which contain habitat of some significance, effects on the habitat as well as mitigation measures will be taken into account;
- 7.17 Policy **RP15: Biodiversity Action Plan** requires that development proposals shall demonstrate compatibility with the aims and objectives of the Midlothian Local Biodiversity Action Plan and related plans, by identifying appropriate measures to protect, enhance and promote existing habitats and/or the creation of new habitats, and provide for the effective management of these habitats;
- 7.18 Policy **RP27: Other Important Archaeological or Historic Sites** states that development will not be permitted where it could adversely affect an identified regionally or locally important archaeological or historic site or its setting unless the applicant can show that: (A) there is a public interest to be gained from the proposed development which outweighs the archaeological importance of the site; (B) there is no alternative location for the proposal; and, (C) the proposal has been sited and designed to minimise damage to the archaeological interest.
- 7.19 Policy **RP28: Site Assessment, Evaluation and Recording** states that where any development proposal could affect an identified site of archaeological importance, the applicant will be required to provide an assessment of the archaeological value of the site and of the impact of the proposal on the archaeological resource;
- 7.20 Policy **RP32: Public Rights of Way and Other Access Routes** states that development which could lead to the loss of a right of way, cycle path, bridleway, or other access route (including those defined by the Council's Core Paths Plan and Outdoor Access Strategy, once approved) will not be permitted except where the developer makes arrangements for an acceptable alternative route.
- 7.21 Policy **HOUS4: Affordable Housing** requires that on residential sites allocated in this Local Plan and on windfall sites identified during the plan period, provision shall be required for affordable housing units equal to or exceeding 25% of the total site capacity, as follows:
- for sites of less than 15 units (or less than 0.5 hectares in size) no provision will be sought;
  - for sites of between 15 and 49 units (or 0.5 to 1.6 hectares in size) there will be no provision for the first 14 units thereafter 25% of the remaining units will be for affordable housing
  - for sites of 50 units and over (or larger than 1.6 hectares in size), there will be a requirement for 25% of the total units to be for affordable housing.



Lower levels of provision, or a commuted sum, may be acceptable where this has been fully justified. Supplementary planning guidance for the affordable housing provision shall provide advice on: the acceptable tenure split between social and low cost housing; possible delivery mechanisms; the scope for commuted sums; and other relevant matters as necessary;

- 7.22 Policy **IMP1: New Development**, this policy ensures that appropriate provision is made for a need which arises from new development. Of relevance in this case are transport infrastructure, landscaping, public transport connections, including bus stops and shelters, parking in accordance with approved standards, cycling access and facilities, pedestrian access, acceptable alternative access routes, access for people with mobility issues, traffic and environmental management issues, protection/management/compensation for natural and conservation interests affected, archaeological provision and 'percent for art' provision;
- 7.23 Policy **IMP2: Essential Infrastructure Required to enable New Development to Take Place**, states that new development will not take place until provision has been made for essential infrastructure and environmental requirements, related to the scale and impact of the proposal. This includes essential roads infrastructure, protecting valuable environmental assets within or adjacent to the site and compensation for any losses including alternative provision where appropriate. In this case the need to upgrade junctions and access arrangements will come through a Traffic Assessment and specific requirements may arise from water and drainage and flood risk assessments;
- 7.24 Policy **IMP3: Developer Contributions Towards Facility Deficiencies** states that in addition to essential infrastructure requirements set out in policy IMP2, contributions will be required from proposal HOUS1 and HOUS2 developers to remedy any deficiencies in local facilities and amenities identified within the community which result from the additional housing, including leisure, local shops (subject to favourable assessments of prospects for commercial viability) and open space. Legal agreements will be used to secure the appropriate developer contributions.

