

Minute of Meeting



Planning Committee

Date	Time	Venue
27 August 2019	1.00 pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Curran	Councillor Hackett
Councillor Lay-Douglas	Councillor McCall
Councillor Milligan	Councillor Muirhead
Councillor Parry	Councillor Russell
Councillor Wallace	Councillor Winchester

In Attendance:

Mary Smith, Director, Education, Communities and Economy	Peter Arnsdorf, Planning Manager
Alan Turpie, Legal Services Manager	Janet Ritchie, Democratic Services Officer

1. Apologies

Apologies for absence were intimated on behalf of Councillors Cassidy, Hardie, Johnstone, Munro and Smaill.

2. Order of Business

The Order of business was as set out in the Agenda

3. Declarations of interest

No declarations of interest were submitted.

4. Minutes of Previous Meetings

The Minute of Meeting of 18 June 2019 was submitted and approved as a correct record subject to an amendment to the apologies.

Councillor Hackett and Councillor Russell advised the Committee that they did not put in apologies for the meeting of 18 June 2019 they were suspended from attending following a decision by the Standards Commission.

5. Reports

Agenda No	Report Title	Presented by:
5.1	The Planning (Scotland) Act 2019	Peter Arnsdorf
Outline of report and summary of discussion		
<p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy updating the Committee with regard to the reforms to the Planning System resulting from the Planning (Scotland) Act 2019.</p> <p>The Planning Manager highlighted the main sections contained within the report and advised the Committee of the main changes proposed by the 2019 Act as outlined in the report. Thereafter he responded to a question regarding the interim guidance on transitional arrangements which will be published in the coming weeks.</p>		
Decision		
<p>The Committee noted:</p> <ul style="list-style-type: none">• The contents of the report• To receive further reports on changes to the Planning System when secondary legislation/regulations are published by the Scottish Government.		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.2	Major Applications: Applications currently being assessed and other Developments at Pre-Application Consultation Stage	Peter Arnsdorf
Outline of report and summary of discussion		
<p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy updating 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.</p> <p>The current position with regard to 'major' planning applications and formal pre-application consultations by prospective applicants was outlined in Appendices A and B attached to this report.</p>		
Decision		
<p>The Committee noted the major planning application proposals which are likely to be considered by the Committee in 2019 and the updates for each of the applications.</p>		

Agenda No	Report Title	Presented by:
5.3	Supplementary Guidance: Housing Development in the Countryside and Green Belt	Peter Arnsdorf
Outline of report and summary of discussion		
<p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy updating the Committee on the adoption of the Housing Development in the Countryside and Green Belt Supplementary Guidance. At its meeting of 14 May 2019 the Committee agreed to adopt the Housing Development in the Countryside Supplementary Guidance following a formal consultation process.</p> <p>The adopted version of the Housing Development in the Countryside and Green Belt Supplementary Guidance document is now available on the Council website.</p>		
Decision		
<p>The Committee noted the contents of the report.</p>		

Agenda No	Report Title	Presented by:
5.4	Gorebridge Conservation Area Character Appraisal And Management Plan	Peter Arnsdorf
Outline of report and summary of discussion		
<p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy, the purpose of this report was to seek agreement to undertake a formal consultation on the draft 'Conversation Area Character Appraisal and Management Plan' for the Gorebridge Conversation Area.</p>		

The Planning Manager highlighted the main sections contained within the report and advised the Committee that a condition of the funding received from Historic Environment Scotland was the preparation and adoption by the Council of a Conservation Area Appraisal and Management Plan which is attached as appendix A to the report.

Decision

The Committee:

- Approved the draft Gorebridge Conservation Area Character Appraisal and Management Plan for consultation;
- Would consider a further report following the proposed consultation;
- Authorised the Planning Manager to make any necessary minor editing and design changes to the CAAMP prior to publication.

