

## **Notice of Review: 14 High Street, Lasswade**

### **Determination Report**

Report by Ian Johnson, Head of Communities and Economy

#### **1 Purpose of Report**

- 1.1 The purpose of this report is to provide a framework for the Local Review Body (LRB) to consider a 'Notice of Review' for the change of use of office building (class 4) to restaurant (class 3) and installation of roof vent at 14 High Street, Lasswade.

#### **2 Background**

- 2.1 Planning application 17/00636/DPP for the change of use of office building (class 4) to restaurant (class 3) and installation of roof vent at 14 High Street, Lasswade was refused planning permission on 13 October 2017; a copy of the decision is attached to this report.
- 2.2 The review has progressed through the following stages:
- 1 Submission of Notice of Review by the applicant.
  - 2 The Registration and Acknowledgement of the Notice of Review.
  - 3 Carrying out Notification and Consultation.

#### **3 Supporting Documents**

- 3.1 Attached to this report are the following documents:
- A site location plan (Appendix A);
  - A copy of the notice of review form and supporting statement (Appendix B). Any duplication of information is not attached;
  - A copy of the case officer's report (Appendix C);
  - A copy of the decision notice, issued on 13 October 2017 (Appendix D); and
  - A copy of the relevant drawings/plans (Appendix E).
- 3.2 The full planning application case file and the development plan policies referred to in the case officer's report can be viewed online via [www.midlothian.gov.uk](http://www.midlothian.gov.uk)

#### **4 Procedures**

- 4.1 In accordance with procedures agreed by the LRB, the LRB by agreement of the Chair:
- Have scheduled an accompanied site visit for Monday 15 January 2018; and
  - Have determined to progress the review by way of a hearing.

- 4.2 The case officer's report identified that three consultation responses and 64 representations have been received. As part of the review process the interested parties were notified of the review. One additional comment has been received. Comments can be viewed online on the electronic planning application case file via [www.midlothian.gov.uk](http://www.midlothian.gov.uk)
- 4.3 The next stage in the process is for the LRB to determine the review in accordance with the agreed procedure:
- Identify any provisions of the development plan which are relevant to the decision;
  - Interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;
  - Consider whether or not the proposal accords with the development plan;
  - Identify and consider relevant material considerations for and against the proposal;
  - Assess whether these considerations warrant a departure from the development plan; and
  - State the reason/s for the decision and state any conditions required if planning permission is granted.
- 4.4 In reaching a decision on the case the planning advisor can advise on appropriate phraseology and on appropriate planning reasons for reaching a decision.
- 4.5 Following the determination of the review the planning advisor will prepare a decision notice for issuing through the Chair of the LRB. A copy of the decision notice will be reported to the next LRB for noting.
- 4.6 A copy of the LRB decision will be placed on the planning authority's planning register and made available for inspection online.

## **5 Conditions**

- 5.1 In accordance with the procedures agreed by the LRB at its meeting of 13 June 2017, and without prejudice to the determination of the review, the following condition has been prepared for the consideration of the LRB if it is minded to uphold the review and grant planning permission.
1. The kitchen of the restaurant shall be ventilated by an extraction ventilation system which shall:
    - a) be designed to achieve 30 air changes per hour;
    - b) provide adequate ventilation to the cooking area to eliminate the need to leave doors and windows open;
    - c) prevent the emission of cooking odours likely to cause nuisance to neighbouring commercial units and surrounding residential properties; and
    - d) terminate at sufficient height to permit the free disposal of exhaust fumes.
  2. No amplified music or sound reproduction equipment used in association with the unit hereby permitted shall be audible within any nearby living apartment.

3. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 (an acceptable noise rating level based on an international standard) when measured within any nearby living apartment and no structure borne vibration is perceptible within any living apartment.

***Reason for conditions 1 to 3: To safeguard nearby residential amenity***

## **6 Recommendations**

- 6.1 It is recommended that the LRB:
  - a) determine the review; and
  - b) the planning advisor draft and issue the decision of the LRB through the Chair

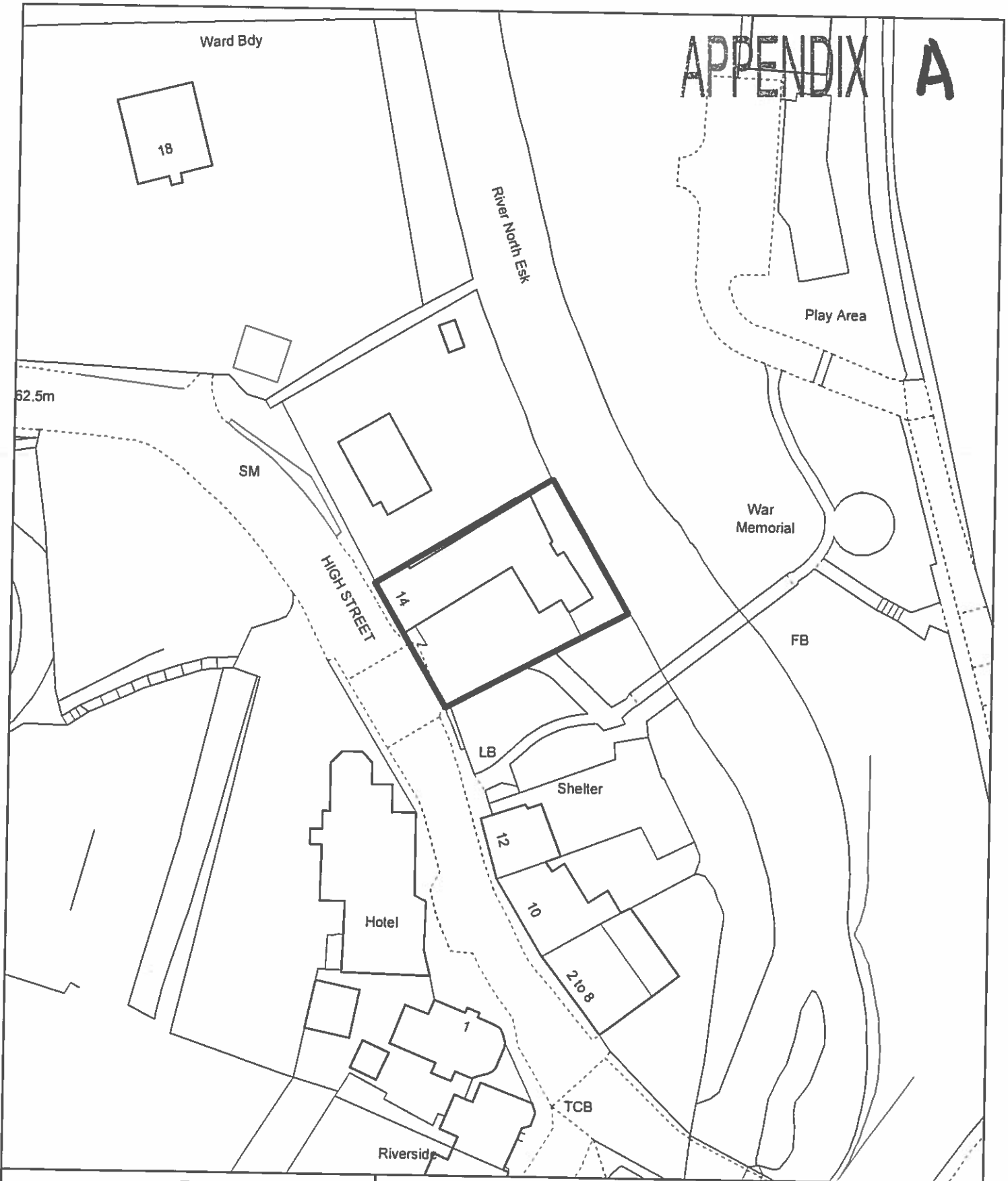
**Date:** 5 January 2018

**Report Contact:** Peter Arnsdorf, Planning Manager (LRB Advisor)  
peter.arnsdorf@midlothian.gov.uk

**Tel No:** 0131 271 3310

**Background Papers:** Planning application 17/00636/DPP available for inspection online.

# APPENDIX A



**Education, Economy  
& Communities**  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3AA

**14 High Street, Lasswade, EH18 1ND**

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**File No. 17/00636/DPP**

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**Scale: 1:750**



Midlothian



Fairfield House 8 Lothian Road Dalkeith EH22 3ZN Tel: 0131 271 3302 Fax: 0131 271 3537 Email: [planning-applications@midlothian.gov.uk](mailto:planning-applications@midlothian.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100070998-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Cundall"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Andrew"/>	Building Name:	<input type="text" value="4th Floor, Partnership House"/>
Last Name: *	<input type="text" value="Hird"/>	Building Number:	<input type="text"/>
Telephone Number: *	<input type="text" value="0191 211 2400"/>	Address 1 (Street): *	<input type="text" value="Regent Farm Road"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text" value="Gosforth"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Newcastle upon Tyne"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
		Postcode: *	<input type="text" value="NE3 3AF"/>
Email Address: *	<input type="text" value="a.hird@cundall.com"/>		

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Louise"/>	Building Number:	<input type="text" value="14"/>
Last Name: *	<input type="text" value="Toye"/>	Address 1 (Street): *	<input type="text" value="High Street"/>
Company/Organisation	<input type="text" value="n/a"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Lasswade"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH18 1ND"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:	<input type="text" value="Midlothian Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="14 HIGH STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="LASSWADE"/>
Post Code:	<input type="text" value="EH18 1ND"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="666207"/>	Easting	<input type="text" value="330349"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Change of use from office (class 4) to restaurant (class 3).

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see document contained within the 'Supporting Documents'.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

- Lasswade Review Statement - Planning Statement - Transport Statement - Associated Plans

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

17/00636/DPP

What date was the application submitted to the planning authority? \*

10/08/2017

What date was the decision issued by the planning authority? \*

13/10/2017

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Please refer to review statement.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No



## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Andrew Hird

Declaration Date: 20/10/2017

## **14 High Street, Lasswade**

### **Planning Statement**

**For: Mrs L Toye**

Job No: 1015155

Doc Ref: -

Latest Revision: A

Date: 28/07/2017

## Document Revision History

<b>Project Name:</b>		14 Lasswade High Street
<b>Client:</b>		Mrs L Toye
<b>Report Title:</b>		Planning Statement
<b>Job Number:</b>		1015155
Revision Ref	Issue Date	Purpose of Issue / description of revision
-	28/07/17	First Draft
A	03/08/17	Second Draft
B	04/08/17	Final for Issue

## Document Validation (latest issue)

 Recoverable Signature

X 

Principal author

Signed by: r.taylor@cundall.com

 Recoverable Signature

X 

Checked by

Signed by: r.taylor@cundall.com

 Recoverable Signature

X 

Verified by

Signed by: r.taylor@cundall.com

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## 1. Introduction

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This Planning Statement has been prepared by Cundall ('the Agent') on behalf of Louise Toye ('the Applicant') to accompany a change of use application from Office (Class 4) to Restaurant (Class 3) and installation of a roof vent at 14 High Street, Lasswade, EH18 1ND.

The application site is located entirely within the administrative boundary of Midlothian Council.

The primary purpose of this Planning Statement is to describe the development for which the change of use application is sought and to evaluate this in the context of national, regional and local planning policy and other material considerations. Through the process of policy assessment, this Planning Statement seeks to demonstrate that the proposed change of use is in accordance with the extant development plan. It is important that the applicant is able to demonstrate compliance with development plan policy as a sound basis for approval of the application.

The initial sections of this report provide information about the site and its surroundings, with the latter sections discussing the planning policy context for the proposed change of use.

The Planning Statement should be read in conjunction with the other documents produced in support of the planning application, namely:

- Covering Letter;
- Application Form and Plan;
- Supporting Drawings; and
- Transport Assessment.

## 2. Site and Surroundings

The site is currently comprised of an empty office building and associated parking, located towards the north of Lasswade, with the River North Esk running along the eastern boundary. To the west of the site is Lasswade High Street, with residential properties to the north and the south.