#### Midlothian Local Development Plan (MLDP)

- 7.25 Midlothian Council's Local Development Plan development strategy was approved by the Council at its meeting of 24 June 2014. The development strategy supports the provision of an indicative 180 – 200 housing units on the former Roslin Institute site (RN5). The development strategy is a material consideration in the assessment of the application.
- 7.26 The applicant, the Biotechnology and Biological Sciences Research Council (BBSRC) has also submitted a representation to Midlothian

Council with respect to BBSRC's intentions to also promote residential development to the northern part of the site currently occupied by the Roslin BioCentre and which includes the Logan and Wallace buildings. As part of site proposals and upon expiration of leases the land currently occupied by the BioCentre would become part of the wider residential site. Existing tenants in the two buildings would be offered the opportunity by BBSRC to relocate to the Bush where appropriate.

#### Scottish Planning Policy

- 7.27 The **SPP (Scottish Planning Policy)** sets out Government guidance for housing.

### **8 PLANNING ISSUES**

- 8.1 The main issue to be determined is whether the proposal accords with the development plan unless material planning considerations indicate otherwise. The representations and consultation responses received are material considerations.

#### The Principle of Development

- 8.2 The proposed residential redevelopment of the site is contrary to the MLP which does not allocate the site for housing. Furthermore, the development does not meet the requirements of policies RP1 Protection of the Countryside, RP2 Protection of the Green Belt and RP3 Major Non-Conforming Land Uses in the Green Belt. In addition, the proposed development is contrary to policy RP4 Prime Agricultural Land.
- 8.3 However, the MLDP sets out at paragraph 2.1.16 that the Roslin Institute had intimated to the Council possible future proposals to relocate from the current site at Roslin to land within the Bush Estate. Paragraph 2.1.16 continues by setting out that the Council will be supportive of this relocation and will look at reviewing the use of the non-conforming Green Belt site and that this can be addressed as part of the development plan review process. Although no indication of preferred uses for the site is intimated in the MLDP, the site is a primarily brownfield site and redevelopment proposals could potentially be considered favourably if the existing businesses on the site are successfully relocated.
- 8.4 The Council, through its Economic Development Strategy, and its Ambitious Midlothian Economic Recovery Plan remains very supportive of the life science industries located in the A701 corridor at The Bush (for the purpose of this report the Bush includes; Edinburgh Technopole, Easter Bush, Pentlands Science Park, Gowkley Moss Biocampus and Midlothian Innovation Centre). In accordance with the MLDP, the Council is supportive of the Roslin Institute's relocation. In response to this and changes in Scottish Planning Policy, the Council

is reviewing the major non-conforming Green Belt uses in the context of the forthcoming MLDP.

- 8.5 The MLDP commitment to review the uses of the Roslin Institute site through the development plan process, and the Council's support for maintaining and enhancing the presence of a strong life science sector in Midlothian, is an overriding material consideration. The southern part of the application site, previously occupied by the Roslin Institute has been subject in 2013 to public consultation through the MLDP Main Issues Report as a potential housing site (site RN5) for approximately 180-200 homes.
- 8.6 Site RN5 forms the southern part of this planning application site. It is one of a suite of sites in the A701 corridor identified in the development strategy to meet the strategic housing land requirements of the Edinburgh and South East Scotland Strategic Development Plan. The development strategy also identifies a potential A701 road realignment and sets out that new development would be expected to help fund delivery of that road. The applicant (BBSRC) informs that continued development at the Bush is dependent on their own and partner funding. Edinburgh University are committed to investment at the Bush with a strong focus on developing it as a world-leading centre for research in animal bioscience, animal health care and education. The campus links the Scottish Agricultural College, The Royal (Dick) School of Veterinary Studies and the Roslin Institute in a science campus unrivalled elsewhere in the world. In the academic year 2011/12 the Institute employed 293 staff directly and 142 research students. Each year the Institute generates a total economic benefit to the UK of over £320 million (GVA) and supports 1,321 jobs. The applicant states that key to them being in a position to continue to invest in the Bush is the approval of the current application for planning permission in principle for the residential redevelopment at the Former Roslin Institute site and the subsequent site sale and generation of capital receipts. Whilst the generation of funding from the sale of land is not directly a material consideration, the future security and development of the work of the Roslin Institute is relevant as a major part of the Midlothian and Scottish economies. Accordingly, this factor contributes to the justification for the Council to grant planning permission in principle for the residential redevelopment of the southern part of the site in advance of the publication of the proposed plan and action plan of the MLDP.
- 8.7 BBSRC has stated that they are the sole owners of all of the land within the boundary of the planning application. However, they lease the Wallace and Logan buildings located on the northern part of the site to the Roslin BioCentre. The future operation of the existing Roslin BioCentre needs to be considered in the assessment of this current planning application. There would be considerable concern if the development were to result in jobs being lost in Midlothian in the life sciences sector and/or elements of this sector being relocated outwith Midlothian. The applicant was therefore asked to confirm the following:

