

APPENDIX

Midlothian Local Development Plan 2017 Action Programme Summary of Consultation Responses and Recommended Changes

Comment No.	Organisation	Date Received	AP Reference	Comment-Change	Proposed Change
1	Castle Rock Edinvar Housing Association	15.01.18	Policy Actions - Policy DEV3	Wishes it expressed that responsibility for developer contributions remains with developer not the affordable housing provider.	No change, comments noted. _The comments relate more to the proposed supplementary guidance on planning obligations and affordable housing to be published shortly.
2	Scottish Environment Protection Agency (SEPA)	18.01.18	Policy Actions - ECON3	No express change sought, but expresses intention for SEPA to work collaboratively on implementing Policy ECON3 in respect of Millerhill/Shawfair.	No change, comments noted
3	SEPA	18.01.18	Policy Actions - ECON5	No express change sought, willing to discuss Action Programme in respect of this policy with view to aligning land use planning and environmental regulation.	No change, comments noted
4	SEPA	18.01.18	Policy Actions - MIN3	No express change sought, willing to contribute expertise in respect of SG required by this policy.	No change, comments noted
5	SEPA	18.01.18	Policy Actions - ENV9	No express change sought, willing to assist in delivery of actions.	No change, comments noted
6	SEPA	18.01.18	Policy Actions - ENV10	No express change sought, willing to assist in delivery of actions.	No change, comments noted
7	SEPA	18.01.18	Policy Actions - NRG1-6, WAST2, IMP1	No express change sought, willing to assist in delivery of actions, in what could be exemplar project.	No change, comments noted

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8	SEPA	18.01.18	Supplementary Guidance	Could help develop SG on Resource Extraction, Flooding and Water Environment, and Community Heating, as well as masterplans. Expresses concern in respect of Green Network SG that may allow for loss of flood plain, and does not adequately prevent increase/ mitigate flood risk.	No change, comments noted.
9	SEPA	18.01.18	Infrastructure Requirements - Site Hs0, Cauldcoats - water and drainage	Support requirement for Flood Risk Assessment (FRA), but would advise reference to existing drainage strategy agreed for Shawfair site and secured by planning permission (15/00089/MSC).	Change. Insert additional text making reference to water and drainage requirement - (in line with agreed drainage strategy for Shawfair consent, application reference 15/00089/MSC applies)
10	SEPA	18.01.18	Infrastructure Requirements - water and drainage (general)	Advises that where drainage/ flood risk strategies have been agreed for sites these should be included as points of reference for future work. Extensions to sites should be informed by existing agreed strategies.	Change. Insert additional text in paragraph 5.19 to the effect that where future drainage/ flood risk strategies agreed, these will be captured in future versions of the AP.
11	Scottish Natural Heritage (SNH)	19.01.18	Policy Actions, Policy TRAN3	Considers that indicative timescales can be given for this project (Sheriffhall grade separation) now that it is progressing through Design Manual Roads and Bridges Stage 3 Assessment.	No change.
12	SNH	19.01.18	Policy Actions, Policy STRAT1 and STRAT2	Considers that policy actions could refer to the further survey and assessment that is likely to be required.	No change, current actions are relevant and appropriate.

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13	SNH	19.01.18	Policy Actions - general	May be useful to users to bring in supporting information from LDP, and provide clear 'waymarking' of the further actions required to deliver the spatial strategy .	No change, this issue is addressed in sections 4 and 5.
14	SNH	19.01.18	Policy Actions, Policy ENV3 and Guidance for policies ENV12-15	Indicates willingness to be involved in development and monitoring of policy ENV3, and to prepare planning guidance (PG) for ENV12-15	No change. Would seek to include SNH in the preparation of planning and supplementary guidance as a matter of course, and expect to collect feedback on implementation of Policy ENV3 through statutory development management consultation process.
15	Scottish Water	23.01.18	Infrastructure Requirements - Water and Drainage (General)	Broadly supports comments within AP, and will seek to inform the Council of any mitigation required through our strategic modelling programme. Wishes reference made to assets within certain sites, but advises that this is based on preliminary search, and that detailed ground assessments required to locate infrastructure. Advises that contact made with SW in the first instance to discuss existing assets and how they will be managed.	No change. Support noted, and future APs can take into account results from Strategic Modelling Programme. Change. to add sentence in introductory paragraph 5.18 to refer to the need to make contact with SW to discuss existing assets and how they will be managed.
16	Scottish Water	23.01.18	Infrastructure Requirements (Hs8) - Water and Drainage	Wishes reference made to SW assets in the site, viz: there are a number of wastewater pipes located within the site and a water main located within the eastern boundary of the site.	Change. Include reference to this infrastructure.