Action

Planning Manager

Agenda No	Report Title	Presented by:
5.5	Proposed Amendment to the Proposed Uses at Site E26, Whitehill Mains, Whitehill Road, Millerhill (19/00489/PAC).	Peter Arnsdorf
Outline of report and summary of discussion		
<p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy advising the Committee of a pre-application consultation regarding a proposal to expand the range of uses at site E26, Whitehill Mains, Whitehill Road, Millerhill, Shawfair. The land comprises economic site E26 in the Midlothian Local Development Plan 2017 (MLDP), allocated for class 4 (office/business) and class 5 (general industry) uses. The site was originally allocated in the now superseded 2003 Shawfair Local Plan.</p> <p>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 for the Committee's consideration. The Planning Manager provided a brief summary of the report.</p>		
Decision		
<p>The Committee noted:</p> <ul style="list-style-type: none"> • The provisional planning position set out in this report. • That any comments made by Members will form part of the minute of the Committee meeting. • That the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application. 		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.6	Proposed Erection of Primary School at the Former Site of the Newbattle Community High School, Easthouses Road, Easthouses (19/00445/PAC).	Peter Arnsdorf
Outline of report and summary of discussion		
<p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy advising the Committee of a pre-application consultation regarding the erection of a primary school at the site of the former Newbattle Community High School, Easthouses Road, Easthouses. 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 for the Committee's consideration.</p> <p>The Planning Manager provided a brief summary of the report and confirmed that the comments highlighted by Members with regards to the change of use from High School to Primary School and the consideration of road safety would be taken on board.</p>		
Decision		
<p>The Committee noted:</p> <ul style="list-style-type: none"> • The provisional planning position set out in this report. • That any comments made by Members will form part of the minute of the Committee meeting. • That the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application. 		
Action		
Planning Manager		

Agenda No	Report Title	Presented by:
5.7	Application for Planning Permission in Principle for the Erection of a Community Facility incorporating Secondary and Primary School, Early Learning Provision and Family Learning, Library, Leisure Facilities, Healthcare and Class 4 Business Facilities at the Former Site of Monktonhall Colliery, Monktonhall Colliery Road, Newton, Danderhall (19/00112/PPP).	Peter Arnsdorf
Outline of report and summary of discussion		
<p>A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy summarising an application for planning permission as detailed above.</p>		

The Planning Manager highlighted the main sections contained within the report and there followed comments and questions from the Elected Members with regards to road safety, flood risks and the mine workings in this area. It was also noted the comments with regards to the history of this area and this being the last working mine in Midlothian and the Planning Manager advised this would all be taken into consideration.

The Chair highlighted that this was another positive development for Midlothian and the ideal opportunity to put good practice into place with regards to facilities for both children and adults, cycle/foot path connections and good transport links.

Decision

The Committee agreed to grant the planning permission for the following reasons

The site is located within the settlement boundary of Shawfair and as such there is a presumption in favour of an appropriate education, community and business uses in support of the town centre and the wider objectives of the new settlement. The proposed development is compatible with the policies of the Edinburgh and South East Scotland Strategic Development Plan 2013 and the Midlothian Local Development Plan 2017 and does not undermine the overall objectives of the approved Shawfair Masterplan and the approved Shawfair Design Guide (and the associated addendums). The presumption for the development is not outweighed by any other material considerations.

Subject to the conditions as detailed within the report.

Action

Planning Manager

Agenda No	Report Title	Presented by:
5.8	Section 42 Application to Amend Conditions 4 and 5 (to Clarify Phasing Submissions) Imposed on a Grant of Planning Permission 15/00113/PPP for the Demolition of Existing Dwellinghouse, Erection of Hotel and Residential Development, Formation of Access Roads, Car Parking and Associated Works at Land at Calderstones, Biggar Road, Hillend, Damhead (18/00628/S42).	Peter Arnsdorf

Outline of report and summary of discussion

A report dated 16 August 2019 was submitted by the Director of Education, Communities and Economy advising that at its meeting on 25 August 2015 the Committee granted planning permission for the demolition of existing dwellinghouse, erection of hotel and residential development, formation of access roads, car parking and associated works at land at Calderstones, Biggar Road and Hillend. This section 42 application seeks to amend the wording of two of the conditions, one relating to hard and soft landscaping and the second relates to the siting and design of buildings.

The application is accompanied by an environmental impact assessment report. There have been no representations and there have been consultation responses from Scottish Environment Protection Agency, Scottish Natural Heritage, Historic Environment Scotland, Transport Scotland, the Council's Policy and Road Safety Manager and Fairmilehead Community Council.

The Planning Manager highlighted the amendments as detailed within the report and advised the Committee the recommendation was to grant planning permission subject to conditions.

Decision

The Committee agreed to grant the planning permission for the following reasons

The proposed development for a hotel/tourist accommodation accords with policy VIS2 of the Midlothian Local Development Plan 2017; as such there is a presumption in favour of the proposed development. This presumption in favour of the development is not outweighed by other policies in the development plan or other material considerations. The proposed amendments to conditions 4 and 5 are considered not to undermine this policy position or have a detrimental impact.

Subject to the conditions as detailed within the report.

Action

Planning Manager

6. Private Reports

No private business was discussed.

7. Date of Next Meeting

The next meeting will be held on Tuesday 8 October 2019.

The meeting terminated at 1.30 pm