(i) the agreement that they have reached with the Roslin BioCentre to relocate from the site to alternative suitable premises in Midlothian; (ii) the timescale this might be achieved; and, (iii) if there will be any job losses likely to result from their removal from the site.

- 8.8 In response to these questions raised by the planning authority the applicant has submitted in support of their application: (i) a report on the relocation of the tenants of the Roslin BioCentre; which summarises the position and wider partner/investment strategy; and, (ii) letters evidencing the University of Edinburgh's collaboration with the BBSRC and the Roslin BioCentre Ltd to find suitable alternative accommodation at the Bush for the Roslin BioCentre tenants. This commitment has been reinforced in the mutual signing of a Memorandum of Understanding confirming a commitment to relocate, together with more detailed supportive information submitted by BBSRC.
- 8.9 The BBSRC confirm that it and its strategic partners are exploring options within the Bush and vicinity including the proposed Easter Bush Innovation Centre. They inform that the relocation of BioCentre tenants and the creation of an Innovation Centre are important in terms of realising the objectives of the Bush Framework Masterplan commissioned by the University, Midlothian Council and Scottish enterprise and published in 2012. Development of Easter Bush has thus far included the relocation of the Roslin Institute and will also include the development of the Innovation and Campus Hub which will further develop those services offered by the Roslin BioCentre. The existing arrangements at the Roslin BioCentre are becoming outdated and are thus physically and economically limited. The Innovation and Campus Hub is a planned economic realisation by the Easter Bush Campus 20 year Masterplan and the Midlothian Council Cabinet approved Bush Framework Masterplan. The applicant states that the Hub will enable the co-location of small and medium enterprises (SMEs) and major industry partners adjacent to the Roslin Institute at Easter Bush, providing them with access to business critical resources. Current Roslin BioCentre tenants will; where possible, move to the Hub and other suitable premises within The Bush. The University of Edinburgh, The Roslin BioCentre Ltd and Midlothian Council are working to facilitate Roslin BioCentre tenant relocation locally to ensure co-location opportunities are supported and protected. Development of the HUB is, in part, dependant on BBSRC funding which in turn is dependent on the sale of the site and the reinvestment of the capital receipt.
- 8.10 On the basis of this submitted information there can be confidence in the future security of the BioCentre businesses. Therefore, in this particular case there is reasoned justification for the Council to grant planning permission in principle for the residential redevelopment of the site in advance of the publication of the proposed plan and action plan of the MLDP.

## Masterplan

- 8.11 The illustrative masterplan submitted with the application does not show how a development of between 280-300 dwellings and associated development could be accommodated on the site. However, the applicant has confirmed to the Planning Authority that the masterplan submitted with the application is solely for illustrative purposes only and demonstrates potential use/density only. Therefore the masterplan is not to be given consideration in the assessment of this application. It is on this basis that the application stands to be determined. If the Council were minded to grant planning permission in principle, permission should not be granted for the details shown/illustrated on the masterplan or for the number of units indicated. The number, positioning, height, scale, form, appearance of the residential buildings (houses and flats) and details of the position and layout of road infrastructure, open spaces and landscaping shall all be for consideration in a further application(s) for matters specified in conditions imposed on a grant of planning permission in principle. Nevertheless, it is relevant to note that, in its current form, the illustrative masterplan does not accord with the provisions of the adopted Midlothian Local Plan.

