



PRE - APPLICATION REPORT REGARDING A PROPOSED RESIDENTIAL DEVELOPMENT AT LAND BETWEEN DEANBURN AND MAURICEWOOD ROAD, PENICUIK (15/00987/PAC)

Report by Head of Communities and Economy

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of a pre application consultation submitted regarding a proposed residential development at land between Deanburn and Mauricewood Road, Penicuik (15/00987/PAC).
- 1.2 The pre application consultation is reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlines the proposal, identifies the key development plan policies and material considerations and states a provisional without prejudice planning view regarding the principle of development.

2 BACKGROUND

- 2.1 Guidance on the role of Councillors in the pre-application process, published by the Commissioner for Ethical Standards in Public Life in Scotland, was reported to the Committee at its meeting of 27 May 2014 and subsequent procedures were reported to the Committee at its meeting of 7 October 2014. The guidance clarifies the position with regard to Councillors stating a provisional view on proposals at pre-application stage.
- 2.2 A pre application consultation for a residential development at land between Deanburn and Mauricewood Road, Penicuik was submitted on the 17 December 2015.
- 2.3 As part of the pre application consultation process the applicants are to hold a two day public event (exhibition/discussion forum) avoiding local school holidays at a suitable venue in Penicuik to be confirmed in late February/early March 2016. On the conclusion of the public event the applicant could submit a planning application for the proposal. It is reasonable for an Elected Member to attend such a public event without a Council planning officer being present, but the Member should (in accordance with the Commissioner's guidance) not offer

views, as the forum for doing so will be at this meeting of the Planning Committee.

- 2.4 Copies of the pre application notices have been sent by the applicant to Penicuik and District Community Council.

3 PLANNING CONSIDERATIONS

- 3.1 The proposed development is situated on land on both sides of Mauricewood Road, Penicuik and has a combined area of approximately 15.4 hectares.
- 3.3 In assessing any subsequent planning application the main planning issue to be considered in determining the application is whether the proposed development complies with development plan policies unless material planning considerations indicate otherwise.
- 3.4 The site is allocated in the adopted 2008 Midlothian Local Plan (MLP). The principle of a residential development on the site is therefore acceptable.
- 3.5 In addition, the following is also a significant material consideration to consider:
- a. At its meeting of 16 December 2014 the Council approved the Midlothian Local Development Plan Proposed Plan. Although the proposed plan is subject to Local Plan Examination, the development strategy in the plan would be a material consideration which can be given significant weight. The proposed plan continues the commitment to the site for residential development.

4.□ PROCEDURES

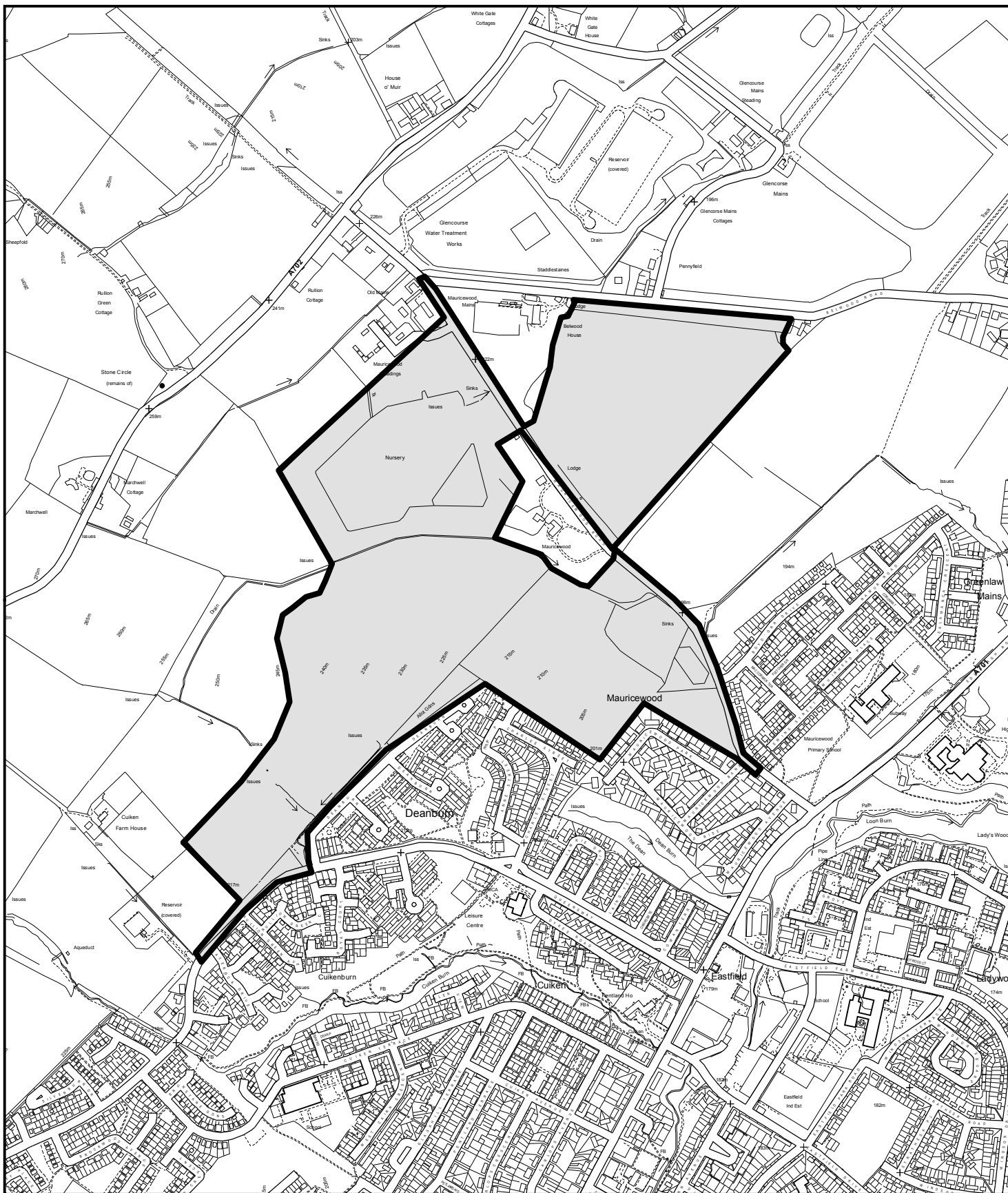
- 4.1 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures provides for Councillors to express a 'without prejudice' view and to identify material considerations with regard to a major application.
- 4.2 The Committee is invited to express a 'without prejudice' view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.
- 4.3 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures advises that Councillors are expected to approach their decision-making with an open mind in that they must have regard to all material considerations and be prepared to change their views which they are minded towards if persuaded that they should.

5 RECOMMENDATION

- 5.1 It is recommended that the Committee notes:
- a) the provisional planning position set out in this report; and
 - b) that any comments made by Members will form part of the minute of the Committee meeting; and
 - c) that the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.

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Land between Deanburn and Mauricewood Road, Penicuik

18th February 2016

File No. 15/00987/PAC

Scale: 1:10,000

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