



PRE - APPLICATION REPORT REGARDING RESIDENTIAL DEVELOPMENT WITH ASSOCIATED ENGINEERING WORK, OPEN SPACE AND LANDSCAPING AT LAND NORTH OF OAK PLACE, MAYFIELD (19/00106/PAC)

Report by Director of Education, 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 residential development with associated engineering work, open space and landscaping at land north of Oak Place, Mayfield. The land comprises site h41 in the Midlothian Local Development Plan 2017 (MLDP) which is a housing allocation with an indicative capacity for 63 units. The site was originally allocated in the 2003 Midlothian Local Plan.
- 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 with associated engineering work, open space and landscaping at land north of Oak Place, Mayfield was submitted on 8 February 2019.
- 2.3 As part of the pre-application consultation process the applicant held a drop in event at the Mayfield and Easthouses Church Hall on 28 March 2019, from 3pm. On the conclusion of the consultation 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 prospective applicant to the local elected members and Mayfield and Easthouses 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 approximately 8.3 hectares of agricultural land and forms part of Lawfield Farm. The site slopes upwards from the south west to the north east. There are open views from the site westwards towards the Pentland Hills and the north west of Edinburgh.
- 3.4 The land comprises site h41 in the Midlothian Local Development Plan 2017 (MLDP) which is a housing allocation with an indicative capacity for 63 units. The site was originally allocated in the 2003 Midlothian Local Plan.
- 3.5 As a committed site within the established housing land supply, support for the early implementation of the site is supported. The specific policies any proposal is likely to be subject to include STRAT1 Committed Development; DEV2 Protecting Amenity within the Built-Up Area; DEV3 Affordable and Specialist Housing; DEV5 Sustainability in New Development; DEV6 Layout and Design of New Development; DEV7 Landscaping in New Development; DEV9 Open Space Standards; TRAN1 Sustainable Travel; TRAN5 Electric Vehicle Charging; IT1 Digital Infrastructure; ENV9 Flooding; ENV10 Water Environment; NRG6 Community Heating; IMP1 New Development; IMP2 Essential Infrastructure Required to Enable New Development to Take Place; and IMP3 Water and Drainage.
- 3.6 The Mayfield and Easthouses Settlement Statement in the MLDP outlines a number of matters to be considered in the design of any proposed development (page 105). The plan notes that the site is in an elevated position and that development will need to avoid the highest parts of the site and to provide substantial perimeter planting to create a long-term settlement edge. It is also stated that the site should be accessed through the neighbouring housing allocation at Bryans (h48) to give a better design/layout solution.
- 3.7 Planning application 16/00134/DPP for 179 houses and 20 flats and associated works on the site was refused by the Committee at its

meeting in January 2018. This proposal was considered an overdevelopment of the site which resulted in a number of unacceptable impacts including: a lack of local education capacity; insufficient public open space and private garden provision; the need for excessive engineering works to raise site levels and inadequate separation distances with existing properties to maintain acceptable levels of privacy. This pre-application consultation does not specify the number of units proposed, however if a resulting planning application proposes a scale of development that significantly exceeds the indicative capacity of 63 units, similar issues may arise and will need to be considered.

- 3.8 The proposals do not identify an access solution. The site is adjoined to the west by the former Bryans Primary School site, which was granted planning permission for 28 dwellinghouses and 44 flats in February 2019 (19/00042/DPP) as part of the Council's housing programme. While the approved site layout includes a link that could provide access to this adjoining site, consideration will be given to whether this layout is adequate to manage the level of traffic from both sites. If this proves not to be the case then alternative access options will need to be considered, the most likely of which is onto Oak Place to the south.
- 3.9 During the assessment of any subsequent planning application consideration will have to be given to design matters such as materials, layout, separation distances between buildings, landscaping and garden sizes in order for the scheme to accord with the policies in the sustainable place-making section of the MLDP (Policies DEV2, DEV3, DEV5, DEV6, DEV7 and DEV9).
- 3.10 The site is located within a predominantly residential area with existing properties at Oak Place to the south and future properties adjoining the site to the west. As a consequence consideration will need to be given towards protecting the privacy and amenity of residents. Given that the northern parts of the site are elevated, particular care will be required in designing this part of the site.
- 3.11 A core path is identified as passing through the site in a north-south direction (core path 5-11). The loss of this route without the provision of an alternative would not be acceptable and the layout of any proposal should make provision for this. Furthermore, the Midlothian Green Network Supplementary Guidance, which seeks to create new green links between settlements, identifies a proposal for a path at the northern edge of this site. Making such provision would accord with policy ENV2 of the MLDP.
- 3.12 If an application is submitted, there is a presumption in favour of an appropriate residential development and associated works subject to securing developer contributions towards infrastructure including education provision, equipped children's play provision, town centre improvements and a community facility. Additionally, any application would be subject to the need to provide affordable housing equal to,

or exceeding 25% of the total number of dwellings consented, as required by policy DEV3.

