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**PRE - APPLICATION REPORT REGARDING HOLIDAY  
ACCOMMODATION DEVELOPMENT INCLUDING COMMUNAL  
FACILITIES, FORMATION OF ACCESS, LANDSCAPING AND  
ASSOCIATED WORKS AT LAND AT DALKEITH COUNTRY PARK,  
DALKEITH (24/00591/PAC)**

Report by Chief Officer Place

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**1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to advise the Committee of the submission of a Proposal of Application Notice (PAN) and corresponding pre application consultation for holiday accommodation development including communal facilities, formation of access, landscaping and associated works at Land at Dalkeith Country Park Dalkeith.
- 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 30 August 2022. The guidance clarifies the position regarding Councillors stating a provisional view on proposals at pre-application stage.
- 2.2 A pre-application consultation for holiday accommodation development including communal facilities, formation of access, landscaping and associated works at Land at Dalkeith Country Park, Dalkeith was submitted on 18 September 2024. The applicant is MDS Estates Ltd.
- 2.3 As part of the pre-application consultation process, two public events have been held at The Loft, Dalkeith Country Park, Dalkeith. The first was held on Thursday 3 October 2024 and the second was on Wednesday 6 November 2024; these events were advertised via the Midlothian Advertiser (at least 7 days prior to each event). The applicant has also created a dedicated website which provides

further information on the proposed development, a copy of the consultation boards used at the public events, a contact email address and phone number for members of the public who want to get in contact for further information or enquiries. Upon the conclusion of the public events/engagement the applicant could submit a planning application for the proposal.

- 2.4 An applicant must wait 12 weeks from the date of submission of a PAN before submitting a planning application. The earliest date that the planning application for this proposal could be submitted is 11 December 2024. The subsequent planning application must be accompanied by a Pre-Application Consultation Report detailing the consultation undertaken, a summary of written responses and views expressed at the public events, an explanation of how the applicant took account of the views expressed and an explanation of how members of the public were given feedback on the applicant's consideration of their views.
- 2.5 Copies of the pre application notices have been sent by the prospective applicant to the local elected members in Ward 3 - Dalkeith, the Dalkeith Community Council, the local MP and the local MSP(s).
- 2.6 It is reasonable for an Elected Member to attend one of the events without a Council planning officer present, but the Member should (in accordance with the Commissioner's guidance reported to the Committee at its meeting in August 2022) not offer views, as the forum for doing so will be at meetings of the Planning Committee.
- 2.7 It is noted that two representations (one objection and one neutral) were received via the planning portal for this proposal of application notice. These representations will be forwarded onto the applicant to be taken into consideration and included in their Pre-Application Consultation Report.

### **3 PLANNING CONSIDERATIONS**

- 3.1 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.
- 3.2 The development plan is comprised of National Planning Framework 4 (2023) and the Midlothian Local Development Plan (2017).
- 3.3 The application site is situated within Dalkeith Country Park, an 800-hectare estate situated at the northern edge of Dalkeith. The Country Park comprises a designed landscape, woodlands and farmlands associated with Dalkeith Palace. The application site is approximately 550m east and north-east of Dalkeith Palace and to the east and north of the Restoration Yard (a shop, cafe, restaurant and wellness clinic situated within the converted and extended category A listed former stables), Fort Douglas (a children's adventure playground situated

within an area of woodland) and Go Ape (a high ropes adventure course in woodland to the north of Fort Douglas).

