



PRE APPLICATION REPORT REGARDING A PROPOSED RESIDENTIAL DEVELOPMENT AT LAND AT SITE Hs11 DALHOUSIE SOUTH, BONNYRIGG (17/00402/PAC)

Report by Head of Communities and Economy

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of a pre application consultation submitted regarding a proposed residential development at site Hs11, Dalhousie South, Bonnyrigg (17/00402/PAC).
- 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 6 June 2017. 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 proposed residential development at site Hs11, Dalhousie South, Bonnyrigg was submitted on 19 May 2017.
- 2.3 As part of the pre application consultation process the applicants are to hold a public event. The applicant has confirmed to the Planning Authority that they shall carry out the public event after the school summer break. A date, time and venue will be arranged shortly by the applicants and the necessary notices and adverts published in advance. On the conclusion of the public event the applicant could submit a planning application for the proposal. 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 reported to the Committee at its meeting in June 2017) not offer views, as the forum for doing so will be at meetings of the Planning Committee.

- 2.4 Copies of the pre application notices have been sent by the applicant to Bonnyrigg & Laswade Community Council.

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 currently proposed development complies with development plan policies unless material planning considerations indicate otherwise.
- 3.2 The proposed development site comprises some 21.6 hectares of agricultural land located nearby to the south of the Hardengreen roundabout and to the immediate south east of the B6392. The site has a frontage onto the B6392.
- 3.3 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Plan (MLP), adopted in December 2008. The adopted 2008 Midlothian Local Plan identifies the site as being in the countryside and any subsequent planning application will be subject to assessment against policies RP1: Protection of the Countryside and DP1: Development in the Countryside. A provisional assessment against this policy is that it does not support the proposed housing development on the basis that it is in the countryside and not necessary for agricultural or any other rural business. However this policy position with regard the proposed development site is being superseded by the Proposed Midlothian Local Development Plan (MLDP).
- 3.4 At its meeting of 16 December 2014 the Council approved the Proposed MLDP as its settled spatial strategy. The site is identified in the MLDP, Policy STRAT3, as a strategic housing site with an indicative capacity of 360 residential units. The plan was subject to Local Plan Examination and subject to consideration by a Reporter appointed by the Scottish Ministers. The Reporter's findings were published on 10 July 2017. It is anticipated that the examination findings will be reported to Council in September 2017. With regard to this site the Reporter recommends that the site remains as an allocated housing site. This is a material consideration of significant weight in the assessment of any application, if submitted prior to the adoption of the MLDP.
- 3.5 If an application is submitted after the adoption of the MLDP there will be a presumption in favour of residential development subject to securing developer contributions towards infrastructure including education provision and affordable housing.

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.

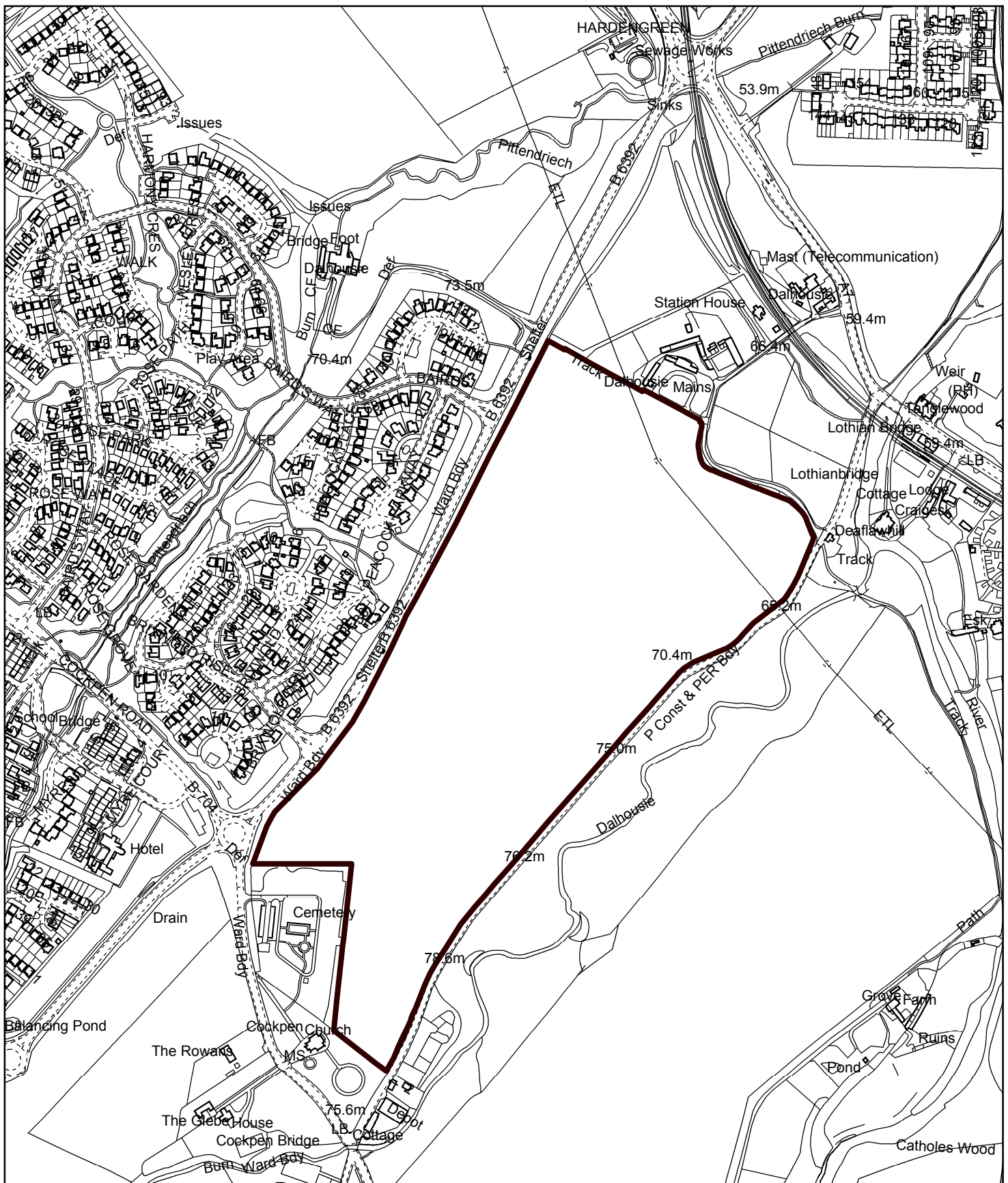
- 4.2 The Committee is invited to express a 'without prejudice' view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.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

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Date: 8 August 2017
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