Within the wider surroundings of the site are further residential properties to the south and the Laird and Dog Inn. The main access to the site is off Lasswade High Street, and the residential property to the south accesses their property via the site. The site is shown in Figure 1 below:

*Figure 1: Site Location*



The site is comprised of a single storey building, dating from the 19<sup>th</sup> Century. The materials are comprised of stone walls and a slate roof. A modern extension to the south and extending along the eastern boundary of the site was erected in 2008. There is currently a car park within the site which has 8 parking spaces.

The site is within Lasswade and Kevoek Conservation Area and there are a number of listed buildings within the vicinity of the site including: Lasswade Old Parish Church (Scheduled Ancient Monument), Lasswade, High Street, Brigdgend House (Category C), Lasswade, High Street, Lasswade Bridge, River North Esk (Category B), Lasswade, 5 School Green, Droman House, Including Former Stable Block, Gate

piers And Gates (Category B), Baird Smith Memorial (Category C), Lasswade, School Brae, Lasswade Parish Church Eskside Hall, Including Boundary Wall, Gate piers And Railings (Category C).

## 2.1 Scheme Description

The proposal is for a change of use from office (Class 4) to Restaurant (Class 3) and installation of roof vent. The proposal will not include any external alterations to the original building or extension with the exception of the roof vent. The proposal will include provision for 9 car parking spaces.

## 2.2 Planning History

This section details the planning history of the site, taken from Midlothian Council's public Planning Portal, available from 2004:

Reference Number	Description	Decision
04/00352/FUL	Change of use from laundry to form two dwelling houses, including associated extension and alterations	Refused
05/00530/FUL	Erection of decking, installation of rooflights and other external alterations	Granted
07/00905/FUL	Erection of extension to office building	Granted
17/00046/DPP	Change of use from office (class 4) to restaurant (class 3) and installation of roof vent	Withdrawn

The site's previous planning history shows it has had varied uses but has remained in commercial operation since 2013 with one application for a conversion to residential refused. The proposed development will therefore retain the commercial use on site and accords with previous development permitted in this location.



## 3. Planning Policy

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### 3.1 Introduction

Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.

This principle has been developed and clarified by subsequent case law, which has confirmed that a particular proposal does not need to accord with each and every policy in the development plan; the key issue is that it accords with the overall thrust of development plan policies taken as a whole. This chapter identifies those statutory and non-statutory planning documents, which for the proposal are considered to be material considerations. In particular, this will focus on the current status of each document and the weight that should be attached to it in the decision-making process.

### 3.2 Development Plan

The development plan for the proposed development comprises:

- Midlothian Council Local Plan (Local Plan) (2008);
- South East Scotland Strategic Development Plan (SESplan) (2013);
- Supplementary Guidance issued in support of the Local Plan and SESplan.

#### 3.2.1 Midlothian Council Local Plan (2008)

Midlothian Council Local Plan was formally adopted on 23<sup>rd</sup> December 2008. The Local Plan is a strategic planning framework that includes policies to guide development within the local authority area. The following policies are relevant to the proposed development:

- Policy RP20: Development within the Built-up Area
- Policy RP22: Conservation Areas
- Policy DP7: Control of Class 3 (Food and Drink) Uses and Hot Food Takeaway Shops

#### 3.2.2 SES Plan (2013)

SESplan is an overarching statutory development framework that guides development across six council areas including City of Edinburgh, East Lothian, Midlothian, West Lothian, the Scottish Borders and the southern half of Fife in South East Scotland.

The Strategic Development Plan sets out a spatial strategy which recognises existing development commitments and promotes a sustainable pattern of growth. The strategy is supported by a framework for

delivery which will promote and secure economic growth and the delivery of housing in the most sustainable locations; and promote the development of strategic transport and infrastructure networks to support that growth and to meet the needs of communities. The Plan reflects the ambitions and commitment of the six authorities to realising the potential of the area and ensuring it continues to play a leading role in a national context.

### **3.3 Material Considerations**

#### **3.3.1 National Planning Framework 3**

National Planning Framework 3 (NPF3), published in June 2014, is a long-term strategy for Scotland and identifies national developments and other strategically important development opportunities in Scotland. Statutory development plans must have regard to NPF3 and Scottish Ministers expect planning decisions to support its delivery.

The introduction to NPF3 confirms that the document will inform the development investment decision of the Scottish Government, its agencies, planning authorities, private investors and other bodies.

Although NPF3 represents a contemporary expression of the Government's aspirations for the future development of Scotland, the document includes 'spatial priorities for change', rather than specific development management type policies. Therefore, it is considered to have limited relevance to the proposed development. Notwithstanding this, as a published statutory document, it should still be given some weight in the decision-making process.

#### **3.3.2 Scottish Planning Policy**

Scottish Planning Policy (SPP), published in June 2014, sets out national planning policies which reflect Scottish Ministers' priorities for the operation of the planning system and for the development and use of land. The SPP is non-statutory; however, the content of the SPP is a material consideration in determining planning applications.

The SPP states that there is a presumption in favour of development that contributes to sustainable development. Proposals that accord with up-to-date development plans should be considered acceptable in principle and consideration should focus on the detailed matters arising (paragraph 32).

SPP also notes that development management decisions should take account of potential effects on landscape and the natural and water environment, including cumulative effect (paragraph 202). Direct or indirect effects on statutorily protected sites will be an important consideration, but does not impose an automatic prohibition on development (paragraph 203).

#### **3.3.3 Supplementary Guidance**

Midlothian Council's current parking standards were adopted by the Council in March 2015 and came into force in May 2015. The standards are split between cycle and car parking requirements over use classes and are calculated based on floor area.

For restaurants/pubic houses 12 spaces per 100sqm of public floor space are required.

### 3.3.4 Emerging Policy

#### SES Plan 2

The SESPlan Proposed Strategic Development Plan was published in October 2016, and is the second plan covering the south-east Scotland region. The plan was subject to public consultation from 13th October until 23th November 2016 and is currently being reviewed.

#### Midlothian Local Development Plan

The Midlothian Local Development Plan (MLDP) was submitted to the Scottish Ministers for examination on 09 September 2016. As the emerging local development plan the MLDP is a material consideration in the assessment of this application. The following policies are relevant to this application:

- Policy DEV2: Development within the Built-up Area
- Policy ENV19: Conservation Areas

## 4. Key Issues

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This section of the Planning Statement sets out the relevant planning policy context within which the planning application should be considered. Planning policies are analysed at national and local levels, with consideration and appropriate weight given to emerging Local Plans. For each of these, the policies considered to be the most relevant are discussed.

### 4.1 Socio-economics

The building has been openly marketed since it first became available in August 2016 by BNP Paribas. The site was advertised on the internet and sent to letting agents to market. The building has therefore been empty for 12 months, and BNP Paribas have indicated that they had received limited interest in the building, of which it was predominantly for refurbishment/redevelopment which included change of use potential.

There were a couple of enquiries to let the building for office space, however due to the layout and nature of the building this use was not deemed suitable. Due to the limited interest for its current use and the fact it has remained empty for 12 months, it is likely that the current building will begin to deteriorate unless an occupier is secured soon.

The deterioration of the internal fabric will result in less interest from potential occupier's due to remediation costs. Deterioration of the external fabric will result in an unattractive external appearance, which would be a detriment to the character and appearance of the area, particularly as the site is within a conservation area. The change of use would bring an attractive building with frontage on the High Street back into use and would retain the visual character of the area in accordance with policy RP20 and RP22.

The proposed application would result in a positive impact on the community, by providing another eating establishment that would attract more visitors to the area. It would also diversify the restaurant offer within Lasswade and encourage competitors to become more competitive to attract patrons. Additionally, there would be number of local employment opportunities arising from the proposed change of use.

It is therefore considered that the proposed application would result in a benefit to the area through the occupation of a currently prominent, empty building on the High Street, provide employment opportunities and would add to the range of eating establishments available within Lasswade.

### 4.2 Built Heritage

Lasswade and Kilcock Conservation Area Character Appraisal states:

*"On the High Street, the curve of the road and the buildings set immediately on the pavement combine to give a strong sense of enclosure. These buildings retain a certain amount of their original character, the Laird and Dog providing a welcoming focus to the street".*

The Conservation Area Character Appraisal outlines the historical development of Lasswade, indicating that the High Street was once the centre of commercial activities centred over the bridge crossing the River North Esk. The historical closure and redevelopment of sites previously used for commercial use, and the development and residential expansion of Lasswade during the 1950's eroded the High Street as the centre of Lasswade.

The proposed development would retain the historical commercial use of the building, and, unlike the current use as an office, would encourage patrons to visit the historical centre of the conservation area. The proposed development does not include the scope for any external alterations with the exception of a roof vent and as such will not result in a detrimental impact on the character or appearance of the conservation area, in accordance with policies RP22 and emerging policy ENV19.

The proposal will therefore not have a detrimental impact on the character and appearance of the conservation area and accords with Policies RP22 and emerging policy ENV19.

## 4.3 Transport

A Transport Assessment has been prepared in support of this planning application for the proposed change of use of the building to an 185sqm GFA restaurant, with a total public floor space of 150sqm. Currently the existing car park provides 8 spaces, for this application 9 spaces are proposed. The report states that demand for car parking spaces will be from patrons using the restaurant, not the ancillary bar area.

The proposed internal layout of the restaurant has a public floor area of 150sqm and according to Midlothian Parking Standards the restaurant would be expected to provide 18 car parking spaces. The proposed car park will provide 9 car parking spaces, including 2 disabled bays. In relation to cycling provision, Midlothian Parking Standards require a total of 5 cycle spaces for the proposed development, and these are proposed to be provided in the form of Sheffield stands.

Whilst it is acknowledged that the proposal falls short of 8 car parking spaces in line with the Parking Standards, the document states *"standards have been set which can be altered, but only in agreement with transportation officers, when exceptional circumstances exist that alter the requirement for parking"*.

It is considered in this instance that exceptional circumstances should be applied, as there are other public parking facilities within the vicinity of the site and the site is considered accessible by sustainable modes of transport. The applicant has explored various options to increase parking on site, but due to the limited nature of the site's boundary it is simply not possible to increase the level of car parking on site beyond what is currently proposed. The applicant has looked at further options such as purchasing adjacent land, or running a shuttle valet service but these have either been not viable or not practical.

Trip generation data was modelled for the car park. The data shows that the car park accommodated an average of three vehicles during weekdays and Saturday due to the fact it is used to access Lasswade Park. The peak times recorded were 16:00 – 17:00 on a weekday and 11:00 – 12:00 on a Saturday.

The parking demand assessment used the trip generation data and found that the restaurant would generate a maximum demand for 9 spaces and 6 on the weekday and Saturday respectively. Therefore, this demand can be accommodated within the site. The trip generation and parking demand assessments is further explored within the Transport Assessment.

Where, in exceptional circumstances, demand might be over and above the spaces provided on site, the site is located less than 1-minute walk from a public car park to the north of the site, with a capacity of 20 spaces. This can be accessed by a lit footpath which crosses a small bridge over the River North Esk.

The parking demand assessment for this car park found that the peak period for the car park was 18:00 – 19:00 and Saturday 11:00 – 12:00 and accommodated an average of 4 vehicles during the survey period. As the car park can accommodate 20 vehicles it is considered that the car park is operating below capacity.

It is therefore considered that this would be a suitable alternative for patrons to park and access the site if overflow parking space is needed. Patron would be advised of this publicly accessible car park when making bookings.

Mitigation measures are also proposed as part of the development:

- No car parking spaces for employees;
- Public transport timetable and taxi service information to be provided within the restaurant;
- Links to taxi operator and Lothian Buses websites on the restaurant's website;
- Patrons to be advised of available sustainable travel options and the limited availability of on-site parking when making a booking; and
- Provision of access to a phone for patrons to contact a local taxi operator.

The site is also accessible by public transport which links the area with Dalkeith and Bonnyrigg, with a covered bus shelter being located directly outside of the application site. The bus services serving the stop are the 31 (every 8 minutes), 40 (every 26 minutes), N31 (3 times per night on Saturdays and Sundays), R5 (once per day) and X31 (operates 4 services at peak times).

