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**PRE APPLICATION REPORT REGARDING A PROPOSED RESIDENTIAL DEVELOPMENT AT LAND NORTH OF DALHOUSIE DAIRY, BONNYRIGG (16/00161/PAC & 16/00157/PAC)**

Report by Head of Communities and Economy

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## **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to advise the Committee of a pre application consultation submitted regarding: (A) a proposed planning application in principle for residential development at land north of Dalhousie Dairy, Bonnyrigg (16/00161/PAC); and, (B) a proposed detailed planning application for a proposed residential development on part of the land north of Dalhousie Dairy (16/00157/PAC). The site is identified as Site Hs10 Dalhousie Mains in the proposed Midlothian Local Development Plan (MLDP).
- 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 north of Dalhousie Dairy, Bonnyrigg was submitted 4 March 2016.
- 2.3 As part of the pre application consultation process the applicants are to hold a public event in the form of a staffed exhibition at Lasswade Central Library during the week commencing 18 April 2016. In addition the applicant will create an interactive web site which will permit local residents, stakeholders and interested parties to make comments. It is reasonable for an Elected Member to attend such a public event

without a Council planning officer 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 Bonnyrigg and Lasswade Community Council.

### **3 PLANNING CONSIDERATIONS**

- 3.1 The proposed development is situated on land north of Dalhousie Dairy and to the immediate north east of the built up area of the settlement of Bonnyrigg. The land is approximately 18.4 hectares.
- 3.3 In assessing any subsequent planning application the main planning issue to be considered in determining the application is whether the currently proposed development complies with development plan policies unless material planning considerations indicate otherwise.
- 3.4 The adopted 2008 Midlothian Local Plan (MLP) identifies the site as being in the countryside and green belt and any subsequent planning application will be subject to assessment against policies RP1: Protection of the Countryside and RP2: Protection of the Green Belt. A provisional assessment against these policies does not support the scheme on the basis that the proposed development is not necessary for agriculture or for any other rural business.
- 3.5 However, there is a significant material consideration to consider. This is as follows:

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, which is anticipated to be in the Summer of 2016, the development strategy in the plan would be a material consideration which can be given weight. The proposed plan identifies the site as a potential housing site for 300 dwellings.

- 3.6 A consequence of the Proposed Plan being at an advanced stage is that if an application is submitted prior to the adoption of the MDLP the application will be considered as premature. The site is subject to a representation from the applicant regarding the number of residential units that the site is identified for and representations from the local community and interested parties and will be tested at examination by a Scottish Government Reporter.

### **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.

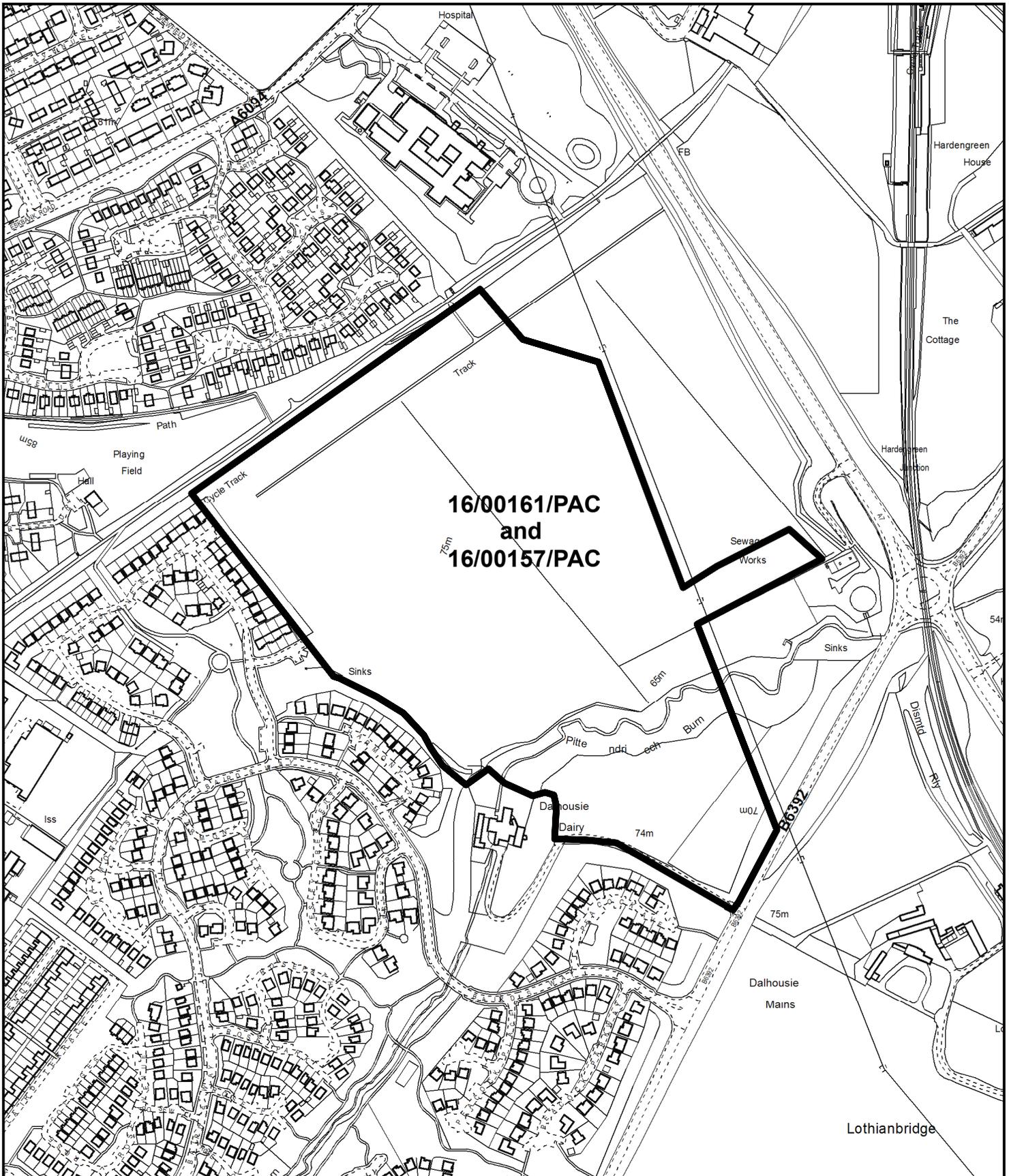
- 4.2 The Committee is invited to express a 'without prejudice' view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.
- 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.

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

**Date:** 12 April 2016  
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**16/00161/PAC  
and  
16/00157/PAC**



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05/04/2016

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Scale: 1:5,000



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