

# Minute of Meeting

Planning Committee  
Tuesday 29 October 2024  
Item 4.1



## Planning Committee

Date	Time	Venue
Tuesday 10 September 2024	13:00	Council Chambers, Midlothian House/Hybrid

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Bowen	Councillor Cassidy
Councillor Curran	Councillor Drummond (Virtual)
Councillor McEwan	Councillor McKenzie
Councillor McManus	Councillor Pottinger (Virtual)
Councillor Smail	Councillor Virgo
Councillor Winchester (Virtual)	

### In Attendance:

Derek Oliver	Chief Officer Place
Peter Arnsdorf	Planning, Sustainable Growth and Investment Manager
Kevin Anderson	Executive Director Place
Alan Turpie	Principal Solicitor
Hannah Forbes	Assistant Democratic Services Officer

## 1. Welcome, Introduction and Apologies

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The Chair welcomed everyone to the meeting of the Planning Committee.

Apologies received from Councillor Parry, Councillor McCall, Councillor Milligan, Councillor Russell and Councillor Scott

## 2. Order of Business

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As per the agenda

## 3. Declarations of interest

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None submitted

## 4. Minutes of Previous Meetings

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4.1 The Minute of the Planning Committee Meeting of 4 June 2024 was submitted and approved as a correct record.

## 5. Reports

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Agenda No	Report Title	Submitted by:
5.1	<b>TPO Confirmation Report regarding land adjacent to Meyerling, Howgate</b>	<b>Chief Officer Place</b>
<b>Outline of Report and Summary of Discussion</b>		
<p>The Planning, Sustainable Growth and Investment Manager presented the report. The purpose of the report was to seek the Committee's approval to confirm Tree Preservation Order (TPO) 1 of 2024 issued on 30 May 2024 for a group of trees (G1) at land adjacent to Meyerling and land at Little Moss and Nether Moss, Howgate, Penicuik.</p> <p>Following the service of the TPO the landowners were given the opportunity to make representation. Furthermore, in accordance with the Regulations, a notice was published in the Midlothian Advertiser and on the Council's website and the Howgate Community Council were also notified of the decision to issue the Tree Preservation Order and invited to make a representation. In addition, site notices were attached to gates/fences on site advising of the TPO and the consultation process.</p> <p>Interested parties were given until 5 July 2024 to make representations. Legislation requires that a period of at least 28 days is made available for representation to be submitted to the Council following a decision to make a Tree Preservation Order. No representations were received in response to the TPO notification process.</p> <p>It is recommended that Committee:</p>		

- a) Confirm the Tree Preservation Order (1 of 2024) for a group of trees (G1) at land adjacent to Meyerling and land at Little Moss and Nether Moss, Howgate, Penicuik; and
- b) Instruct the Planning, Sustainable Growth and Investment Service Manager to carry out the necessary procedures, following confirmation and endorsement of a tree preservation order, that are required by the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 and the Town and Country Planning (Tree Preservation Order and Trees in Conservation Areas) (Scotland) Regulations 2010.

The Chair thanked the Planning, Sustainable Growth and Investment Manager for the report and opened it up for questions. There being no questions the recommendations were unanimously approved.

**Decision**

The Planning Committee approved the recommendations as set out in the report.

**Action**

Agenda No	Report Title	Submitted by:
<b>5.2</b>	<b>Penicuik High School - pre-application consultation Report (24.00363.PAC)</b>	<b>Chief Officer Place</b>

**Outline of Report and Summary of Discussion**

The Planning, Sustainable Growth and Investment Manager presented the report. The purpose of this report was to advise the Committee of the submission of a Proposal of Application Notice (PAN) and corresponding pre-application consultation for the re-development of an existing high school including erection of extensions, partial demolition of buildings, landscaping, formation of roads and sports pitches; and associated works at Penicuik High School, 39A Carlops Road, Penicuik.

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.

It is recommended that the Committee notes:

- a) the provisional planning position set out in this report;
- 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.

The Chair thanked the Planning, Sustainable Growth and Investment Manager for the report and opened it up for questions.

In responding to a question raised with regards to Montgomery Park the Planning, Sustainable Growth and Investment Manager confirmed that more information will be available in the detailed planning application and noted that this park must be retained for recreational use.

It was also highlighted that the application notices had been sent to Owen Thomson MP but as this situation has now changed the Planning and Sustainable Growth apologised for the error and that the records would be updated, and the consultation information sent out to the new MP.

Councillors otherwise commented positively on this paper and the recommendations were unanimously approved.

#### Decision

The Planning Committee noted the recommendations as set out in the report.

#### Action

Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Submitted by:
<b>5.3</b>	<b>East Lodge, Melville Castle Report (24.00131.DPP and 24.00132.LBC)</b>	<b>Chief Officer Place</b>

#### Outline of Report and Summary of Discussion

The Planning, Sustainable Growth and Investment Manager presented this report. The applications are for the conversion works including alterations to internal layout, removal of existing garage and erection of extension of staff accommodation to provide tourist accommodation in connection with Melville Castle Hotel at East Lodge, Melville Castle, Lasswade.