## Access and Transportation Issues

- 8.12 It is noted that the transport assessment work submitted in support of the application does not take account of the impact of potential future development in the A701 corridor to meet the strategic housing land requirement of 1600 houses identified in the Edinburgh and South East Scotland Strategic Development Plan. The potential traffic impact of this proposal needs to be assessed in the context of existing development commitments as identified in the MLP and the scale of those that will come through the MLDP. Furthermore, if the Council chooses to support this application for planning permission in principle, a mechanism would require to be developed for contributions to be sought for road improvements and realignments within the A701 corridor as defined in the MLDP.
- 8.13 If the Council were minded to support the principle of the proposed development, in the assessment of matters specified in conditions imposed on a grant of planning permission in principle the perceived and real connectivity between the application site and other parts of Roslin would be required to be considered as part of the assessment of a detailed scheme of residential redevelopment of the site.
- 8.14 The new MLDP will require new development sites to fully incorporate green network opportunities in their design and implementation. This can potentially be delivered through a combination of path networks, open space and sustainable urban drainage systems. The planning authority would require that any development on this site provides for the emerging green network. Work is underway to identify major green network opportunities in Roslin at a settlement level and to connect the

settlement with other parts of Midlothian. These include the potential pedestrian/ cycle access routes identified on the Design Concept plan submitted in support of the planning application.

### Landscape

- 8.15 The main landscape concern relating to the proposal is the potential impact on the woodland areas which generally surround the site and the lack of interconnectivity being indicatively shown to create a new green network. The indicative proposals show development (houses as well as SUDS proposals located too close to existing woodland. No development or excavation should be allowed to take place within the canopy spread of trees being retained and the Woodland Trust furthermore advises that there should be a 30m wide buffer between developed areas and the ancient woodland. Building houses in too close proximity to woodland leads to future pressure on the woodland in connection with safety concerns, overshadowing of houses and gardens as well as various encroachment into the woodland. Such pressure is highly likely to lead to loss of woodland which is providing the setting, making development acceptable in landscape visual terms.
- 8.16 If the Council were minded to support the principle of the proposed development, it should be subject to conditions requiring the retention of the existing woodland within, as well as outwith, the site and where possible retention of key individual trees to create a green network across the site via open space areas to the woodland areas. In addition, dwellings should where possible face onto woodland areas and open spaces to create an attractive living environment as well as ensuring that development adheres to the design principles of Secured by Design. Furthermore, the former railway line should if possible be reinstated as a cycle/footpath linking with the corepath on the other side of the B7006.

### SUDS and Flooding

- 8.17 There are no watercourses crossing the site but the Kill Burn runs to the north of the site; at the closest point Kill Burn is some 20m north of the site. Kill Burn falls from a level of 144.84m at Main Street to 134.53m at the northern corner of the site. The Kill Burn is located a minimum of 3.36m and a maximum of 9.11m below the lowest levels of the site. The floor risk assessment report concludes that the site is not at serious risk of flooding from Kill Burn; the nearest open watercourse and is at a low risk of flooding from other sources.

### Developer Contributions

- 8.18 In accordance with policy HOUS4 the provision of 25% affordable housing is required to be provided on the site. The definition of affordable is set out in the Council's Supplementary Planning Guidance on Affordable Housing. The supplementary guidance provides information on the types of affordable housing that the Council will support in principle and the mechanisms for delivery of the homes.

The nature, and the delivery of the affordable housing requirement would be secured through a Section 75 Legal Agreement.