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17	Scottish Water	23.01.18	Infrastructure Requirements (Hs11) - Water and Drainage	There is a 300mm water main located to the SW of the site. There is also a Combined Sewer Overflow pipe located to the NE of the site.	Change. Include reference to this infrastructure.
18	Scottish Water	23.01.18	Infrastructure Requirements (Hs12) - Water and Drainage	There is a 10" water main located along the path traversing the site.	Change. Include reference to this infrastructure.
19	Scottish Water	23.01.18	Infrastructure Requirements (Hs14) - Water and Drainage	There is a 300mm water main located in the NE corner of the site.	Change. Include reference to this infrastructure.
20	Scottish Water	23.01.18	Infrastructure Requirements (Hs18) - Water and Drainage	There is a wastewater pumping station located to the SE of the site with an additional pumping station located towards the centre of the site with associated pipework.	Change. Include reference to this infrastructure.
21	Scottish Water	23.01.18	Infrastructure Requirements (Hs19) - Water and Drainage	There are two 300mm foul and surface water pipes located onsite.	Change. Include reference to this infrastructure.
22	Scottish Water	23.01.18	Infrastructure Requirements (Hs20) - Water and Drainage	There is a 90mm water main located along the Firth Road.	Change. Include reference to this infrastructure.

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23	Midlothian Council - Community Planning	03.01.18	General (not a specific section)	Wishes more linkages to the Community Planning Partnership across the actions, including liaison with relevant neighbourhood planning groups.	No change. Consider existing structures of the Community Planning Partnership are appropriate and provide a mechanism for addressing planning issues. Midlothian Council Planning is represented as part of the CPP.
24	Midlothian Council - Community Planning	03.01.18	General (not a specific section)	Wishes consideration of support for targeted communities by working with the area targeting group.	No change. Consider issues can be picked up through work of CPP thematic groups.
25	Midlothian Council - Community Planning	03.01.18	Infrastructure requirements - transport	Wishes reference to the Orbital Bus linking Higher Education/Further Education locations.	Comments noted. No Change. The merits of this SDP Objective are addressed in the SDP. It is the role of the plan and AP to reflect this and promote development and delivery. Elements/benefits arising from any future scheme will/should be incorporated as part of a comprehensive project brief at the appropriate time.
26	East Lothian Council	10.01.18	Policy Actions - Policy ENV19-25	Considers that in action and response /involvement sections of policies ENV19-25 reference to East Lothian Archaeology Service is included to reflect range of service provided under SLA (rather than just for ENV20/21, and title changed).	Change. Incorporate title of service and include reference under other policies to reflect scope of SLA

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27	East Lothian Council	19.01.18	Policy Actions - General	Considers that the AP should signpost those other agencies and bodies that will have a role in assisting with delivery/ implementing policy.	No change. Consider that main agencies/bodies in respect to implementation of policy have been identified.
28	East Lothian Council	19.01.18	Policy Actions - TRAN2	AP should highlight that involvement of neighbouring authorities is necessary in implementing large strategic sites. Considers that liaison with ELC on Newton Farm masterplan should be emphasised in AP.	No change. The Council is aware of the need to liaise and consult with neighbouring Councils in respect of development adjacent to or within proximity of adjoining administrative boundaries and would take such appropriate steps as and when they arise.
29	East Lothian Council	19.01.18	Policy Actions - WAST2	Considers that AP should consider potential for Millerhill as part of conjoined mixed use economic site with proposed allocation in ELC, and should address need for cross boundary implementation and future opportunities.	No change. The MLDP 2017 is the adopted plan for Midlothian. Any significant departure from the agreed development strategy would require consideration of the need to review the plan.