IHT's Guidelines for Providing for Journeys on Foot outline acceptable walking distances, however there is no reference specifically for restaurants. Therefore, the closest category to the proposed use is retail. The guidelines indicate that for 1-2 hours parking time (the average time one would spend in a restaurant) it recommends walking distances of 200-400m. Therefore, the use of the public car park to the north of the site would fall within this distance, should it be needed if the car park on site is operating above capacity.

It is therefore considered that the proposal represents an excellent opportunity to restrict private car parking spaces and promote sustainable modes of travel by foot, cycle and public transport. The proposed level of

car parking meets demand, including within predicted peak periods and the public car park is operating under capacity, should overflow accommodation be needed. The proposal therefore complies with policy DP7.

## 4.3 Flood Risk

The site is bounded by the River North Esk to the east, however SEPA's flood map for planning shows the site is within Flood Zone 1, which means that there is a less than 1 in 1,000 annual probability of river or sea flooding. The site is also not identified on SEPA's flood map for planning as at risk from surface water flooding.

## 4.4 Residential Amenity

The northern elevation of the building faces directly onto the driveway of number 16 High Street and is not separated by a physical boundary. The lack of delineation between the curtilage of both buildings is because the vehicular access to number 16 High street, it is therefore not possible to provide a solid boundary between the application site and this property.

Despite the close proximity to the residential building and lack of solid boundary, it is the gable end of the adjacent property that is closest to the application site and therefore is not comprised of habitable rooms. The proposed development would therefore not result in a detrimental impact to privacy. Conditions could be attached to planning permission to ensure there would be no loss of residential amenity as a result of odours or smells.

## 5. Summary and Conclusion

---

### 5.1 Summary

This planning statement has been written in support of the proposed change of use from office (class 4) to restaurant (class 9) at 14 High Street, Lasswade.

The proposed change of use will retain the building in commercial use, central to the historical commercial core of Lasswade and will therefore conserve the character of the conservation area. The proposed change of use will bring a currently empty building back into use, increase the range and choice of restaurants in the area, increase employment opportunities and will not harm residential amenity.

The proposed development, according to Midlothian Parking Standards, is required to provide 18 car parking spaces, 9 spaces is proposed for this development. Whilst the proposed development does not meet the required number of spaces it is considered that exceptional circumstances apply, as the proposed development has been viewed as an opportunity to promote sustainable transport uses and provide less car parking provision.

The site is well served by public transport, with multiple buses running past the site and a covered bus shelter located outside of the building. In accordance with Midlothian Parking Standards 5 Sheffield stands will be provided on site for those who wish to cycle to access the site.

A Transport Assessment prepared in support of the application has prepared modelling to show that the demand for parking spaces required by the proposed use as a restaurant will not exceed 9 spaces which will all be accommodated on-site. In rare instances overflow car parking will be required there is a public car park less than 1 minute by foot to the north of the site with a capacity of 20 spaces. This public car park also meets the IHT's Guidelines for Providing for Journey's on Foot as it is within 200-400m of the site.

After considering the proposal, it can be concluded that the proposed development complies with NPF3, SPP and Local Planning Policy, including policies RP20, RP22 and emerging Midlothian Local Plan policies DEV2 and ENV19.

### 5.2 Conclusion

Planning applications should be determined in accordance with the development plan unless material consideration indicate otherwise.

As outlined in this Planning Statement, the change of use application is compliant with the provisions of the development plan and relevant material considerations, including national policy.

The conclusions reached within this Planning Statement are such that the proposed change of use will not cause significant detriment to the environment or the prevailing residential amenity. The Transport



Assessment prepared in support of this application demonstrates that demand for car parking spaces can be provided within the proposed car park, even at peak times. Additionally, the site is accessible by suitable modes of transport and it is considered these modes should be encouraged to dissuade patrons from arriving by private transport. Mitigation to ensure the regulation of the car park and promotion of accessing the site by sustainable modes of transport are also proposed.

We contend that based on the evidence provided on the demand of parking spaces generated by the proposal and the significant positive impact the restaurant would have to the area, the benefits clearly outweigh any perceived harm through not providing the level of parking spaces required by the Parking Standards.

It is therefore respectfully requested that planning permission be granted accordingly.

## **14 High Street, Lasswade**

### **Planning Statement**

**For: Mrs L Toye**

Job No: 1015155

Doc Ref: -

Latest Revision: A

Date: 28/07/2017

## Document Revision History

Project Name:		14 Lasswade High Street
Client:		Mrs L Toye
Report Title:		Planning Statement
Job Number:		1015155
Revision Ref	Issue Date	Purpose of Issue / description of revision
-	28/07/17	First Draft
A	03/08/17	Second Draft
B	04/08/17	Final for Issue

## Document Validation (latest issue)

 Recoverable Signature

X 

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 Recoverable Signature

X 

Verified by

Signed by: r.taylor@cundall.com

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## 1. Introduction

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This Planning Statement has been prepared by Cundall ('the Agent') on behalf of Louise Toye ('the Applicant') to accompany a change of use application from Office (Class 4) to Restaurant (Class 3) and installation of a roof vent at 14 High Street, Lasswade, EH18 1ND.

The application site is located entirely within the administrative boundary of Midlothian Council.

The primary purpose of this Planning Statement is to describe the development for which the change of use application is sought and to evaluate this in the context of national, regional and local planning policy and other material considerations. Through the process of policy assessment, this Planning Statement seeks to demonstrate that the proposed change of use is in accordance with the extant development plan. It is important that the applicant is able to demonstrate compliance with development plan policy as a sound basis for approval of the application.

The initial sections of this report provide information about the site and its surroundings, with the latter sections discussing the planning policy context for the proposed change of use.

The Planning Statement should be read in conjunction with the other documents produced in support of the planning application, namely:

- Covering Letter;
- Application Form and Plan;
- Supporting Drawings; and
- Transport Assessment.

## 2. Site and Surroundings

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The site is currently comprised of an empty office building and associated parking, located towards the north of Lasswade, with the River North Esk running along the eastern boundary. To the west of the site is Lasswade High Street, with residential properties to the north and the south.

Within the wider surroundings of the site are further residential properties to the south and the Laird and Dog Inn. The main access to the site is off Lasswade High Street, and the residential property to the south accesses their property via the site. The site is shown in Figure 1 below:

*Figure 1: Site Location*



The site is comprised of a single storey building, dating from the 19<sup>th</sup> Century. The materials are comprised of stone walls and a slate roof. A modern extension to the south and extending along the eastern boundary of the site was erected in 2008. There is currently a car park within the site which has 8 parking spaces.

The site is within Lasswade and Kevock Conservation Area and there are a number of listed buildings within the vicinity of the site including: Lasswade Old Parish Church (Scheduled Ancient Monument), Lasswade, High Street, Briggend House (Category C), Lasswade, High Street, Lasswade Bridge, River North Esk (Category B), Lasswade, 5 School Green, Droman House, Including Former Stable Block, Gate

piers And Gates (Category B), Baird Smith Memorial (Category C), Lasswade, School Brae, Lasswade Parish Church Eskside Hall, Including Boundary Wall, Gate piers And Railings (Category C).

## 2.1 Scheme Description

The proposal is for a change of use from office (Class 4) to Restaurant (Class 3) and installation of roof vent. The proposal will not include any external alterations to the original building or extension with the exception of the roof vent. The proposal will include provision for 9 car parking spaces.

## 2.2 Planning History

This section details the planning history of the site, taken from Midlothian Council's public Planning Portal, available from 2004:

Reference Number	Description	Decision
04/00352/FUL	Change of use from laundry to form two dwelling houses, including associated extension and alterations	Refused
05/00530/FUL	Erection of decking, installation of rooflights and other external alterations	Granted
07/00905/FUL	Erection of extension to office building	Granted
17/00046/DPP	Change of use from office (class 4) to restaurant (class 3) and installation of roof vent	Withdrawn

The site's previous planning history shows it has had varied uses but has remained in commercial operation since 2013 with one application for a conversion to residential refused. The proposed development will therefore retain the commercial use on site and accords with previous development permitted in this location.



## 3. Planning Policy

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### 3.1 Introduction

Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended by the Planning etc. (Scotland) Act 2006 requires that applications for planning permission should be determined in accordance with the development plan, unless material considerations indicate otherwise.

This principle has been developed and clarified by subsequent case law, which has confirmed that a particular proposal does not need to accord with each and every policy in the development plan; the key issue is that it accords with the overall thrust of development plan policies taken as a whole. This chapter identifies those statutory and non-statutory planning documents, which for the proposal are considered to be material considerations. In particular, this will focus on the current status of each document and the weight that should be attached to it in the decision-making process.

### 3.2 Development Plan

The development plan for the proposed development comprises:

- Midlothian Council Local Plan (Local Plan) (2008);
- South East Scotland Strategic Development Plan (SESplan) (2013);
- Supplementary Guidance issued in support of the Local Plan and SESplan.

#### 3.2.1 Midlothian Council Local Plan (2008)

Midlothian Council Local Plan was formally adopted on 23<sup>rd</sup> December 2008. The Local Plan is a strategic planning framework that includes policies to guide development within the local authority area. The following policies are relevant to the proposed development:

- Policy RP20: Development within the Built-up Area
- Policy RP22: Conservation Areas
- Policy DP7: Control of Class 3 (Food and Drink) Uses and Hot Food Takeaway Shops

#### 3.2.2 SES Plan (2013)

SESplan is an overarching statutory development framework that guides development across six council areas including City of Edinburgh, East Lothian, Midlothian, West Lothian, the Scottish Borders and the southern half of Fife in South East Scotland.

The Strategic Development Plan sets out a spatial strategy which recognises existing development commitments and promotes a sustainable pattern of growth. The strategy is supported by a framework for

delivery which will promote and secure economic growth and the delivery of housing in the most sustainable locations; and promote the development of strategic transport and infrastructure networks to support that growth and to meet the needs of communities. The Plan reflects the ambitions and commitment of the six authorities to realising the potential of the area and ensuring it continues to play a leading role in a national context.

### **3.3 Material Considerations**

#### **3.3.1 National Planning Framework 3**

National Planning Framework 3 (NPF3), published in June 2014, is a long-term strategy for Scotland and identifies national developments and other strategically important development opportunities in Scotland. Statutory development plans must have regard to NPF3 and Scottish Ministers expect planning decisions to support its delivery.

The introduction to NPF3 confirms that the document will inform the development investment decision of the Scottish Government, its agencies, planning authorities, private investors and other bodies.

Although NPF3 represents a contemporary expression of the Government's aspirations for the future development of Scotland, the document includes 'spatial priorities for change', rather than specific development management type policies. Therefore, it is considered to have limited relevance to the proposed development. Notwithstanding this, as a published statutory document, it should still be given some weight in the decision-making process.

#### **3.3.2 Scottish Planning Policy**

Scottish Planning Policy (SPP), published in June 2014, sets out national planning policies which reflect Scottish Ministers' priorities for the operation of the planning system and for the development and use of land. The SPP is non-statutory; however, the content of the SPP is a material consideration in determining planning applications.

The SPP states that there is a presumption in favour of development that contributes to sustainable development. Proposals that accord with up-to-date development plans should be considered acceptable in principle and consideration should focus on the detailed matters arising (paragraph 32).

SPP also notes that development management decisions should take account of potential effects on landscape and the natural and water environment, including cumulative effect (paragraph 202). Direct or indirect effects on statutorily protected sites will be an important consideration, but does not impose an automatic prohibition on development (paragraph 203).

#### **3.3.3 Supplementary Guidance**

Midlothian Council's current parking standards were adopted by the Council in March 2015 and came into force in May 2015. The standards are split between cycle and car parking requirements over use classes and are calculated based on floor area.

For restaurants/pubic houses 12 spaces per 100sqm of public floor space are required.

