

# Minute of Meeting



## Planning Committee

Date	Time	Venue
8 October 2019	1.00 pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Johnstone	Councillor Lay-Douglas
Councillor Milligan	Councillor Muirhead
Councillor Munro	Councillor Parry (via video link)
Councillor Russell	Councillor Small

### In Attendance:

Mary Smith, Director, Education, Communities and Economy	Peter Arnsdorf, Planning Manager
Alan Turpie, Legal Services Manager	Jim Gilfillan, Consultant Policy & Planning, Policy & Road Safety
Mike Broadway, Democratic Services Officer	

## 1. Apologies

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Apologies for absence were intimated on behalf of Councillors Baird, McCall, Wallace and Winchester.

## 2. Order of Business

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The order of business was as outlined in the agenda.

## 3. Declarations of interest

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Councillor Alexander (non-pecuniary) declared an interest in agenda item 5.3 - Pre-Application Consultation on Proposed Holiday Resort Development at Land at Drummond Moor Landfill Site, Rosewell (19/00626/PAC) – on the grounds that the proposed development could potentially impact on her property and for this reason, she intended not to take part in consideration of the application and would withdraw from the meeting.

## 4. Minutes of Previous Meetings

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The Minute of Meeting of 27 August 2019 were submitted and approved as a correct record.

## 5. Reports

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Agenda No	Report Title	Presented by:
5.1	Major Applications: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted a report dated 1 October 2019 by the Director, 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>		
<b>Decision</b>		
<p>The Committee, having heard from the Planning Manager who responded to Members questions, noted the major planning application proposals which were likely to be considered by the Committee in 2019/20 and the updates for each of the applications.</p>		
<b>Action</b>		
Planning Manager		

Agenda No	Report Title	Presented by:
5.2	Appeals and Local Review Body Decisions	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted a report dated 1 October 2019 by the Director, Education, Communities and Economy informing the Committee of the notices of review determined by the Local Review Body (LRB) at its meeting in September 2019 and advising that there were no appeals determined by Scottish Ministers to report.</p>		
<b>Decision</b>		
<p>The Committee noted the decisions made by the Local Review Body at its meetings on 10 September 2019.</p>		
<b>Action</b>		
<p>Planning Manager</p>		

Sederunt
<p>With reference to item 3 above, Councillor Alexander, having declared a non-pecuniary interest in the following item of business, left the meeting at 1.04 pm, taking no part in the consideration thereof.</p>

Agenda No	Report Title	Presented by:
5.3	Pre-Application Consultation on Proposed Holiday Resort Development at Land at Drummond Moor Landfill Site, Rosewell (19/00626/PAC)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report, dated 1 October 2019, by the Director, Education Communities and Economy advising that a pre application consultation had been submitted regarding a proposal for a holiday resort at Drummond Moor Landfill Site, Rosewell. (19/00626/PAC).</p> <p>The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' 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 for the Committee's consideration.</p>		
<b>Decision</b>		
<p>The Committee, having heard from the Planning Manager, noted:</p> <p>(a) The provisional planning position set out in the report;</p>		

- (b) That the potential for developer contributions arising from this proposed development would be explored as part of the formal assessment process once an application was received; and
- (c) That the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.

**Action**

Planning Manager

**Sederunt**

Councillor Alexander re-joined left the meeting follow conclusion of the foregoing item of business at 1.07 pm.

Agenda No	Report Title	Presented by:
5.4	Pre-Application Consultation on Proposed Residential Development with Associated Infrastructure at Land North of Seafield Road, Bilston (part of Site HS16) (19/00641/PAC).	Peter Arnsdorf

**Outline of report and summary of discussion**

There was submitted report, dated 1 October 2019, by the Director, Education Communities and Economy advising that a pre application consultation had been submitted regarding a proposed residential development with associated engineering works, open space and landscaping at land north of Seafield Road, Bilston (19/00641/PAC).

The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' 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 for the Committee's consideration.