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.

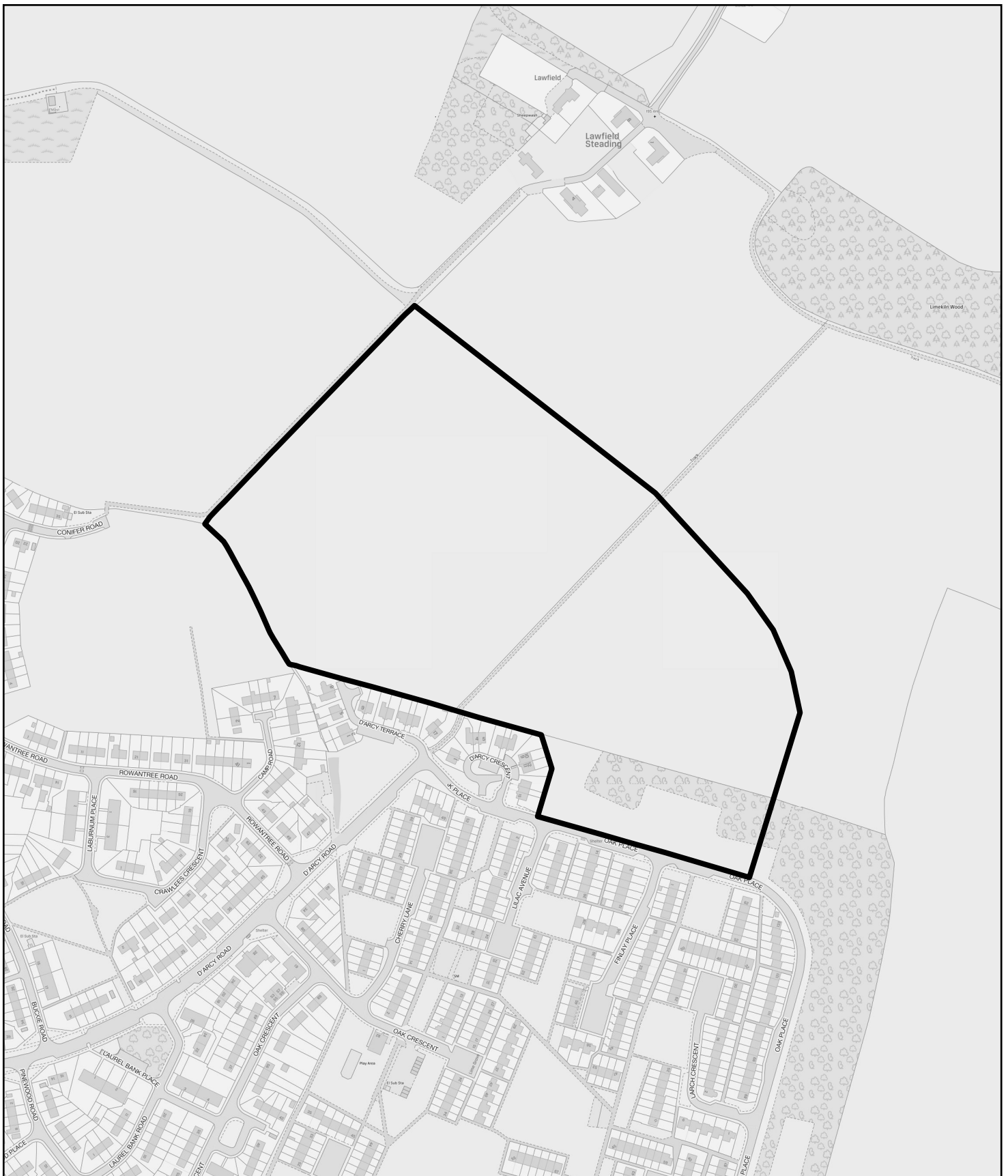
5 RECOMMENDATION

- 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.

Dr Mary Smith
Director of Education, Communities and Economy

Date: 2 May 2019

Application No: 19/00106/PAC (Available online)
Applicant: Gladman Developments Ltd, Eliburn
Validation Date: 8 February 2019
Contact Person: Fraser James
Tel No: 0131 271 3514
Background Papers:



Midlothian Council
 Fairfield House
 8 Lothian Road
 Dalkeith
 EH22 3AA

Proposal of application notice for residential development with associated engineering works, open space and landscaping at Land North of Oak Place, Mayfield, Dalkeith

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