### 3.3.4 Emerging Policy

#### SES Plan 2

The SESPlan Proposed Strategic Development Plan was published in October 2016, and is the second plan covering the south-east Scotland region. The plan was subject to public consultation from 13th October until 23th November 2016 and is currently being reviewed.

#### Midlothian Local Development Plan

The Midlothian Local Development Plan (MLDP) was submitted to the Scottish Ministers for examination on 09 September 2016. As the emerging local development plan the MLDP is a material consideration in the assessment of this application. The following policies are relevant to this application:

- Policy DEV2: Development within the Built-up Area
- Policy ENV19: Conservation Areas

## 4. Key Issues

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This section of the Planning Statement sets out the relevant planning policy context within which the planning application should be considered. Planning policies are analysed at national and local levels, with consideration and appropriate weight given to emerging Local Plans. For each of these, the policies considered to be the most relevant are discussed.

### 4.1 Socio-economics

The building has been openly marketed since it first became available in August 2016 by BNP Paribas. The site was advertised on the internet and sent to letting agents to market. The building has therefore been empty for 12 months, and BNP Paribas have indicated that they had received limited interest in the building, of which it was predominantly for refurbishment/redevelopment which included change of use potential.

There were a couple of enquiries to let the building for office space, however due to the layout and nature of the building this use was not deemed suitable. Due to the limited interest for its current use and the fact it has remained empty for 12 months, it is likely that the current building will begin to deteriorate unless an occupier is secured soon.

The deterioration of the internal fabric will result in less interest from potential occupier's due to remediation costs. Deterioration of the external fabric will result in an unattractive external appearance, which would be a detriment to the character and appearance of the area, particularly as the site is within a conservation area. The change of use would bring an attractive building with frontage on the High Street back into use and would retain the visual character of the area in accordance with policy RP20 and RP22.

The proposed application would result in a positive impact on the community, by providing another eating establishment that would attract more visitors to the area. It would also diversify the restaurant offer within Lasswade and encourage competitors to become more competitive to attract patrons. Additionally, there would be number of local employment opportunities arising from the proposed change of use.

It is therefore considered that the proposed application would result in a benefit to the area through the occupation of a currently prominent, empty building on the High Street, provide employment opportunities and would add to the range of eating establishments available within Lasswade.

### 4.2 Built Heritage

Lasswade and Kilcock Conservation Area Character Appraisal states:

*"On the High Street, the curve of the road and the buildings set immediately on the pavement combine to give a strong sense of enclosure. These buildings retain a certain amount of their original character, the Laird and Dog providing a welcoming focus to the street".*

The Conservation Area Character Appraisal outlines the historical development of Lasswade, indicating that the High Street was once the centre of commercial activities centred over the bridge crossing the River North Esk. The historical closure and redevelopment of sites previously used for commercial use, and the development and residential expansion of Lasswade during the 1950's eroded the High Street as the centre of Lasswade.

The proposed development would retain the historical commercial use of the building, and, unlike the current use as an office, would encourage patrons to visit the historical centre of the conservation area. The proposed development does not include the scope for any external alterations with the exception of a roof vent and as such will not result in a detrimental impact on the character or appearance of the conservation area, in accordance with policies RP22 and emerging policy ENV19.

The proposal will therefore not have a detrimental impact on the character and appearance of the conservation area and accords with Policies RP22 and emerging policy ENV19.

## 4.3 Transport

A Transport Assessment has been prepared in support of this planning application for the proposed change of use of the building to an 185sqm GFA restaurant, with a total public floor space of 150sqm. Currently the existing car park provides 8 spaces, for this application 9 spaces are proposed. The report states that demand for car parking spaces will be from patrons using the restaurant, not the ancillary bar area.

The proposed internal layout of the restaurant has a public floor area of 150sqm and according to Midlothian Parking Standards the restaurant would be expected to provide 18 car parking spaces. The proposed car park will provide 9 car parking spaces, including 2 disabled bays. In relation to cycling provision, Midlothian Parking Standards require a total of 5 cycle spaces for the proposed development, and these are proposed to be provided in the form of Sheffield stands.

Whilst it is acknowledged that the proposal falls short of 8 car parking spaces in line with the Parking Standards, the document states *"standards have been set which can be altered, but only in agreement with transportation officers, when exceptional circumstances exist that alter the requirement for parking"*.

It is considered in this instance that exceptional circumstances should be applied, as there are other public parking facilities within the vicinity of the site and the site is considered accessible by sustainable modes of transport. The applicant has explored various options to increase parking on site, but due to the limited nature of the site's boundary it is simply not possible to increase the level of car parking on site beyond what is currently proposed. The applicant has looked at further options such as purchasing adjacent land, or running a shuttle valet service but these have either been not viable or not practical.

Trip generation data was modelled for the car park. The data shows that the car park accommodated an average of three vehicles during weekdays and Saturday due to the fact it is used to access Lasswade Park. The peak times recorded were 16:00 – 17:00 on a weekday and 11:00 – 12:00 on a Saturday.

The parking demand assessment used the trip generation data and found that the restaurant would generate a maximum demand for 9 spaces and 6 on the weekday and Saturday respectively. Therefore, this demand can be accommodated within the site. The trip generation and parking demand assessments is further explored within the Transport Assessment.

Where, in exceptional circumstances, demand might be over and above the spaces provided on site, the site is located less than 1-minute walk from a public car park to the north of the site, with a capacity of 20 spaces. This can be accessed by a lit footpath which crosses a small bridge over the River North Esk.

The parking demand assessment for this car park found that the peak period for the car park was 18:00 – 19:00 and Saturday 11:00 – 12:00 and accommodated an average of 4 vehicles during the survey period. As the car park can accommodate 20 vehicles it is considered that the car park is operating below capacity.

It is therefore considered that this would be a suitable alternative for patrons to park and access the site if overflow parking space is needed. Patron would be advised of this publicly accessible car park when making bookings.

Mitigation measures are also proposed as part of the development:

- No car parking spaces for employees;
- Public transport timetable and taxi service information to be provided within the restaurant;
- Links to taxi operator and Lothian Buses websites on the restaurant's website;
- Patrons to be advised of available sustainable travel options and the limited availability of on-site parking when making a booking; and
- Provision of access to a phone for patrons to contact a local taxi operator.

The site is also accessible by public transport which links the area with Dalkeith and Bonnyrigg, with a covered bus shelter being located directly outside of the application site. The bus services serving the stop are the 31 (every 8 minutes), 40 (every 26 minutes), N31 (3 times per night on Saturdays and Sundays), R5 (once per day) and X31 (operates 4 services at peak times).

IHT's Guidelines for Providing for Journeys on Foot outline acceptable walking distances, however there is no reference specifically for restaurants. Therefore, the closest category to the proposed use is retail. The guidelines indicate that for 1-2 hours parking time (the average time one would spend in a restaurant) it recommends walking distances of 200-400m. Therefore, the use of the public car park to the north of the site would fall within this distance, should it be needed if the car park on site is operating above capacity.

It is therefore considered that the proposal represents an excellent opportunity to restrict private car parking spaces and promote sustainable modes of travel by foot, cycle and public transport. The proposed level of

car parking meets demand, including within predicted peak periods and the public car park is operating under capacity, should overflow accommodation be needed. The proposal therefore complies with policy DP7.

## 4.3 Flood Risk

The site is bounded by the River North Esk to the east, however SEPA's flood map for planning shows the site is within Flood Zone 1, which means that there is a less than 1 in 1,000 annual probability of river or sea flooding. The site is also not identified on SEPA's flood map for planning as at risk from surface water flooding.

## 4.4 Residential Amenity

The northern elevation of the building faces directly onto the driveway of number 16 High Street and is not separated by a physical boundary. The lack of delineation between the curtilage of both buildings is because the vehicular access to number 16 High street, it is therefore not possible to provide a solid boundary between the application site and this property.

Despite the close proximity to the residential building and lack of solid boundary, it is the gable end of the adjacent property that is closest to the application site and therefore is not comprised of habitable rooms. The proposed development would therefore not result in a detrimental impact to privacy. Conditions could be attached to planning permission to ensure there would be no loss of residential amenity as a result of odours or smells.



## 5. Summary and Conclusion

---

### 5.1 Summary

This planning statement has been written in support of the proposed change of use from office (class 4) to restaurant (class 9) at 14 High Street, Lasswade.

The proposed change of use will retain the building in commercial use, central to the historical commercial core of Lasswade and will therefore conserve the character of the conservation area. The proposed change of use will bring a currently empty building back into use, increase the range and choice of restaurants in the area, increase employment opportunities and will not harm residential amenity.

The proposed development, according to Midlothian Parking Standards, is required to provide 18 car parking spaces, 9 spaces is proposed for this development. Whilst the proposed development does not meet the required number of spaces it is considered that exceptional circumstances apply, as the proposed development has been viewed as an opportunity to promote sustainable transport uses and provide less car parking provision.

The site is well served by public transport, with multiple buses running past the site and a covered bus shelter located outside of the building. In accordance with Midlothian Parking Standards 5 Sheffield stands will be provided on site for those who wish to cycle to access the site.

A Transport Assessment prepared in support of the application has prepared modelling to show that the demand for parking spaces required by the proposed use as a restaurant will not exceed 9 spaces which will all be accommodated on-site. In rare instances overflow car parking will be required there is a public car park less than 1 minute by foot to the north of the site with a capacity of 20 spaces. This public car park also meets the IHT's Guidelines for Providing for Journey's on Foot as it is within 200-400m of the site.

After considering the proposal, it can be concluded that the proposed development complies with NPF3, SPP and Local Planning Policy, including policies RP20, RP22 and emerging Midlothian Local Plan policies DEV2 and ENV19.

### 5.2 Conclusion

Planning applications should be determined in accordance with the development plan unless material consideration indicate otherwise.

As outlined in this Planning Statement, the change of use application is compliant with the provisions of the development plan and relevant material considerations, including national policy.

The conclusions reached within this Planning Statement are such that the proposed change of use will not cause significant detriment to the environment or the prevailing residential amenity. The Transport



Assessment prepared in support of this application demonstrates that demand for car parking spaces can be provided within the proposed car park, even at peak times. Additionally, the site is accessible by suitable modes of transport and it is considered these modes should be encouraged to dissuade patrons from arriving by private transport. Mitigation to ensure the regulation of the car park and promotion of accessing the site by sustainable modes of transport are also proposed.

We contend that based on the evidence provided on the demand of parking spaces generated by the proposal and the significant positive impact the restaurant would have to the area, the benefits clearly outweigh any perceived harm through not providing the level of parking spaces required by the Parking Standards.

It is therefore respectfully requested that planning permission be granted accordingly.



## **14 High Street, Lasswade**

### **Transport Statement**

**For: Mrs L Toye**

Job No: 1015155

Doc Ref: RPT-TC-001

Latest Revision: A

Date: 4/08/2017

Project Name:	14 High Street, Lasswade
Client:	Mrs L Toye
Report Title:	Transport Statement
Job Number:	1015155

## Document Revision History

Revision Ref	Issue Date	Purpose of issue / description of revision
-	19/04/17	Draft for discussion
A	04/08/17	Final

## Document Validation (latest issue)

04/08/2017	04/08/2017	04/08/2017
X	X	X
Principal author	Checked by	Verified by
Signed by: Low, Graeme	Signed by: Low, Graeme	Signed by: Low, Graeme

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## 1. Introduction

---

### 1.1 Purpose Of This Report

Cundall has been commissioned by Mrs L Toye to provide transportation advice in support of the redevelopment of a site at 14 High Street, Lasswade to accommodate a 185sqm GFA restaurant.

This Transport Statement (TS) has been prepared to support the planning application associated with the proposed redevelopment from office to restaurant use and includes a review of the local transport network in addition to quantifying the level of trips generated by the restaurant's operation.

## 2. Existing Conditions

### 2.1 Site Location

The site is located in the centre of Lasswade in Midlothian and is bound by the A768 (High Street) on the west and the River North Esk to the east. Figure 2.1 shows the site's location in relation to the surrounding area.

