



MAJOR DEVELOPMENTS: APPLICATIONS CURRENTLY BEING ASSESSED AND OTHER DEVELOPMENTS AT PRE-APPLICATION CONSULTATION STAGE

Report by Head of Communities and Economy

1 PURPOSE OF REPORT

- 1.1 This report updates the Committee with regard to 'major' planning applications, formal pre-application consultations by prospective applicants, and the expected programme of applications due for reporting to the Committee.

2 BACKGROUND

- 2.1 A major application is defined by regulations and constitutes proposed developments over a specified size. For example; a development comprising 50 or more dwellings, a business/industry use with a gross floor space exceeding 10,000 square metres, a retail development with a gross floor space exceeding 5,000 square metres and sites exceeding 2 hectares. A major application (with the exception of a Section 42 application to amend a previous grant of planning permission) cannot be submitted to the planning authority for determination without undertaking a formal pre application consultation (PAC) with local communities.
- 2.2 At its meeting of 8 June 2010 the Planning Committee instructed that it be provided with updated information on the procedural progress of major applications on a regular basis.
- 2.3 The current position with regard to 'major' planning applications and formal pre-application consultations by prospective applicants is outlined in Appendices A and B attached to this report.

3 PREMATURE APPLICATIONS

- 3.1 A consequence of the Midlothian Local Development Plan: Proposed Plan being at an advanced stage is premature planning applications being submitted by a number of applicants on a number of sites. These are identified in Appendix A by the statement "Subject to progress on Midlothian Local Development Plan" and relate to sites which are not currently allocated for development in the adopted 2008 Midlothian Local Plan but are proposed in the Midlothian Local

Development Plan (MLDP). These sites are subject to representations from local communities and interested parties and are subject to examination by Scottish Government Reporters.

- 3.2 In the interests of fairness and transparency it is proposed not normally to report these applications to Committee until the proposed MLDP has progressed through the examination process and the Council has adopted the plan, unless the Committee wish to consider an application in advance of the adoption of the MLDP or there are extenuating circumstances. At its meeting in January 2016 the Committee expressed a preference to determine those applications where there is a risk that applicants may appeal against non determination, an option open to applicants if an application is not determined within the set timeframe (four months from the date of validation for a major application) or an agreed extended time period.
- 3.3 If an appeal against non determination is submitted it would be determined by Scottish Ministers after consideration of relevant planning policies and other material considerations. Paramount in the consideration would be the potential for an application to undermine the development plan process if considered in advance of the adoption of the MLDP and whether Midlothian has a sufficient housing land supply as defined in Scottish Government Planning Policy.

4 RECOMMENDATION

- 4.1 The Committee is recommended to note the major planning application proposals which are likely to be considered by the Committee in 2017 and 2018 and the updates for each of the applications.

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Background Papers: Planning Committee Report entitled 'Major Developments: Applications currently being assessed and other developments at Pre-Application Consultation stage' 8 June 2010.

APPENDIX A

MAJOR APPLICATIONS CURRENTLY BEING ASSESSED

| Ref | Location | Proposal | Expected date of reporting to Committee | Comment |
|--------------|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 14/00910/PPP | Land at Cauldcoats, Dalkeith | Application for Planning Permission in Principle for residential development, erection of a primary school and mixed use developments. | Subject to progress on Midlothian Local Development Plan | Pre-Application Consultation (14/00553/PAC) carried out by the applicants in October/November 2014. |
| 16/00134/DPP | Land north of Oak Place, Mayfield | Erection of 169 dwellinghouses, 30 flatted dwellings and associated works | See comment | Pre-Application Consultation (13/00522/PAC) carried out by the applicants in August/September 2013. This application has been significantly amended during its assessment and as such a new planning application is required. |
| 16/00712/PPP | Land north of Dalhousie Dairy Bonnyrigg | Application for Planning Permission in Principle for residential development | Subject to determination by the Scottish Ministers | Pre-Application Consultation (16/00157/PAC and 16/00161/PAC) carried out by the applicants in March/April 2016. This application is subject to an appeal against non determination and is reported to this meeting of the Committee. |
| 16/00861/DPP | Land west of Corby Craig Crescent Seafield Moor Road, Bilston | Erection of 176 dwellinghouses, 36 flatted dwellings and associated works | Subject to progress on Midlothian Local Development Plan | Pre-Application Consultation (15/00936/PAC) carried out by the applicants in November and December 2015 and January 2016. |
| 16/00893/PPP | Land At Salter's Park, Dalkeith | Application for Planning Permission in Principle for residential development, employment uses and associated works | Subject to progress on Midlothian Local Development Plan | Pre-Application Consultation (14/00833/PAC) carried out by the applicants in November and December 2014 and January 2015. |

