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**PRE - APPLICATION REPORT REGARDING RESIDENTIAL DEVELOPMENT AND ERECTION OF SCHOOL, WITH ASSOCIATED ENGINEERING WORKS, OPEN SPACE AND LANDSCAPING AT LAND EAST AND WEST OF EASTHOUSES ROAD, EASTHOUSES, DALKEITH (18/00962/PAC)**

Report by Director of Education, Communities and Economy

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## **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 and erection of school, with associated engineering works, open space and landscaping at land east and west of Easthouses Road, Easthouses, Dalkeith.
- 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 residential development and erection of school, with associated engineering works, open space and landscaping at land east and west of Easthouses Road, Easthouses, Dalkeith was submitted on the 14 December 2018.
- 2.3 As part of the pre-application consultation, a public event took place at Mayfield and Easthouses Church Hall on Thursday the 24 January from 3pm until 7pm. On the conclusion of the requisite 12 week consultation process 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 A copy of the pre application notice has been sent by the prospective applicant to the local elected members as well as Mayfield and Easthouses Community Council and Eskbank and Newbattle 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 development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Development Plan 2017 (MLDP).
- 3.3 The site is located within the countryside to the immediate east and south of Dalkeith and to the immediate north of Easthouses and includes the land between these two settlements. A gas pipeline crosses the site.
- 3.4 The site is designated in the MLDP as countryside (policy RD1) and prime agricultural land (policy ENV4). A provisional assessment against these policies does not support the scheme on the basis that the proposed development is not necessary for agriculture or for any other rural business. In addition, the proposed development would result in both the physical and visual coalescence of the settlements of Dalkeith and Easthouses, contrary to MLDP policy DEV1 (Community Identity and Coalescence). For these reasons and because of the scale of the proposed development, it is considered that the proposed development is a significant departure from the MLDP.
- 3.5 If a planning application is submitted, the potential environmental impacts arising as a result of the proposed development will require to be considered. The submission of an Environmental Impact Assessment (EIA) may be required. This process systematically sets out the relevant environmental impacts in order that they can be assessed, designed out of the proposal, minimised or mitigated.
- 3.6 A material consideration in the assessment of any planning application will be the need for additional housing and the need for a school. With regard the demand for housing, it is relevant to note that Midlothian has an up to date adopted local plan which sets a development strategy which includes sufficient housing allocations to meet its housing requirements and in doing so having an effective housing land supply. The MLDP was adopted 7 November 2017 following a local plan examination where the Reporter concluded that there is a 5-year effective housing land supply in Midlothian. The Council does not need to support the proposed housing. With regard the need for a school, if the Council through a review of its learning estate strategy determines that a new

school is required within the Dalkeith/Easthouses catchment area, in particular on this site, then the need to meet this educational demand would be a material consideration that the Committee could give significant weight too.

#### **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;
  - 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.

**Mary Smith**  
**Director of Education, Communities and Economy**

<b>Date:</b>	12 February 2019
<b>Application No:</b>	18/00962/PAC (Available online)
<b>Applicant:</b>	Gladman Developments Limited, 2 Eliburn Office Park, Eliburn, Livingston, EH54 6GR
<b>Validation Date:</b>	14 December 2018
<b>Contact Person:</b>	Adam Thomson
<b>Tel No:</b>	0131 271 3346