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30	East Lothian Council	19.01.18	Delivery of key strategic housing sites/ and development which has cross boundary implications.	Action Programme should highlight potential for adjoining authority involvement in implementing larger developments (particularly with regard to transport). East Lothian Council should be involved in delivery of sites (particularly h43-45, Hs0, Hs1, e25-28 and Ec1), where there may be impacts/ opportunities for cross boundary infrastructure (and also looking at relationship with EL allocations MH1-4). Consider that joint working arrangements at officer level be established.	No change. See response to comment number 28.
31	East Lothian Council	19.01.18	Supplementary Guidance	States that Midlothian Council should work closely with neighbouring authorities on Supplementary Guidance (SG) and Planning Guidance (PG), and that this should be highlighted in the Action Programme. Particular reference made to: Development in the Countryside and Green belt, Resource Extraction, Midlothian Green Network, Special Landscape Areas, Nature Conservation, Wind Energy development, Community Heating and Flooding and Water Environment.	No Change, Midlothian Council notes and agrees that for some of the SG/PG it will be beneficial to work closely with neighbouring authorities, but considers that each SG/PG is different and it is in balance not appropriate to list all of the organisations MC will engage with in the action programme.

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32	Barton Willmore per Taylor Wimpey/ Hallam Land Management	18.01.18	Infrastructure Requirements (Hs16) - Community Facilities	Wishes reference to community accommodation or land reserved for neighbourhood/ commercial facilities to be removed (considers that not supported by LDP allocation, that proposal is now at advanced stage, and that Education capacity could deliver community needs).	No change. The Action Programme reflects the position set out in the adopted MLDP 2017.
33	Barton Willmore per Taylor Wimpey/ Hallam Land Management	18.01.18	Infrastructure Requirements (Hs16) - Green Infrastructure	Wishes requirement for allotments/ community food production space should be removed (considers that requirement overstates plan reference).	No change. The Action Programme reflects the position set out in the adopted MLDP 2017.
34	Barton Willmore per Taylor Wimpey/ Hallam Land Management	18.01.18	Infrastructure Requirements (Hs16) - Water and Drainage	Wishes clarification on what is meant by 'enhanced SuDS'	No change. The Action Programme reflects the position set out in the adopted MLDP 2017.
35	Barton Willmore per Taylor Wimpey/ Hallam Land Management	18.01.18	Infrastructure Requirements (Hs16) - Transport	Seeks clarity on potential requirement for cross boundary transport infrastructure.	No change. The Action Programme reflects the position set out in the adopted MLDP 2017. SESplan cross boundary development control framework in preparation, outcome not yet known.
36	Colliers International for Shawfair LLP	18.01.18	Policy Actions, para 3.3	Seeks inclusion of statement to effect that market fluctuations will have impact on delivery of LDP aims and committed development sites.	No change. Consider wording of paragraph 3.3 is sufficiently clear about potential impact of changing circumstances over the plan period.

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37	Colliers International for Shawfair LLP	18.01.18	Policy Actions, Policy STRAT1	No express change to AP indicated, but wishes to work with Council to remove obstacles to site progress.	No change. Comments noted
38	Colliers International for Shawfair LLP	18.01.18	Policy Actions, - Promoting Economic Growth	No express change to AP indicated, but notes importance of discussions to ensure sites implemented.	No change. Comments noted
39	Colliers International for Shawfair LLP	18.01.18	Supplementary Guidance	Seeks inclusion of timetable for consultation and finalisation of the SG.	No change. Supplementary and Planning Guidance will be reported in the first instance through Planning Committee over the course of 2018 and possibly into 2019.
40	Colliers International for Shawfair LLP	18.01.18	Infrastructure Requirements in respect of economic land	Seeks inclusion of statement to the effect that MC will have dialogue with developers of economic land, so that realistic approach to their development is taken.	No change. Action Programme includes a statement to this effect under actions related to policy STRAT 5 on page 4.
41	Rick Finc Associates for Palladin Ventures	19.01.18	Infrastructure Requirements (Hs0) - Education	Considers learning estate strategy to be woolly, and lacks assessments of pupil numbers, modelling and costs	No change. The Council's Learning Estate Strategy represents the approved Council position on education provision and future requirements.
42	Rick Finc Associates for Palladin Ventures	19.01.18	Infrastructure Requirements (Hs0) - Community Facilities	Unclear what community sport/ recreational facilities will consist of and this should be defined further.	No change. Detailed consideration of requirements will be based on approved Shawfair Masterplan and negotiated through the planning application/Developer Obligation (S75) process.