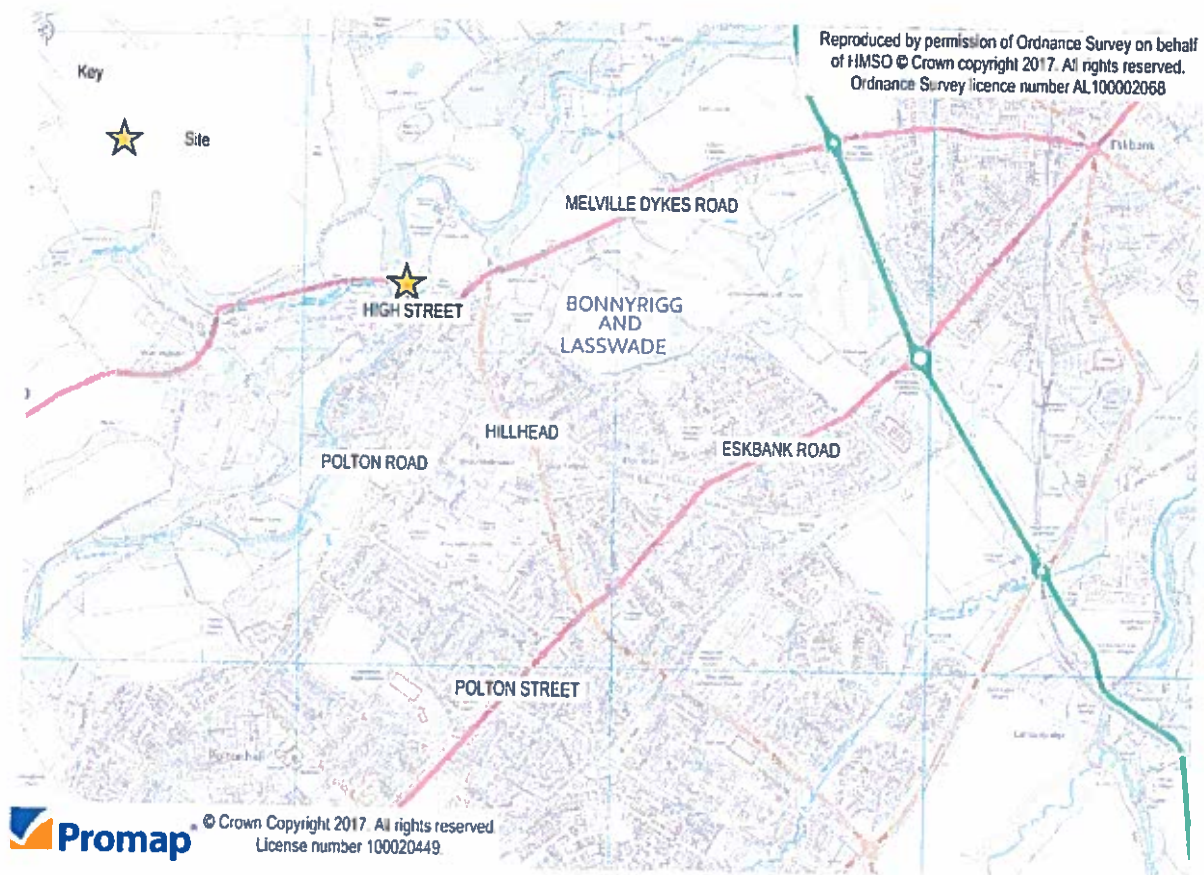


Figure 2.1 Site Location

### 2.2 Pedestrian Facilities

A comprehensive network of pedestrian facilities is provided throughout Lasswade, with a large proportion of these provided by way of footways located adjacent to the road network, the majority of which is lit.

Footways are provided on both sides of High Street in the vicinity of the site with a signalised pedestrian crossing located immediately to the south of the site. The form of the crossing is shown in photograph 2.1.





**Photograph 2.1: High Street Pedestrian Facilities**

A segregated footpath and footbridge connects High Street with Lasswade Park (a recreation ground located immediately to the east of the River North Esk), with its associated parking area. The form of the footbridge is shown in Photograph 2.2.



**Photograph 2.2: River North Esk Footbridge**



A footbridge is provided adjacent to the A768 bridge over the River North Esk, to enable pedestrians to access High Street from the main area of Lasswade and Bonnyrigg which are located to the south-east of the river.

The site's location will provide excellent opportunity for patrons and employees to access the site on foot.

## 2.3 Cycle Facilities

While there are limited cycling facilities provided in the vicinity of the site, a proportion of the local road network is subject to a 20mph speed limit, including High Street, providing an environment which is likely to be attractive for cyclists.

It is expected that restaurant patrons are unlikely to access the site by bicycle. However, the site's location in relation to Lasswade and Bonnyrigg is expected to offer good opportunity for employees living within these areas to access the site by bicycle.

## 2.4 Public Transport Facilities

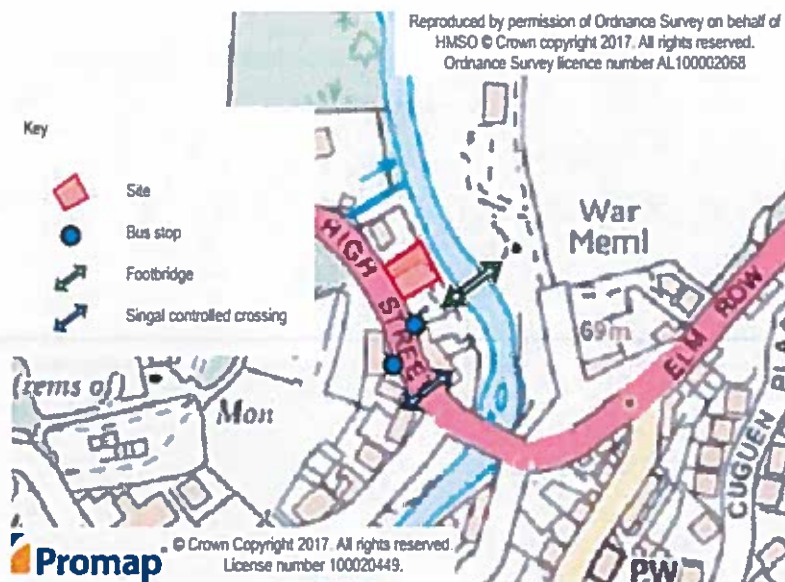
The nearest bus stops to the site are located immediately to the south of the site on High Street with a bus shelter provided for passengers waiting to access southbound services. The form of the shelter is shown in Photograph 2.3.



**Photograph 2.3: Local Bus Stop Facilities**

A signalised crossing provides a safe means of accessing the bus stop located on the west side of High Street, from the site.

Figure 2.2 shows the location of the adjacent bus stops and signalised crossing in relation to the site.



**Figure 2.2 Pedestrian Accessibility**

Lothian Buses operate the majority of the services which can be accessed from the stops, with frequent services linking the area with Bonnyrigg, Polton and Dalkeith, providing excellent opportunity for patrons and employees living outwith a convenient walk or cycle of the site, to access the restaurant sustainably. Table 2.1 summarises the average frequency of the local services.

**Table 2.1 Local Bus Services**

Service No.	Operator	Route	Weekday Frequency	Saturday Frequency	Sunday Frequency
31	Lothian Buses	Edinburgh city centre – Lasswade – Bonnyrigg - Polton	30 mins	30 mins	30 mins
40	Lothian Buses	Penicuik – Loanhead – Lasswade – Bonnyrigg – Dalkeith – Musselburgh	10 mins	15 mins	30 mins
R4 / R5	Lothian County Transport	Bonnyrigg – Lasswade – Gorebridge - Straiton	Monday service only	-	-
X31	Lothian Buses	Edinburgh city centre – Lasswade – Bonnyrigg - Polton	4 service AM peak / 3 services PM peak	-	-

As can be seen from the above summary, the site is well served by local bus services with the site able to be conveniently accessed from Bonnyrigg and Polton which are anticipated to be the main catchment areas for the restaurant. The service frequency and journey times will provide excellent opportunity for both employees and patrons to access the site by bus.

## 2.5 Existing Access Arrangements

The site is accessed directly from High Street and the form of the access junction is shown in Photograph 2.4. Access is provided into the Laird & Dagg Inn, which is located on the opposite side of High Street, at a point approximately 10m to the north of the site access.





**Photograph 2.4: Existing Site Access**

A review of aerial mapping confirms that the site provided space to accommodate a total of 11 vehicles prior to the construction of an extension on the south of the building. The current car park can accommodate 10 spaces and the car park layout is shown in Photograph 2.5.



**Photograph 2.5: Existing Car Park Layout**

The area to the south of the car park appears to be maintained by Midlothian Council (although it has not been possible to confirm ownership of the area at this time), and is provided as a small recreation area. Vehicle access is currently provided from the development site's car park to an adjacent residential property, with the access routing through the recreation area.

## **2.6 Existing Conditions Summary**

The development is located adjacent to a comprehensive network of pedestrian facilities and frequent bus services providing excellent opportunity for patrons and employees to access the site using sustainable modes of travel as opposed to the private car.

## 3. Proposed Development

### 3.1 Introduction

It is proposed to redevelop the site at 14 High Street to accommodate a 185sqm GFA restaurant with existing access arrangements retained to ensure that the site is accessible from the adjacent pedestrian network. While there is planned to be a cocktail bar element to the development, this is an ancillary use to the restaurant with the majority of trips expected to be linked to the restaurant. Any trips attracted solely to the bar are not expected to access the site by car.

It is proposed to provide a total of 9 spaces for use by patrons within the site and the proposed car park layout is shown in Figure 3.1.