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|--------------|--------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 17/00068/DPP | Land Between Deanburn and Mauricewood Road Penicuik | Erection of 552 residential units; formation of access roads, SUDs features and associated works | October 2017 | <p>Pre-Application Consultation (15/00987/PAC) carried out by the applicants in February/March 2016.</p> <p>This application will supersede applications 05/00784/FUL, 06/00474/OUT and 06/00475/FUL which are for residential development across the site. The applicant will withdraw these applications as and when permission has been granted for this application.</p> |
| 17/00273/S42 | Land between Loanhead Road and Edgefield Industrial Estate Loanhead Road | Section 42 application to amend condition 1 of planning permission in principle 09/00354/OUT | August 2017 | <p>Condition 1 of planning permission 09/00354/OUT relates to the time period to implement the permission and to submit subsequent Matters Specified in Conditions (MSC) applications to seek approval for the details of the scheme.</p> <p>This application replaces application 16/00800/S42</p> |
| 17/00298/PPP | Land north of Dalhousie Dairy Bonnyrigg | Application for Planning Permission in Principle for residential development | Subject to progress on Midlothian Local Development Plan and/or determination of the appeal against 16/00712/PPP | <p>Pre-Application Consultation (16/00157/PAC and 16/00161/PAC) carried out by the applicants in March/April 2016. This application is a repeat application of 16/00712/PPP submitted to continue negotiations with the Planning Authority whilst the appeal against 16/00712/PPP is being considered.</p> |

APPENDIX B

NOTICE OF PRE-APPLICATION CONSULTATIONS RECEIVED AND NO APPLICATION HAS BEEN SUBMITTED

| Ref | Location | Proposal | Date of receipt of PAC | Earliest date for receipt of planning application and current position |
|--------------|-----------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13/00609/PAC | Housing Site B, land at Newbyres, River Gore Road, Gorebridge | Residential Development | 19 August 2013 | 12/11/13 - no application yet received. The applicants have started discussing possible layouts for this site and an application is anticipated in 2017. |
| 14/00451/PAC | Land at Newton Farm and Wellington Farm, Old Craighall Road, Millerhill, Dalkeith | Residential development and associated developments | 10 June 2014 | 03/09/14 - no application yet received. The applicants have started discussing possible layouts for this site and an application is anticipated in 2017. |
| 15/00774/PAC | Site Hs14, Rosewell North, Rosewell | Residential development | 22 September 2015 | 15/12/15 - no application yet received. A pre-application report was reported to the November 2015 meeting of the Committee. |
| 16/00266/PAC | Land At Rosslynlee Hospital Roslin | Residential development | 08 April 2016 | 04/07/16 - no application yet received. A pre-application report was reported to the May 2016 meeting of the Committee. |
| 16/00267/PAC | Land At Rosslynlee Hospital Roslin | Residential development - change of use, alterations, extensions and partial demolition of the former hospital, including new build development. | 08 April 2016 | 04/07/16 - no application yet received. A pre-application report was reported to the May 2016 meeting of the Committee. |
| 16/00830/PAC | Land east of junction with Greenhall Road Barleyknowe Road Gorebridge | Residential development | 24 November 2016 | 10/02/17 - no application yet received. A pre-application report was reported to the January 2017 meeting of the Committee. |
| 17/00296/PAC | Land to the east of Lawfield Road and to the north of Ash Grove, Mayfield | Residential development | 19 April 2017 | 06/07/17 |