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43	Rick Finc Associates for Palladin Ventures	19.01.18	Infrastructure Requirements (Hs0) - Transport	Would wish greater clarity on SESplan cross boundary transport study, obligation framework and requirements for Cauldcoats. Unclear how plan will be revisited to take account changes in Transport Scotland's Strategic Transport Projects Review. Wishes further detail to ascertain contribution that can be made to align with Cauldcoats programming.	No change. SESplan has established a working group and work is underway to progress Supplementary Guidance on developer contributions for strategic transport interventions arising from the SESplan Cross Boundary Transport Study. SESplan Joint Committee has agreed five principles on which contributions will/will not be sought and which will form the basis for developing a methodology for apportioning contributions. The principles include reference to circumstances where development is already contributing to a "strategic" intervention(s) under a SESplan constituted authority planning obligation policy, no additional SDP obligation requirement will apply. Policy TRAN 2 of the MLDP identifies the key strategic transport transport interventions for proposed development sites. For Cauldcoats this includes contributions towards the grade separation of Sheriffhall roundabout which is identified in the SESplan cross boundary study as a "hot spot" for action. The Government has now announced its intention to proceed with this project and preliminary works are now underway as part of Transport Scotland's assessment and design process and is likely to feature in its replacement STPR (subject to review). Draft guidance is anticipated around March 2018. Any additional requirements will be identified through updates of the Action Programme and/or negotiated through the planning application process.

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44	Rick Finc Associates for Palladin Ventures	19.01.18	Infrastructure Requirements (Hs0) - Green Infrastructure	Notes burden of reclaiming Niddrie Bing falls on Palladin. Considers requirement for structural landscape/ framework requires further definition with context of an approved masterplan.	No change. Comments noted.
45	Rick Finc Associates for Palladin Ventures	19.01.18	Infrastructure Requirements (Hs0) - Water and Drainage	Queries why responsibility for the provision of water and drainage infrastructure is not given over to SW.	No change. Water and drainage requirements are deemed essential infrastructure and SW advise on the nature of these requirements.
46	Rick Finc Associates for Palladin Ventures	19.01.18	Infrastructure Requirements (Hs0) - District Heating/ combined heat and power	Unclear as to what can be delivered by 2022 and why costs rest on developers without public sector support.	No change. Work to prepare business case and strategic development plan for use of waste heat from Millerhill EfW will provide additional clarity along with emerging Supplementary guidance. In addition the Scottish Government's current consultation on Local Heat and Energy Efficiency Strategies (as part of its Scottish Energy Efficiency Programme - http://www.gov.scot/Publications/2017/11/6232) seeks to provide additional guidance in this respect. There is potential external support from the Low Carbon Infrastructure Transition Programme.

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47	Montagu Evans for Buccleuch Property	19.01.18	Delivery of site e14/Ec2	Considers that AP should acknowledge the proposed residential use promoted as part of planning application 16/00893/PPP. Considers that Council need better engagement and updates on allocated sites, and more up to date information on employment land.	No change. The sites referred to are allocated in the MLDP 2017 as strategic economic allocations. Notwithstanding the current application the report of Examination into unresolved issues to the proposed plan did not support any changes to this position.
48	Montagu Evans for Buccleuch Property	19.01.18	Delivery of site e32	States that no market interest in Sheriffhall South for employment uses and that a flexible approach is needed, and should be acknowledged in AP, with clear intention set out to seek and take into account dialogue with site owners/ developers. .	No change. The report of Examination into the MLDP did not support any changes to the status of site e32 for employment uses. The Council considers that the Action Programme does adequately acknowledge the need to liaise with interested parties in order to highlight and address any obstacles to delivering the sites identified as part of the development strategy of the plan.
49	Savills on behalf of ORS	22.01.18	General	Considers that future APs be altered to include committed sites not yet constructed, to give more comprehensive and realistic picture of allocations that will deliver the LDP vision.	No change. The Action programme refers to these sites as part of policy STRAT 1 on page 3. The annual housing and employment land audits contain information about the progress of housing and employment sites.
50	Savills on behalf of ORS	22.01.18	Site Hs7	Reviewed timetables and infrastructure requirements for Hs7 and are in agreement with content of AP with regard to this site.	No change. Comments noted.