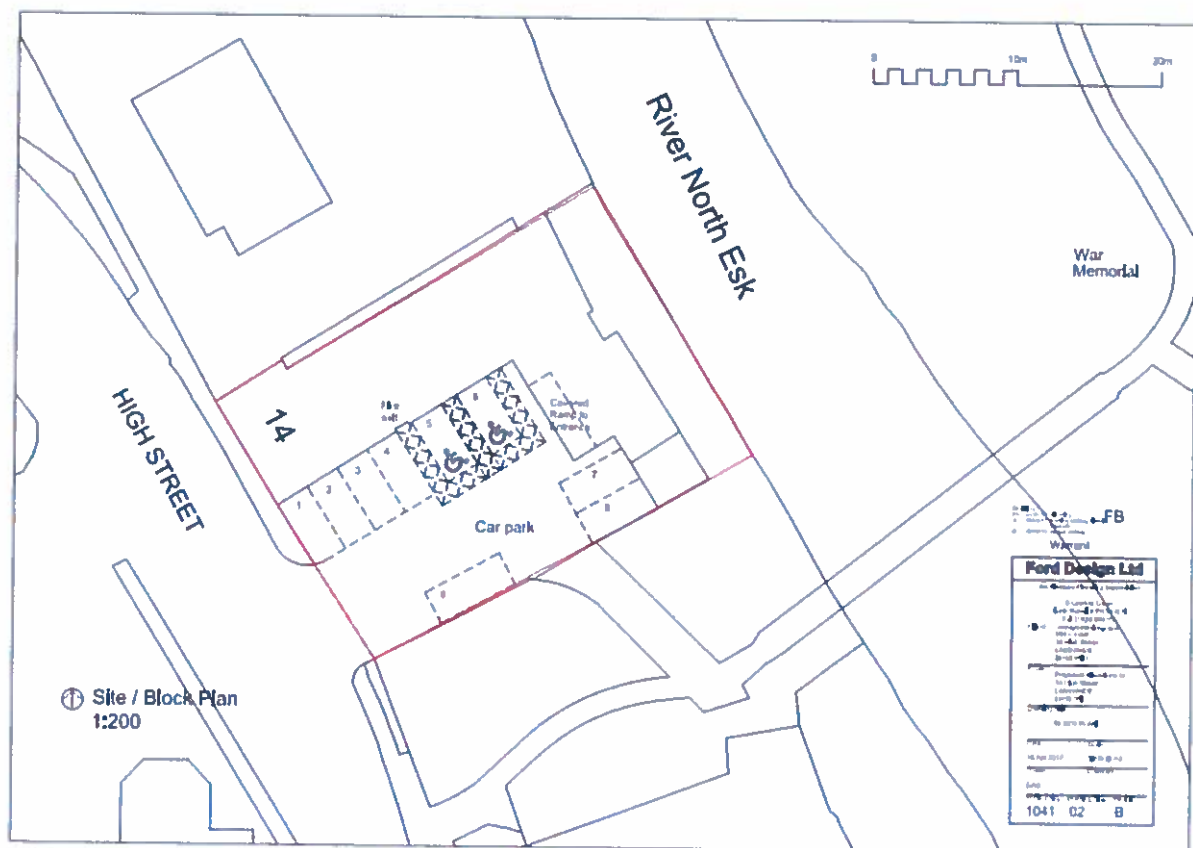


Figure 3.1 Car Park Layout

### 3.2 Pedestrian Facilities

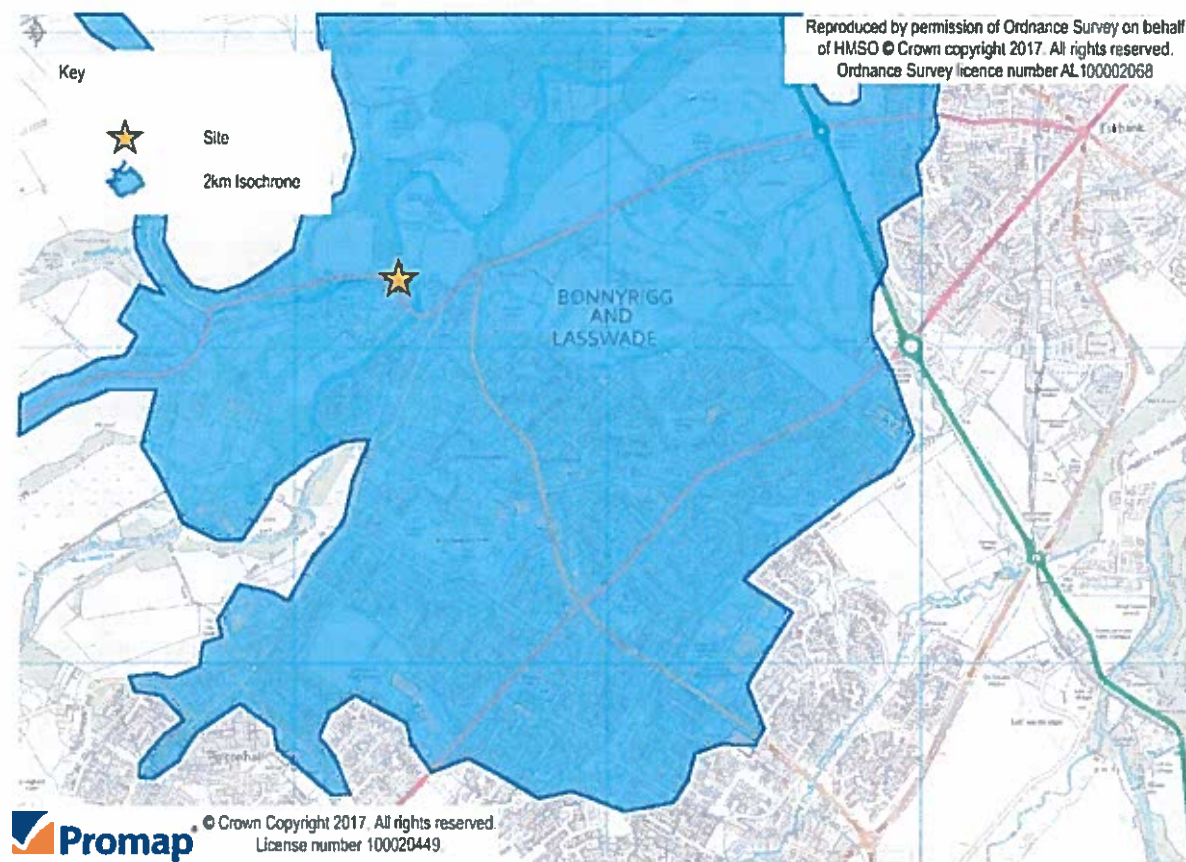
As described in Chapter 2, the site is located adjacent to an existing network of pedestrian facilities. It is proposed to provide direct access into the site for pedestrians from the adjacent pedestrian network with convenient access provided from the signalised pedestrian crossing located on High Street and the bus stops located adjacent to the site.



## 3.2.1 Walking Accessibility Assessment

The Institution of Highways and Transportation Guidelines for Providing for Journeys on Foot confirms that residents are generally prepared to walk up to 2km to access employment opportunities and although there is no guidance specifically relating to patrons accessing restaurants, it is considered that this distance, which also relates to pedestrians accessing sight-seeing destinations, is also appropriate to apply to patrons.

A walking accessibility assessment has been undertaken to appraise the accessibility of the development on foot based on this distance and the results of the assessment are shown in Figure 3.2.



**Figure 3.2 Walking Accessibility Appraisal**

As can be seen, the majority of Lasswade and Bonnyrigg are located within a 2km walk of the site. While the analysis does not take cognisance of the area's topography, it provides an indication of the site's accessible location which provides excellent opportunity for both employees and restaurant patrons living within Lasswade and Bonnyrigg to access the site on foot.

## 3.3 Cycle Facilities

The majority of the adjacent highway network is lit and subject to a 20 / 30 speed limit making it attractive for use by cyclists.

Secure cycle parking will be provided in accordance with Midlothian Council guidelines which specify the following provision for a development of the form being proposed:

- Staff: 1 Space plus 1 Space per 20 staff; and
- Customers: 1 Space plus 1 Space per 100m2 PFA.

Applying the above guidelines results in a requirement to provide a total of 5 cycle spaces within the site and these will be accommodated by way of Sheffield type stands in a convenient location within the site.

### 3.3.1 Cycling Accessibility Assessment

It is generally accepted that employees are prepared to cycle up to 20 minutes to access their place of employment by bicycle, a distance which equates to a 5km cycle. While the area's topography is likely to reduce the distance that employees would be prepared to cycle to access the proposed development, the whole of Lasswade, Bonnyrigg and Polton are located within a 3km cycle of the site, providing excellent opportunity for employees living within these areas, to access the site by bicycle.

### 3.4 Public Transport Facilities

The site is located adjacent to frequent bus services operating on High Street which link the area with Dalkeith and Bonnyrigg and these services will provide excellent opportunity for both employees and restaurant patrons to access the site by bus

Information on the availability of bus services (including links to Lothian Buses timetable information) will be provided on the restaurant's website with patrons advised at the time of booking, of the availability of local bus services and limited level of parking availability within the site.

In addition, access will be provided to a phone from which patrons can contact a local taxi operator.

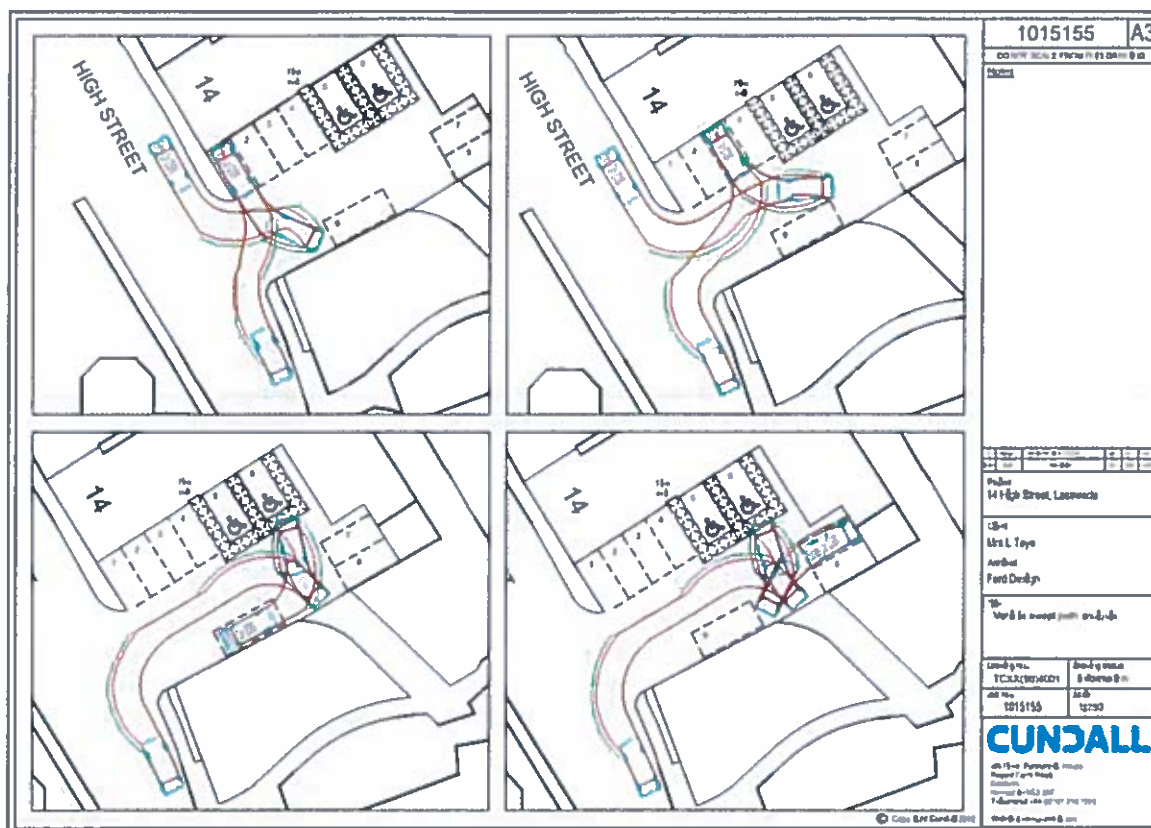
### 3.5 Vehicle Access

It is proposed to retain the existing access arrangements to serve the site with the access to the adjacent residential property also retained. The existing keep clear road markings, which are provided on High Street, will enable vehicles to access and leave the site without blocking the flow of general traffic during peak periods of the road network's operation. Vehicles will be able to access and leave the site in a forward gear.

### 3.6 Proposed Parking Provision

Midlothian Council specify a provision of 12 spaces per 100sqm Public Floor Area (PFA). The guidelines do however, confirm that travel by sustainable modes of travel can be promoted by limiting parking provision and that standards '*can be altered, but only in agreement with transportation officers, when exceptional circumstances exist that alter the requirement for parking*'. The guidelines go on to confirm that an example of this is '*a town centre development with a high frequency, quality bus service within short walking distance*' where a reduction in the parking provision may be considered.

Of the 185sqm GFA associated with the development proposal, 150sqm of this will be PFA. The guidelines therefore require a provision of 18 spaces including 3 accessible spaces to be provided. It is however, proposed to provide a total of 9 spaces including two provided as accessible, to support the highly accessible site location and encourage use of sustainable modes of travel. This will dissuade patrons from using the car to access the site in accordance with local and national planning policy. The proposed car park layout is shown in Figure 3.1 with vehicles able to access and leave the site in a forward gear as demonstrated by the tracking exercise shown in Figure 3.3.



**Figure 3.3 Swept Path Analysis**

Employees will not be permitted to park within the site and use of the car park will be managed through the booking process. Chapter 4 reviews the proposed level of parking provision in terms of the level of trips forecast to be generated by the proposed development.

### 3.7 Access Summary

The site is located in an accessible location adjacent to a network of pedestrian facilities and frequent bus services. The site location will therefore provide excellent opportunity for both employees and patrons to access the site using sustainable modes of transport as opposed to the private car and this approach accords with local and national planning policy.

It is proposed to support the accessible site location by providing a parking provision less than that specified by Midlothian Council. The operation of the car park will be managed through the booking process, to ensure that it operates within capacity with no vehicles required to park outwith the site.



## 4. Trip Generation

### 4.1 Introduction

The following sections set out the trip generation assumptions used to inform this study.