There have been three representations received in response to the listed building consent application and no representations in response to the planning application. There have been consultation responses from The Coal Authority, Historic Environment Scotland and the Council's Ecological Advisor.

The recommendation is to grant planning permission and listed building consent subject to conditions.

The Chair thanked the Planning, Sustainable Growth and Investment Manager for the report and opened it up for questions

Comments were raised by a member of the committee with regards to the extension and that this was not in keeping with the design of the main building and that the main building being a listed building. The Planning, Sustainable Growth and Investment Manager advised on the different approaches by Historic Scotland for each building category and with this being a category B building Historic Scotland have referred the Council to their guidance which includes extensions and that this has been followed by Planning with regards to this extension. It was further explained on the range of approaches for extending listed buildings and the reason for this being a simple design was that this was set back from the main building and that the main building was the dominate structure.

Further comments were made in support of this application and in response to a question raised with regards to the design approach the Planning, Sustainable Growth and Investment Manager provided and explanation on the design approaches and that this was a complementary addition.

Councillor Cassidy, seconded by Councillor McKenzie moved the recommendations.

#### Decision

The Planning Committee agreed to grant planning permission and listed building consent subject to conditions.

#### Action

The Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Submitted by:
5.4	Glenarch Lodge, Dalkeith Report (23.00600.DPP and 23.00821.LBC)	Chief Officer Place

#### Outline of Report and Summary of Discussion

The Planning, Sustainable Growth and Investment Manager presented the report. The applications are for an extension to the dwellinghouse; installation of replacement windows, doors and rainwater goods; re-slating of roof; re-rendering existing dwellinghouse; installation of air source heat pump; and formation of areas of hard standing at Glenarch Lodge, Melville Road, Dalkeith.

There have been no representations received. Consultation responses have been received from the Council's Ecological Advisor and the Council's Archaeology Advisor.

The recommendation was to grant planning permission and listed building consent subject to conditions.

The Chair thanked the Planning, Sustainable Growth and Investment Manager for the report and opened it up for questions.

Councillor Smail in calling in this application advised that this building was the entrance to Dalkeith and Eskbank area and was visually very important and had no objection to this re-development but raised a question with regards to the change in the Georgian windows and proposed that to maintain the character of the building that with regards to the main house that this should be insisted upon. The Planning, Sustainable Growth and Investment Manager advised that the window style needed to change as the windows were in disrepair and that the proposed alterations were a very traditional style.

Comments were also raised with regards to the location and that this being a fast road, and it was noted that in terms of traffic calming which has changed recently the focus especially during the commencement of this development needs to be on road safety. In responding to a question with regards to the definition of locally sourced materials the Planning, Sustainable Growth and Investment Manager advised that this is not defined but perhaps this could be added into the next Local Plan.

The Planning, Sustainable Growth and Investment Manager confirmed that if the committee decided that the windows had to be a twelve pane, sash and case window then this would be a condition in granting planning permission.

The Planning Application was granted with the amendment that a condition is added that the windows are replaced with 12 pane, sash and case windows, moved by Councillor Smail, seconded by Councillor Cassidy.

The Chief Officer Place confirmed that they would undertake an audit of this road and would ensure that any foliage is cut back and that the road markings are reinstated.

#### Decision

The Planning Committee agreed to grant planning permission and listed building consent subject to conditions with an amendment to include a condition that the windows are 12 pane, sash and case.

#### Action

The Planning, Sustainable Growth and Investment Manager

Agenda No	Report Title	Submitted by:
5.5	Land at Rosslynlee Report (24.00313.S42)	Chief Officer Place
<b>Outline of Report and Summary of Discussion</b>		
<p>The Planning, Sustainable Growth and Investment Manager presented the report. In December 2019 planning permission was granted for residential development of up to 280 dwellings; commercial use of Class 1 or 2 or 3 or 4 with a floorspace of up to 250sqm; and associated works at the former Rosslynlee Hospital, Roslin. The current application is to amend condition 18 in order to enable the installation of an</p>		

adoptable (by Scottish Water) sustainable urban drainage system (SUDS), rather than the SUDS approved as part of the original planning application.

The application replicates the approach approved by the Committee at its meeting of 12 March 2024 for the former Rosslynlee Hospital site (the current application is for the associated enabling land adjacent to the hospital site).

There have been no representations received or consultations required.

The recommendation is to grant planning permission subject to conditions and the variation to the existing Planning Obligation either by a Minute of Variation or a Section 75A application, as the original planning application, 17/00980/PPP, is subject to a Planning Obligation securing developer contributions and this agreement needs to continue with the 'new' planning application.

The Chair thanked the Planning, Sustainable Growth and Investment Manager for the report and opened it up for questions. There being no questions the recommendations were approved unanimously.

#### Decision

The Planning committee approved the recommendations subject to the variation to the existing Planning Obligation either by a Minute of Variation or a Section 75A application and subject to the conditions as set out in the report.

#### Action

The Planning, Sustainable Growth and Investment Manager

## 6. Private Reports

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No items for discussion

## 7. Date of Next Meeting

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The next meeting will be held on Tuesday 29 October 2024 at 1:00 pm.

The meeting terminated at 13.38 pm