- 8.19 MLP policies IMP1-IMP2 will apply to this proposal and the principles of policy IMP3, although site-specific developer contribution requirements have still to be identified in the context of the MLDP as noted above. There would need to be an assessment of the potential impact of the proposed development on facilities in Roslin. The Midlothian Local Development Plan Main Issues Report (2013) indicates that some capacity would be available at Roslin Primary School for site RN5 but further secondary school capacity would be required. However, the Education consultation response set out in paragraphs 5.1 to 5.3 specify that the proposed primary school at Bilston will also be required to meet demand and a contribution will be required. The developer will also be required to contribute towards the consequential cost of additional secondary school accommodation.
- 8.20 There is a requirement to provide play facilities for children. An equipped children's play area would need to be provided on site. This would be secured by condition and its maintenance secured by a Section 75 Legal Agreement.
- 8.21 There is a requirement for the provision of Community facilities within Roslin and the upgrading/extension of the Roslin Pavillion. Developer contributions will be required towards these facilities.
- 8.22 Developer contributions towards transport infrastructure, education, affordable housing and community facilities shall be secured by a Section 75 Legal Agreement.

#### Archaeology

- 8.23 The proposed development has the potential to impact on physical remains of the Battle of Roslin (inventory battlefield) and on the wider landscape character of the battlefield. The Battle of Roslin took place on 23 February 1303 and is significant as one of the largest recorded battles of the First Scottish Wars of Independence. The survival of physical remains relating to the battle within the site has not been tested. Evidence relating to the battle within those sections of the site already disturbed by construction is likely to have been disturbed or destroyed, but the application site contains extensive areas which do not appear to have been affected by the construction of the research centre. These areas are to the north of the site, close to the Kill Burn. As such, this area has the potential to contain physical evidence of the battle. An archaeological survey and evaluation would be required to clarify this. The applicants have submitted an Archaeological Desk Based Assessment in support of their application. This document includes recommendations for further action and mitigation should planning permission in principle be granted.

## Biodiversity

- 8.24 If the Council were minded to grant planning permission in principle it should be subject to a suspensive condition requiring that further detailed badger surveys are carried out prior to construction works commencing.

## **9 RECOMMENDATION**

- 9.1 It is recommended that planning permission in principle be granted for the following reason:

*Although the site is not allocated for housing in the adopted local plan; the southern part of the site is identified for housing in the Midlothian Local Development Plan development strategy and the northern part of the site is classed as a brownfield site where appropriate redevelopment could be supported. There is also a clearly demonstrable economic development benefit to Midlothian and Scotland, in terms of the security and expansion of the Roslin Institute and related parts of the animal biosciences sector. This positive benefit in favour of development outweighs any concerns with regard granting permission prior to the Midlothian Local Development Plan development strategy progressing to adoption. These material considerations outweigh the fact that the site is not allocated in the current adopted 2008 Midlothian Local Plan.*

Subject to:

- (i) the prior signing of a legal agreement to secure the provision of affordable housing, contributions towards education provision, children's play provision, improvements to community facilities, road improvements including any realignment of the A701, as well as works to secure safe routes to schools and contributions relating to sites included within the development strategy identified in the Action Plan adopted as part of the MLDP; and,

- (ii) the following conditions:

1. The masterplan submitted with the application is not approved.

***Reason:*** *The application is for planning permission in principle only and the details delineated within the masterplan are for illustrative purposes only.*

2. Development shall not begin until an application for approval of matters specified in conditions regarding the phasing of the development has been submitted to and approved in writing by the planning authority. The phasing schedule shall include the construction of each residential phase of the development, the provision of affordable housing, the provision of open space, structural landscaping, SUDS provision and transportation



infrastructure. Development shall thereafter be carried out in accordance with the approved phasing unless agreed in writing with the planning authority.

**Reason:** *To ensure the development is implemented in a manner which mitigates the impact of the development process on existing land users and the future occupants of the development.*

3. Development shall not begin on an individual phase of development (identified in compliance with condition 2) until an application for approval of matters specified in conditions for a scheme of hard and soft landscaping works has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:

- i existing and finished ground levels and floor levels for all buildings and roads in relation to a fixed datum;
- ii existing trees, landscaping features and vegetation to be retained; removed, protected during development and in the case of damage, restored;
- iii proposed new planting in communal areas and open space, including trees, shrubs, hedging and grassed areas;
- iv location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
- v schedule of plants to comprise species, plant sizes and proposed numbers/density;
- vi programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping in the open spaces shall be completed prior to the houses on adjoining plots are occupied;
- vii drainage details and sustainable urban drainage systems to manage water runoff;
- viii proposed car park configuration and surfacing;
- ix proposed footpaths and cycle paths (designed to be unsuitable for motor bike use);
- x proposed play areas and equipment;
- xi proposed cycle parking facilities; and
- xii proposed area of improved quality (minimum of 20% of the proposed dwellings).