### 4.2 Trip Generation

Due to the limited number of multi-modal surveys contained within the TRICS database for a restaurant land use, vehicular surveys have been used to estimate the level of vehicular trips generated by the proposed development. The following selection criteria has been applied to identify the trip generation associated with the proposed restaurant development:

- Hotel, Food & Drink – Restaurant land use selected;
- Sites in town centre, edged of town centre and suburban areas selected;
- Sites with less than 500sqm GFA selected; and
- Date range extended back to 01/01/05 to increase the number of available sites.

Tables 4.1 and 4.2 summarise the extracted trip rates and the level of vehicular trip generation forecast to be generated by a development of the form and scale being proposed. Associated TRICS outputs are provided in Appendix A.

Table 4.1 Trip Rates

Time	Weekday		Saturday	
	Arrivals	Departures	Arrivals	Departures
09:00-10:00	0.000	0.000	0.114	0.114
10:00-11:00	0.736	0.613	0.000	0.000
11:00-12:00	1.115	0.649	1.171	0.293
12:00-13:00	2.732	0.804	2.342	0.878
13:00-14:00	2.985	2.732	2.283	2.693
14:00-15:00	2.273	3.215	1.815	2.518
15:00-16:00	2.342	2.526	0.995	1.054
16:00-17:00	2.320	1.955	1.288	1.171
17:00-18:00	3.416	2.599	1.932	1.405
18:00-19:00	4.318	3.201	1.932	1.756
19:00-20:00	5.285	5.070	2.166	2.342
20:00-21:00	3.931	4.662	1.112	1.581
21:00-22:00	2.771	3.867	1.230	1.874
22:00-23:00	1.267	2.621	0.176	0.585
23:00-24:00	0.215	0.816	0.000	0.715
<b>Daily Total</b>	<b>35.706</b>	<b>35.330</b>	<b>18.556</b>	<b>18.979</b>

**Table 4.2 Development Trip Generation**

Time	Weekday		Saturday	
	Arrivals	Departures	Arrivals	Departures
09:00-10:00	0	0	0	0
10:00-11:00	1	1	0	0
11:00-12:00	2	1	2	1
12:00-13:00	5	2	4	2
13:00-14:00	6	5	4	5
14:00-15:00	4	6	3	5
15:00-16:00	4	5	2	2
16:00-17:00	4	4	2	2
17:00-18:00	6	5	4	3
18:00-19:00	8	6	4	3
19:00-20:00	10	9	4	4
20:00-21:00	7	9	2	3
21:00-22:00	5	7	2	4
22:00-23:00	2	5	0	1
23:00-24:00	0	2	0	1
<b>Daily Total</b>	<b>64</b>	<b>67</b>	<b>33</b>	<b>36</b>

As can be seen from the above summary, the TRICS database suggests that the restaurant will be experiencing its peak hours of operation between 19:00 – 20:00 on a weekday and between 13:00 -14:00 on a Saturday. The peak periods of generation will therefore not coincide with the peak hours of the adjacent road network's operation.

## 5. Existing Car Park Operation

### 5.1 Introduction

Manual classified traffic surveys were undertaken between 09:00 – 00:00 at the site access and access to Lasswade Park on Friday 31<sup>st</sup> March and Saturday 1<sup>st</sup> April 2017, to record the operation of the two car parks.

### 5.2 Site Car Park

Table 5.1 summarises the results of the survey of the existing site car park in terms of the observed accumulation.

Time	Weekday	Saturday
10:00-11:00	1	6
11:00-12:00	3	8
12:00-13:00	2	6
13:00-14:00	3	3
14:00-15:00	3	4
15:00-16:00	4	7
16:00-17:00	6	5
17:00-18:00	5	2
18:00-19:00	1	1
19:00-20:00	1	1
20:00-21:00	2	0
21:00-22:00	0	0
22:00-23:00	2	1
23:00-24:00	1	1

As can be seen from the above summary, the car park was observed to accommodate an average of 3 vehicles throughout both the weekday and Saturday survey periods. It is understood that the car park is currently used to access Lasswade Park and this appears to be borne out by the results of the survey which identifies the car park accommodating the greatest number of vehicles between 16:00 – 17:00 on a weekday and between 11:00 – 12:00 on a Saturday.

### 5.3 Lasswade Park Car Park

Table 5.2 summarises the results of the Lasswade Park survey in terms of the observed accumulation.

**Table 5.2 Lasswade Park Car Park Accumulation**

Time	Weekday	Saturday
10:00-11:00	2	4
11:00-12:00	2	13
12:00-13:00	3	8
13:00-14:00	4	4
14:00-15:00	4	5
15:00-16:00	3	5
16:00-17:00	4	4
17:00-18:00	9	1
18:00-19:00	11	1
19:00-20:00	6	2
20:00-21:00	3	1
21:00-22:00	1	1
22:00-23:00	1	1
23:00-24:00	1	1

The survey identifies a maximum accumulation of 11 vehicles and 13 vehicles respectively on the Friday between 18:00 – 19:00 and the Saturday between 11:00 – 12:00. The car park was observed to accommodate an average of 4 vehicles throughout the rest of the Friday and Saturday.

The car park currently has a capacity for around 20 vehicles and the results of the survey confirm that there is a minimum of 7 spaces available throughout the Friday and Saturday. The car park was observed to be operating well within capacity outwith the peak periods of operation.

## 6. Development Impact Assessment

### 6.1 Introduction

It is proposed to provide an on-site parking provision which is less than the guidelines identified by Midlothian Council. This is to support the accessible location of the site and encourage both patrons and employees to use sustainable modes of travel when accessing the site.

The following sections estimate the number of vehicles using the car park which is to have a total of 9 spaces, throughout an average weekday and Saturday of operation.

### 6.2 Parking Demand Analysis

Table 6.1 summarises the results of the parking accumulation analysis using the trip generation data presented in Table 4.2. The accumulations have been increased by three vehicles to ensure that no vehicles remained in the car park after midnight

**Table 6.1 Parking Demand Analysis**

Time	Weekday			Saturday		
	Arrivals	Departures	Accumulation	Arrivals	Departures	Accumulation
09:00-10:00	0	0	3	0	0	3
10:00-11:00	1	1	3	0	0	3
11:00-12:00	2	1	4	2	1	4
12:00-13:00	5	2	7	4	2	6
13:00-14:00	6	5	8	4	5	5
14:00-15:00	4	6	6	3	5	3
15:00-16:00	4	5	5	2	2	3
16:00-17:00	4	4	5	2	2	3
17:00-18:00	6	5	6	4	3	4
18:00-19:00	8	6	8	4	3	5
19:00-20:00	10	9	9	4	4	5
20:00-21:00	7	9	7	2	3	4
21:00-22:00	5	7	5	2	4	2
22:00-23:00	2	5	2	0	1	1
23:00-24:00	0	2	0	0	1	0
<b>Daily Total</b>	<b>64</b>	<b>67</b>		<b>33</b>	<b>36</b>	

As can be seen from the results of the parking accumulation analysis, the development is forecast to generate a maximum demand for 9 and 6 spaces on the weekday and Saturday respectively. This demand can be accommodated within the site.

The accumulation analysis does not take cognisance of the measures which will be implemented in association with the site's redevelopment, to encourage employees and patrons to access the site by car, and it is therefore considered that the car park usage will be less than that forecast within Table 6.1.

## 6.3 Proposed Mitigation Measures

As previously stated, it is expected that the site's accessible location will encourage patrons to access the site on foot or by bus. No spaces will be provided within the site for use by employees and patrons will be advised of the availability of bus services at the time of making a booking and via the restaurant's website.

Measures that will be implemented by the operator to support the proposed level of on-site parking, will include:

- Provision of no spaces for employee use within the site;
- Public transport timetable and taxi service information to be provided within the restaurant;
- Links to taxi operator and Lothian Buses websites on the restaurant's website;
- Patrons to be advised of available sustainable travel options and the limited availability of on-site parking when making a booking; and
- Provision of access to a phone for patrons to contact a local taxi operator.

The restaurant is targeting a local catchment area with a large number of patrons expected to access the site on foot. There is however, excellent opportunity for patrons from further afield to access the site using local bus or taxi services.

The above measures will support the accessible site location and encourage both employees and patrons to use sustainable modes of transport when accessing the site in preference to the car, in accordance with local and national planning policy.

## 7. Summary & Conclusion

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### 7.1 Summary

Cundall has been commissioned by Mrs L Toye to provide transportation advice in support of the redevelopment of a site at 14 High Street, Lasswade to accommodate a 185sqm GFA restaurant.

The development is located adjacent to a comprehensive network of pedestrian facilities and frequent bus services, providing excellent opportunity for patrons and employees to access the site using sustainable modes of travel as opposed to the private car. This accords with the approach supported by local and national planning policy.

It is proposed to support the accessible site location by providing a parking provision less than that specified by Midlothian Council. This level of provision is supported by a range of measures to encourage use of sustainable modes of transport when accessing the site including providing no spaces for employee use within the site.

Vehicles are able to access and leave the car park in a forward gear.

The operation of the Lasswade Park car park has been surveyed to be operating well within capacity and it has been demonstrated that the proposed level of on-site parking will be sufficient to accommodate the level of demand forecast to be generated by the proposed redevelopment.

### 7.2 Conclusion

The on-site car park is forecast to operate within capacity on an average weekday and Saturday of operation. It is therefore considered that the site at 14 High Street, Lasswade is suitable to accommodate a redevelopment of the form and scale which is being proposed.

## Appendix A – TRICS Outputs

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Calculation Reference: AUDIT-830401-170418-0437

**TRIP RATE CALCULATION SELECTION PARAMETERS:**

Land Use : 06 - HOTEL, FOOD & DRINK

Category : B - RESTAURANTS

**VEHICLES**

Selected regions and areas:

<b>01</b>	<b>GREATER LONDON</b>	
	CN CAMDEN	1 days
<b>02</b>	<b>SOUTH EAST</b>	
	HC HAMPSHIRE	1 days
<b>03</b>	<b>SOUTH WEST</b>	
	DC DORSET	1 days
<b>06</b>	<b>WEST MIDLANDS</b>	
	WM WEST MIDLANDS	1 days
<b>08</b>	<b>NORTH WEST</b>	
	CH CHESHIRE	1 days
<b>09</b>	<b>NORTH</b>	
	DH DURHAM	1 days
<b>11</b>	<b>SCOTLAND</b>	
	EA EAST AYRSHIRE	1 days
	FA FALKIRK	1 days
<b>13</b>	<b>MUNSTER</b>	
	LI LIMERICK	1 days
<b>14</b>	<b>LEINSTER</b>	
	KK KILKENNY	1 days
<b>15</b>	<b>GREATER DUBLIN</b>	
	DL DUBLIN	1 days
<b>17</b>	<b>ULSTER (NORTHERN IRELAND)</b>	
	AN ANTRIM	1 days
	DE DERRY	1 days

*This section displays the number of survey days per TRICS® sub-region in the selected set*

**Secondary Filtering selection:**

*This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.*

Parameter: Gross floor area  
 Actual Range: 178 to 500 (units: sqm)  
 Range Selected by User: 130 to 500 (units: sqm)

**Public Transport Provision:**

Selection by: Include all surveys

Date Range: 01/01/05 to 23/11/15

*This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.*

**Selected survey days:**

Monday	1 days
Tuesday	1 days
Wednesday	1 days
Thursday	1 days
Friday	9 days

*This data displays the number of selected surveys by day of the week.*

**Selected survey types:**

Manual count	13 days
Directional ATC Count	0 days

*This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaken using machines.*

**Selected Locations:**

Town Centre	5
Edge of Town Centre	4
Suburban Area (PPS6 Out of Centre)	4

*This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.*

**Selected Location Sub Categories:**

Development Zone	3
Retail Zone	1
Built-Up Zone	4
High Street	2
No Sub Category	3

*This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.*

**Secondary Filtering selection:****Use Class:**

A3	13 days
----	---------

*This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.*

**Secondary Filtering selection (Cont.):**Population within 1 mile:

1,001 to 5,000	1 days
10,001 to 15,000	3 days
15,001 to 20,000	3 days
20,001 to 25,000	2 days
25,001 to 50,000	2 days
50,001 to 100,000	2 days

