

Minute of Meeting

Planning Committee
Tuesday 18 May 2021
Item No 4.1



Planning Committee

Date	Time	Venue
Tuesday 6 April 2021	1.00 pm	Via MS Teams

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hardie	Councillor Johnstone
Councillor Lay-Douglas	Councillor McCall
Councillor Milligan	Councillor Muirhead
Councillor Munro	Councillor Parry
Councillor Russell	Councillor Smaill
Councillor Wallace	Councillor Winchester

In Attendance:

Peter Arnsdorf	Planning Manager
Derek Oliver	Chief Officer: Place
Alan Turpie	Legal Services Manager
Sandra Banks	Resource Manager - LES
Jim Gilfillan	Consultant Policy & Planning
Gordon Aitken	Democratic Services Officer

1. Apologies

Apologies for absence were intimated on behalf of Councillors Hackett and McKenzie

2. Order of Business

The order of business was as outlined in the agenda which had been previously circulated.

3. Declarations of interest

No declarations of interest were intimated at this stage of the proceedings.

4. Minutes of Previous Meetings

The Minute of Meeting of 12 January 2021 was submitted and approved as a correct record.

5. Reports

Agenda No	Report Title	Presented by:
5.1	Development Plan Scheme For Midlothian - Number 13	Peter Arnsdorf
<p>The report sought approval for the Development Plan Scheme for Midlothian number 13 (DPSM13) and provided a short update on the implementation of the Planning (Scotland) Act 2019.</p> <p>The report highlighted that preparation of the Development Plan Scheme (DPS) was a statutory requirement. Each year local planning authorities were required to prepare, publish and submit a DPS to Scottish Ministers setting out their intentions with respect to preparing, reviewing and consulting on the development plans for their area over the coming twelve months. The Planning Manager was heard in amplification of the report.</p>		
Decision		
<p>(a) To approve the Development Plan Scheme for Midlothian No.13 as appended to the report;</p> <p>(b) To publish the DPSM13 and, when safe to do so, place copies in all public libraries; and</p> <p>(c) To formally submit a copy to Scottish Ministers.</p>		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.2	Planning Guidance: Nature Conservation	Peter Arnsdorf
Outline of report and summary of discussion		
The purpose of the report was to seek agreement to the adoption of the Midlothian Nature Conservation Planning Guidance, a copy of which was appended to the report. Peter Arnsdorf was heard in amplification of the report.		
Decision		
<p>The Committee agreed:</p> <p>(a) To note the content of the report and agree to the adoption of the Nature Conservation Planning Guidance (subject to the SEA process as per recommendation (b) below);</p> <p>(b) To instruct the Planning Manager to undertake the required notification/advertisement advising that the Nature Conservation Planning Guidance would not have a significant environmental impact triggering the need for a formal Strategic Environmental Assessment; and</p> <p>(c) To authorise the Planning Manager to make any necessary minor editing and design changes to the Planning Guidance prior to publication.</p>		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.3	Pre-Application Report Regarding Pre-Application Consultation for a Mixed-Use Development Including: Class 2 (Professional and Other Services); Class 3 (Food And Drink), Class 4 (Business); Class 7 (Hotel); Class 8 (Residential Institutions); Class 9 (Residential); Sui Generis (Flats); Class 10 (Non-Residential Institution) and Associated Works at Land at the Junction of the A701 And Pentland Road, New Pentland, Loanhead (21/00055/PAC).	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The purpose of the report was to advise of a pre application consultation submitted for a mixed-use development including: class 2 (professional and other services); class 3 (food and drink); class 4 (business); class 7 (hotel); class 8 (residential institutions); class 9 (residential); sui generis (flats); class 10 (nonresidential institution) and associated works at land at the junction of the A701 and Pentland Road, New Pentland, Loanhead. The applicant had named the proposal 'New Pentland'. The pre-application consultation was reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view</p>		

regarding the principle of development. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.