**Decision**

The Committee, having heard from the Planning Manager, noted:

- (a) The provisional planning position set out in the report; and
- (b) 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:
5.5	Application for Planning Permission for the Erection of 91 Dwellinghouses; Formation of Access Roads; SUDS Feature and Associated Works (Amendment to Development Layout, House Numbers and House Types Approved in terms of planning permission 17/00068/DPP) at Land between Deanburn and Mauricewood Road, Penicuik (19/00727/DPP).	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report, dated 1 October 2019, by the Director, Education, Communities and Economy concerning the above application.</p> <p>Having heard from the Planning Manager, the Committee in discussing the proposed development, noted that the relevant development plan policies as set out in the Midlothian Local Development Plan 2017 relating to affordable housing had been met, albeit as part of the overall development of the area.</p>		
<b>Decision</b>		
<p>The Committee agreed to grant planning permission for the following reason:</p> <p><i>The proposed development site is identified as being part of the Council's safeguarded/committed housing land supply within the development plan. The currently proposed detailed scheme of development in terms of its layout, form, design and landscaping is acceptable and as such accords with development plan policies, subject to securing developer contributions. The presumption for development is not outweighed by any other material considerations.</i></p> <p>subject to</p> <p>(i) The completion of a modification application to the existing planning obligation to ensure that:</p> <ul style="list-style-type: none"> <li>• The 'original' 74 units contained within this application are bound by that agreement; and</li> <li>• The additional affordable housing requirement (5 units) generated by the additional houses contained within this application is secured.</li> </ul> <p>(ii) The completion of a legal agreement in respect of the 17 'additional' dwellings to secure financial contributions towards:</p> <ul style="list-style-type: none"> <li>• a financial contribution towards education provision;</li> <li>• a financial contribution towards Penicuik Town Centre improvements; and</li> <li>• a financial contribution towards the A701 Relief Road</li> </ul> <p>(iii) the detailed conditions set out in the report.</p>		
<b>Action</b>		
Planning Manager		

Agenda No	Report Title	Presented by:
5.6	Application for Planning Permission for the Erection of 100 Dwellinghouses, Formation of Access Roads, SUDS Feature, Car Parking and Associated Works at Land between Rosewell Road and Carnethie Street, Rosewell (18/00403/DPP).	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report, dated 7 June 2019, by the Director, Education, Communities and Economy concerning the above application.</p> <p>The Committee, having heard from the Planning Manager, discussed the proposed development, giving particular consideration to both the relevant planning policies, and also the representations and consultation responses that had been received; details of which were contained in the report. Whilst it was acknowledged that this was an allocated housing site, the proposed development had attracted a sizeable body of representations, and there was some debate as to whether concerns regarding the impact of vehicular traffic, provision for education and the impact of the development had been adequately addressed.</p> <p>After further discussion, Councillor Parry, seconded by Councillor Milligan, moved that in light of the concerns regarding the potentially detrimental impact of the proposed development on road safety; the amenity of the existing residents; and also education provision that planning permission be refused for these reasons.</p> <p>As an amendment, Councillor Hardie, seconded by Councillor Hackett, moved that planning permission be granted for the reasons, and subject to the conditions, detailed in the Director's report.</p> <p>Thereafter, on a vote being taken, two Members voted for the motion and eleven for the amendment, which accordingly became the decision of the meeting.</p>		
<b>Decision</b>		
<p>The Committee agreed to grant planning permission for the following reason:</p> <p><i>The proposed development site is allocated in the Midlothian Local Development Plan 2017. The proposed detailed scheme of development in terms of its layout, form, design and landscape framework is acceptable and as such accords with development plan policies, subject to securing developer contributions. The presumption for development is not outweighed by any other material considerations.</i></p> <p>subject to:</p> <p>(i) the prior signing of a legal agreement to secure:</p> <ul style="list-style-type: none"> <li>• the provision of affordable housing equal to, or greater than 25% of the total number of residential units across site HS14 as a whole;</li> <li>• a financial contribution towards education provision;</li> <li>• a financial contribution towards community facilities (which could include the provision/upgrading of sports pitches);</li> <li>• a financial contribution towards public transport/Borders Rail; and</li> </ul>		

- maintenance of children's play/open space.

The legal agreement shall be concluded within six months. If the agreement is not concluded timeously the application will be refused.

(ii) the detailed conditions set out in the report.

Action

Planning Manager

## **6. Private Reports**

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No private business was discussed.

## **7. Date of Next Meeting**

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The next meeting will be held on Tuesday 19 November 2019.

The meeting terminated at 1.34 pm