- 3.4 The application site measures approximately 41.7 hectares and comprises of grassed fields to the immediate west of Salters Road and a sloping grass field situated on raised ground at a meander in the River South Esk. The site is bounded to the north, west and south by steeply sloping wooded banks of the river. There is an additional area of woodland to the north-east of the site. There is a tarmac access road from the restoration yard to the south that runs through the site. The eastern boundary of the site is defined by a high natural stone wall and Salters Road. The rest of the boundaries of the site are defined by a combination of stock fencing and hedgerows.
- 3.5 The relevant policies of the Midlothian Local Development Plan 2017 (MLDP) are RD4 - Country Parks; VIS2 - Tourist Accommodation; DEV5 - Sustainability in New Development; DEV6 – Layout and Design of New Development; DEV7 – Landscaping in New Development; DEV9 Open Space Standards; TRAN5 – Electric Vehicle Charging; IT1 – Digital Infrastructure; ENV1 - Protection of the Green Belt; ENV4 - Prime Agricultural Land; ENV7 – Landscape Character; ENV8: Protection of River Valleys; ENV9 – Flooding, ENV10 – Water Environment; ENV14 - Regionally and Locally Important Nature Conservation Sites; ENV15 – Species and Habitat Protection and Enhancement; ENV20 - Nationally Important Gardens and Designed Landscapes and ENV22 – Listed Buildings.
- 3.6 The relevant policies of the National Planning Framework 4 (NPF4) are Policy 1 - Tackling the climate and nature crises; Policy 2 - Climate mitigation and adaptation; Policy 3 – Biodiversity; Policy 6 - Forestry, woodland and trees, Policy 7 – Historic Assets and Places, Policy 8 - Green belts, Policy 14 - Design, quality and place; Policy 22 - Flood risk and water management; Policy 29 - Rural development; and Policy 30 – Tourism.
- 3.7 The views of consultees and representors will be material considerations in the assessment of an application for the proposed development. The site is within a protected landscape, the Dalkeith Country Park and the green belt, however the Park is host to a number of visitor facilities and as such there is scope for tourist accommodation and associated development to be supported as long as it is related to an existing development, is for the furtherance of a viable long-term business and is of a character and scale that is in-keeping with its rural setting.
- 3.8 Detailed consideration will have to be given to design matters, in particular the developments relationship to the garden and designed landscape, the setting of listed buildings, the site layout, the siting, design and appearance of the holiday accommodation and other structures, the materials used, landscaping, impact on trees, parking provision and road safety, flood risk mitigation, biodiversity and sustainability in order to ensure compliance with sustainable place-making policies within the MLDP and NPF4. It will also be necessary

to consider the impact of the proposed development on the amenity of neighbouring residents and other land uses, the local road/transport infrastructure and active travel arrangements.

## **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 regarding 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.