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

**Reason:** *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policy DP2 of*

*the Midlothian Local Plan and national planning guidance and advice.*

4. Development shall not begin on an individual phase of development (identified in compliance with condition 2) until an application for approval of matters specified in conditions for the siting, design and external appearance of all residential units and other structures has been submitted to and approved in writing by the planning authority. The application shall include samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures. These materials will also include those proposed in the area of improved quality (20% of the proposed dwellings). No building shall have an under-building that exceeds 0.5 metres in height above ground level. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

***Reason:*** *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policy DP2 of the adopted Midlothian Local Plan and national planning guidance and advice.*

5. Development shall not begin on an individual phase of development (identified in compliance with condition 2) until an application for approval of matters specified in conditions for the site access, roads, footpaths, cycle ways and transportation movements has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i existing and finished ground levels for all roads, footways and cycle ways in relation to a fixed datum;
  - ii the proposed vehicular, cycle and pedestrian accesses into the site;
  - iii the proposed roads (including turning facilities), footpaths and cycle ways including suitable walking and cycling routes linking the new housing with the local primary school and the rest of Roslin;
  - iv proposed visibility splays, traffic calming measures, lighting and signage;
  - v proposed construction traffic access and haulage routes;
  - vi a residential Green Travel Plan designed to minimise the use of private transport and to promote walking, cycling, safe routes to school and the use of public transport;
  - vii proposed car parking arrangements;
  - viii a programme for completion for the construction of access, roads, footpaths and cycle paths; and
  - ix proposed on and off site mitigation measures identified by the residential Green Travel Plan submitted with the application.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

**Reason:** *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

6. Development shall not begin until an application for approval of matters specified in conditions for a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
  - i. the nature, extent and types of contamination and/or previous mineral workings on the site;
  - ii measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
  - iii measures to deal with contamination and/or previous mineral workings encountered during construction work; and,
  - iv the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied for residential purposes, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

**Reason:** *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.*

7. Development shall not begin until an application for approval of matters specified in conditions for details, including a timetable of implementation, of 'Percent for Art' have been submitted to and approved in writing by the planning authority. The 'Percent for Art' shall be implemented as per the approved details. The 'Percent for Art' shall reference, give context to and/or provide information relating to the historic battle of Roslin.

**Reason:** *To ensure the quality of the development is enhanced by the use of art to reflect its setting in accordance with policies IMP1 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

8. Development shall not begin until an application for approval of matters specified in conditions for a programme of archaeological works (Metal Detector Survey and Evaluation) and scheme of investigation has been submitted to and approved in writing in by the planning authority. The approved programme of works shall be carried out by a professional archaeologist prior to any construction works, demolition or pre commencement ground works take place unless otherwise agreed in writing by the planning authority.

**Reason:** *To ensure this development does not result in the unnecessary loss of buried archaeological material in accordance with Policy RP28 of the Adopted Midlothian Local Plan.*

9. Development shall not begin until an application for approval of matters specified in conditions for bat and badger mitigation measures has been submitted to and approved in writing in by the planning authority. The application shall include separate bat and badger surveys undertaken by a suitably qualified ecologist. The bat and badger surveys shall cover the site and the plantation woodland bounding the site application and shall include recommended mitigation measures.

**Reason** *In the interests of safeguarding bats and badgers*

**Ian Johnson**  
**Head of Communities and Economy**

**Date:** 19 August 2014

**Application No:** 13/00877PPP

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**Background Papers:** 132/00336/PAC &13/00336/SCR