Decision

(a) To note the provisional planning position set out in this report; and

(b) To note that the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

Action

Planning Manager

Agenda No	Report Title	Presented by:
5.4	Pre - Application Report Regarding the Erection of Intermediate Care Facility, the Erection of an Extra Care Facility and Alterations to Existing Annexe Building to Provide a Day Care Facility at Land at the Former St Mary's Primary School and 62a Polton Street, Bonnyrigg (21/00088/PAC)	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The purpose of the report was to advise of a pre application consultation submitted regarding the erection of an intermediate care facility, the erection of an extra care facility and alterations to the existing Annexe building to provide a day care facility at land at the former St Mary's Primary School and 62A Polton Street, Bonnyrigg.</p> <p>The site comprises the Council's former offices at Dundas Buildings, the Annexe associated with Dundas Buildings and the former St Mary's RC primary school. The site is within the built-up area of Bonnyrigg.</p> <p>The pre application consultation was reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of development. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.</p>		
Decision		
<p>(a) To note the provisional planning position set out in this report; and</p> <p>(b) To note that the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.</p>		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.5	Application for Planning Permission in principle 20/00906/PPP, for The Erection Of Health and Racquets Club with Associated Car Parking, Access, Landscaping and Ancillary Facilities at Land at Shawfair Park, Old Dalkeith Road, Danderhall, Dalkeith	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The application was for planning permission in principle for the erection of a health and racquets club and associated works within Shawfair Park, Danderhall, Dalkeith</p> <p>There had been no representations and consultation responses from The Coal Authority, Scottish Water, The Council's Archaeological Advisor, the Council's Policy and Road Safety Manager, The Council's Land Resources Manager and Danderhall and District Community Council. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.</p>		
Decision		
<p>The Committee to grant planning permission in principle subject to conditions and the applicant entering into a Planning Obligation to secure contributions towards necessary transport infrastructure including the Borders Railway and Sheriffhall Roundabout.</p>		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.6	Section 42 Application 20/00312/S42 to Amend Condition 1 (To Increase the Number of Dwellings In Phase One From 350 To 430) Imposed on a Grant Of Planning Permission 14/00910/PPP for Residential Development, The Erection of Primary School and Mixed Use Development at Land at Cauldcoats, Millerhill, Dalkeith	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The report advised that at its meeting of December 2017 the Committee were minded to grant planning permission in principle for residential development, the erection of a primary school and for mixed use development at land at Cauldcoats, Millerhill, Dalkeith subject to a planning obligation securing developer contributions and conditions. Following the conclusion of the planning obligation planning permission was issued in July 2019. This Section 42 application seeks to amend the wording of Condition 1 attached to planning permission 14/00910/PPP to increase the maximum number of dwellings built within phase 1 of the development from 350 to 430 dwellings, an increase of 80 dwellings.</p>		

The report also advised that nine representations had been received (including multiple representations from the same household and one petition from multiple local residents) and consultation responses from; Scottish Environment Protection Agency (SEPA), The Coal Authority, Scottish Water, Nature Scot (formerly Scottish Natural Heritage), the Council's Policy and Road Safety Manager, the Council's Flooding Officer, the Council's Environmental Health Manager, the Council's Housing Planning and Performance Manager, the Council's Head of Education and Danderhall and District Community Council. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.

Councillor Cassidy, seconded by Councillor Johnstone moved that the recommendations contained within the report be accepted. As an amendment, Councillor Curran, seconded by Councillor Parry moved that the recommendations be rejected. On a vote being taken, 5 Members voted for the amendment and 10 Members voted for the Motion, which accordingly became the decision of the Committee.

Decision

To agree that planning permission be granted for the reasons detailed within the report and subject to the conditions also outlined within the report.

Action

Planning Manager

Sederunt: Councillor Alexander left the meeting during consideration of the aforementioned item of business and therefore took no part in the vote.

Agenda No	Report Title	Presented by:
5.7	Application for Planning Permission in Principle 20/00151/PPP for Residential Development, Community Facilities, Primary School and Associated Works at Site HS12, Hopefield Farm 2, Bonnyrigg.	Peter Arnsdorf
Outline of report and summary of discussion		
<p>The application was for planning permission in principle (PPiP) for residential development, community facilities, primary school, open space and all associated infrastructure on land at Site HS12 and an area of land safeguarded for housing to the south west of Bonnyrigg. There had been seven representations and consultation responses from the Coal Authority, NatureScot, Scottish Water, Scottish Environment Protection Agency (SEPA), Historic Environment Scotland, the Council's Archaeological Advisor, the Council's Flooding Officer, the Council's Policy and Road Safety Manager, Council's Land Resource Manager, the Council's Environmental Health Manager, the Council's Housing Planning and Performance Manager, Council's Head of Education and the Bonnyrigg and Lasswade Community Council. The Committee heard the Planning Manager in amplification of the report during which he responded to Members' questions and comments.</p>		

Decision
<p>The Committee agreed that the application be approved in line with the recommendations of the report subject to:</p> <ul style="list-style-type: none"> • The noise conditions (1, 20 and 21) are not approved and are deferred to officers, in liaison with the Chair, and the applicant to reach an agreed solution/amended conditions; • The land identified for a primary school and the land identified for community facilities shall be merged to provide a singular site (the masterplan will shall be amended accordingly); • Developer contributions towards a 'bus delivery grant' shall be taken to incentivise improvement in bus services through and connecting to Hopefield farm 2. This contribution shall not be to the disadvantage of the community facilities contribution; • NHS Lothian/IJB shall be consulted to confirm if additional facilities are required on this site; and • The affordable housing provision, secured by planning obligation, shall be delivered in the early phases of development – close to school/community facilities (this shall be reflected in the masterplan).
Action
Planning Manager

6. Date of Next Meeting

The next meeting will be held on Tuesday 18 May 2021.

The meeting terminated at 2.15 pm.