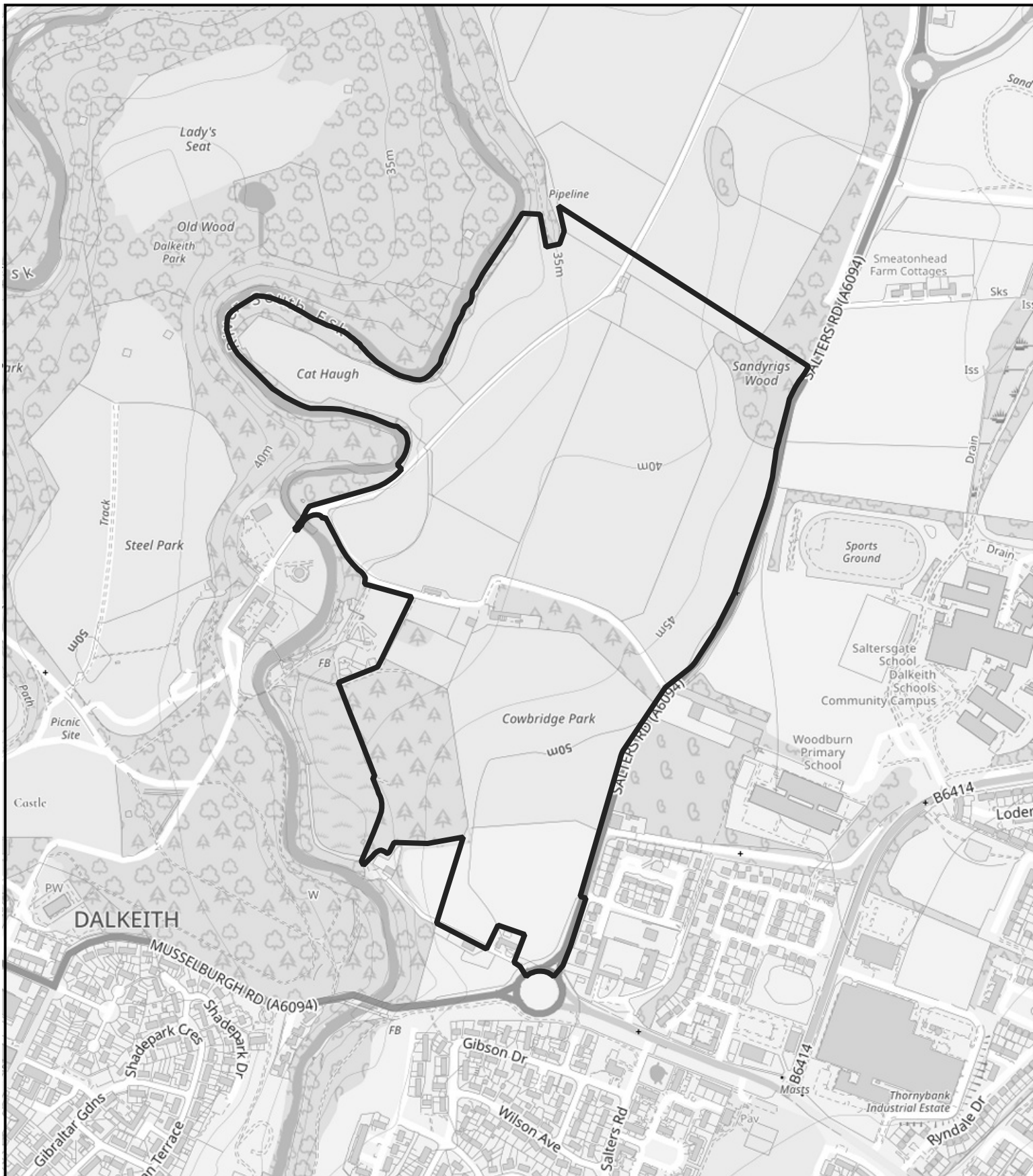
## **5 RECOMMENDATION**

- 5.1 It is recommended that the Committee notes:
  - a) the provisional planning position set out in this report;
  - 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.

**Peter Arnsdorf**  
**Planning, Sustainable Growth and Investment Manager**

**Date:** 22 November 2024

**Application No:** 24/00591/PAC  
**Applicant:** The MDS Estates Limited  
**Agent:** Andrew Munnis  
**Validation Date:** 19 September 2024  
**Contact Person:** Whitney Lindsay  
**Email:** [Whitney.Lindsay@midlothian.gov.uk](mailto:Whitney.Lindsay@midlothian.gov.uk)  
**Attached Plans:** Location Plan and Indicative Layout Plan



**Planning Service  
Place Directorate**

Midlothian Council  
Fairfield House  
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Dalkeith, EH22 3AA

Proposal of application notice for holiday accommodation development including communal facilities, formation of access, landscaping and associated works.

Land at Dalkeith Country Park, Dalkeith

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Scale 1:7000







DRAFT

P09	SD	14.11.24	SR	Draft Issue for Planning
P08	SD	11.11.24	JH	General Amendments
P07	SD	08.11.24	JH	Layout Development Based on Consultants Input
P06	SD	18.09.24	JH	Connection to roundabout added
P05	SD	09.09.24	JH	Layout Updated
P04	SD	28.08.24	JH	Layout Updated
P03	SD	01.08.24	JH	Layout Development Based on Consultants Input and Tree Survey
P02	SD	30.07.24	JH	Drawing Number Amended
P01	SD	26.07.24	JH	First Issue
Rev. Status Date		Check Description		

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Project  
Dalkeith Country Park  
Dalkeith  
Buccleuch Estates Ltd

## Site Plan

4681 As indicated PM-xx-xx-xx S0 P09

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