*This data displays the number of selected surveys within stated 1-mile radii of population.*

Population within 5 miles:

50,001 to 75,000	2 days
75,001 to 100,000	2 days
100,001 to 125,000	3 days
125,001 to 250,000	1 days
250,001 to 500,000	2 days
500,001 or More	3 days

*This data displays the number of selected surveys within stated 5-mile radii of population.*

Car ownership within 5 miles:

0.5 or Less	2 days
0.6 to 1.0	5 days
1.1 to 1.5	6 days

*This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.*

Travel Plan:

No	13 days
----	---------

*This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.*

PTAL Rating:

No PTAL Present	13 days
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*This data displays the number of selected surveys with PTAL Ratings.*

LIST OF SITES relevant to selection parameters

<b>1</b>	<b>AN-06-B-03</b>	<b>MODERN CUISINE</b>		<b>ANTRIM</b>
	LISBURN ROAD			
	BELFAST			
	Suburban Area (PPS6 Out of Centre)			
	High Street			
	Total Gross floor area:	320 sqm		
	Survey date: FRIDAY	25/09/15		Survey Type: MANUAL
<b>2</b>	<b>CH-06-B-01</b>	<b>BBQ RESTAURANT</b>		<b>CHESHIRE</b>
	SOUTERS LANE			
	CHESTER			
	Edge of Town Centre			
	Built-Up Zone			
	Total Gross floor area:	500 sqm		
	Survey date: TUESDAY	11/11/14		Survey Type: MANUAL
<b>3</b>	<b>CN-06-B-01</b>	<b>WAGAMAMA</b>		<b>CAMDEN</b>
	STREATHAM STREET			
	HOLBORN			
	Town Centre			
	Built-Up Zone			
	Total Gross floor area:	341 sqm		
	Survey date: FRIDAY	14/11/08		Survey Type: MANUAL
<b>4</b>	<b>DC-06-B-01</b>	<b>PIZZA EXPRESS</b>		<b>DORSET</b>
	HIGH STREET			
	POOLE			
	Town Centre			
	No Sub Category			
	Total Gross floor area:	178 sqm		
	Survey date: FRIDAY	18/07/08		Survey Type: MANUAL
<b>5</b>	<b>DE-06-B-01</b>	<b>RESTAURANT</b>		<b>DERRY</b>
	CARLISLE ROAD			
	LONDONDERRY			
	Town Centre			
	High Street			
	Total Gross floor area:	300 sqm		
	Survey date: FRIDAY	21/05/10		Survey Type: MANUAL
<b>6</b>	<b>DH-06-B-01</b>	<b>CHIQUITO</b>		<b>DURHAM</b>
	FREEMANS PLACE			
	MILLENIUM PLACE			
	DURHAM			
	Edge of Town Centre			
	Development Zone			
	Total Gross floor area:	500 sqm		
	Survey date: THURSDAY	04/12/08		Survey Type: MANUAL
<b>7</b>	<b>DL-06-B-01</b>	<b>DOMINIUM</b>		<b>DUBLIN</b>
	TALBOT STREET			
	DUBLIN			
	Edge of Town Centre			
	Built-Up Zone			
	Total Gross floor area:	330 sqm		
	Survey date: WEDNESDAY	09/12/09		Survey Type: MANUAL
<b>8</b>	<b>EA-06-B-01</b>	<b>PIZZA HUT</b>		<b>EAST AYRSHIRE</b>
	LOW GLENCAIRN STREET			
	KILMARNOCK			
	Suburban Area (PPS6 Out of Centre)			
	Retail Zone			
	Total Gross floor area:	350 sqm		
	Survey date: FRIDAY	20/06/08		Survey Type: MANUAL

LIST OF SITES relevant to selection parameters (Cont.)

9	<b>FA-06-B-01</b>	<b>FRANKIE &amp; BENNY'S</b>	<b>FALKIRK</b>
	STIRLING ROAD		
	FALKIRK		
	Edge of Town Centre		
	No Sub Category		
	Total Gross floor area:	425 sqm	
	Survey date: FRIDAY	27/04/07	Survey Type: MANUAL
10	<b>HC-06-B-01</b>	<b>PIZZA HUT</b>	<b>HAMPSHIRE</b>
	BINNACLE WAY		
	COSHAM		
	PORTSMOUTH		
	Suburban Area (PPS6 Out of Centre)		
	Development Zone		
	Total Gross floor area:	325 sqm	
	Survey date: MONDAY	23/11/15	Survey Type: MANUAL
11	<b>KK-06-B-01</b>	<b>MED. RESTAURANT</b>	<b>KILKENNY</b>
	WILLIAM STREET		
	KILKENNY		
	Town Centre		
	Built-Up Zone		
	Total Gross floor area:	500 sqm	
	Survey date: FRIDAY	28/11/08	Survey Type: MANUAL
12	<b>LI-06-B-01</b>	<b>CHINESE RESTAURANT</b>	<b>LIMERICK</b>
	PUNCH'S CROSS		
	LIMERICK		
	Suburban Area (PPS6 Out of Centre)		
	No Sub Category		
	Total Gross floor area:	380 sqm	
	Survey date: FRIDAY	20/05/05	Survey Type: MANUAL
13	<b>WM-06-B-04</b>	<b>WAGAMAMA</b>	<b>WEST MIDLANDS</b>
	EDGBASTON STREET		
	BULL RING		
	BIRMINGHAM		
	Town Centre		
	Development Zone		
	Total Gross floor area:	275 sqm	
	Survey date: FRIDAY	28/11/08	Survey Type: MANUAL

This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.

TRIP RATE for Land Use 06 - HOTEL, FOOD & DRINK/B - RESTAURANTS

# **VEHICLES**

**Calculation factor: 100 sqm**

**BOLD print indicates peak (busiest) period**

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00									
08:00 - 09:00									
09:00 - 10:00									
10:00 - 11:00	9	362	0.736	9	362	0.613	9	362	1.349
11:00 - 12:00	11	350	1.115	11	350	0.649	11	350	1.764
12:00 - 13:00	12	363	2.732	12	363	0.804	12	363	3.536
13:00 - 14:00	12	363	2.985	12	363	2.732	12	363	5.717
14:00 - 15:00	12	363	2.273	12	363	3.215	12	363	5.488
15:00 - 16:00	12	363	2.342	12	363	2.526	12	363	4.868
16:00 - 17:00	13	358	2.320	13	358	1.955	13	358	4.275
17:00 - 18:00	13	358	3.416	13	358	2.599	13	358	6.015
18:00 - 19:00	13	358	4.318	13	358	3.201	13	358	7.519
19:00 - 20:00	<b>13</b>	<b>358</b>	<b>5.285</b>	<b>13</b>	<b>358</b>	<b>5.070</b>	<b>13</b>	<b>358</b>	<b>10.355</b>
20:00 - 21:00	13	358	3.931	13	358	4.662	13	358	8.593
21:00 - 22:00	13	358	2.771	13	358	3.867	13	358	6.638
22:00 - 23:00	13	358	1.267	13	358	2.621	13	358	3.888
23:00 - 24:00	13	358	0.215	13	358	0.816	13	358	1.031
<b>Total Rates:</b>			<b>35.706</b>			<b>35.330</b>			<b>71.036</b>

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP\*FACT. Trip rates are then rounded to 3 decimal places.

## **Parameter summary**

Trip rate parameter range selected: 178 - 500 (units: sqm)  
 Survey date range: 01/01/05 - 23/11/15  
 Number of weekdays (Monday-Friday): 13  
 Number of Saturdays: 0  
 Number of Sundays: 0  
 Surveys automatically removed from selection: 0  
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

Calculation Reference: AUDIT-830401-170418-0450

# TRIP RATE CALCULATION SELECTION PARAMETERS:

Land Use : 06 - HOTEL, FOOD & DRINK  
 Category : B - RESTAURANTS

## VEHICLES

### Selected regions and areas:

<b>05</b>	<b>EAST MIDLANDS</b>	
	DS DERBYSHIRE	2 days
	LE LEICESTERSHIRE	1 days
<b>10</b>	<b>WALES</b>	
	CP CAERPHILLY	1 days

*This section displays the number of survey days per TRICS@ sub-region in the selected set*

## Secondary Filtering selection:

*This data displays the chosen trip rate parameter and its selected range. Only sites that fall within the parameter range are included in the trip rate calculation.*

Parameter:	Gross floor area
Actual Range:	383 to 450 (units: sqm)
Range Selected by User:	130 to 500 (units: sqm)

### Public Transport Provision:

Selection by:	Include all surveys
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Date Range:	01/01/05 to 23/11/15
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*This data displays the range of survey dates selected. Only surveys that were conducted within this date range are included in the trip rate calculation.*

### Selected survey days:

Saturday	3 days
Sunday	1 days

*This data displays the number of selected surveys by day of the week.*

### Selected survey types:

Manual count	4 days
Directional ATC Count	0 days

*This data displays the number of manual classified surveys and the number of unclassified ATC surveys, the total adding up to the overall number of surveys in the selected set. Manual surveys are undertaken using staff, whilst ATC surveys are undertaken using machines.*

### Selected Locations:

Town Centre	1
Edge of Town Centre	1
Suburban Area (PPS6 Out of Centre)	2

*This data displays the number of surveys per main location category within the selected set. The main location categories consist of Free Standing, Edge of Town, Suburban Area, Neighbourhood Centre, Edge of Town Centre, Town Centre and Not Known.*

### Selected Location Sub Categories:

Commercial Zone	1
Development Zone	1
Built-Up Zone	1
No Sub Category	1

*This data displays the number of surveys per location sub-category within the selected set. The location sub-categories consist of Commercial Zone, Industrial Zone, Development Zone, Residential Zone, Retail Zone, Built-Up Zone, Village, Out of Town, High Street and No Sub Category.*

**Secondary Filtering selection:**

Use Class:

A3 4 days

*This data displays the number of surveys per Use Class classification within the selected set. The Use Classes Order 2005 has been used for this purpose, which can be found within the Library module of TRICS®.*

Population within 1 mile:

15,001 to 20,000 1 days

20,001 to 25,000 1 days

25,001 to 50,000 2 days

*This data displays the number of selected surveys within stated 1-mile radii of population.*

Population within 5 miles:

125,001 to 250,000 2 days

250,001 to 500,000 2 days

*This data displays the number of selected surveys within stated 5-mile radii of population.*

Car ownership within 5 miles:

0.6 to 1.0 1 days

1.1 to 1.5 3 days

*This data displays the number of selected surveys within stated ranges of average cars owned per residential dwelling, within a radius of 5-miles of selected survey sites.*

Travel Plan:

Yes 1 days

No 3 days

*This data displays the number of surveys within the selected set that were undertaken at sites with Travel Plans in place, and the number of surveys that were undertaken at sites without Travel Plans.*

PTAL Rating:

No PTAL Present 4 days

*This data displays the number of selected surveys with PTAL Ratings.*



LIST OF SITES relevant to selection parameters

<b>1</b>	<b>CP-06-B-01</b>	<b>PIZZA HUT</b>	<b>CAERPHILLY</b>
	PARC PONTYPANDY		
	CAERPHILLY		
	Suburban Area (PPS6 Out of Centre)		
	No Sub Category		
	Total Gross floor area:		383 sqm
	Survey date: SATURDAY		11/11/06
<b>2</b>	<b>DS-06-B-01</b>	<b>LITTLE FRANKIES</b>	<b>DERBYSHIRE</b>
	CORN MARKET		
	DERBY		
	Town Centre		
	Built-Up Zone		
	Total Gross floor area:		425 sqm
	Survey date: SATURDAY		20/06/09
<b>3</b>	<b>DS-06-B-02</b>	<b>CHIQUITO</b>	<b>DERBYSHIRE</b>
	PRIDE PARKWAY		
	DERBY		
	Suburban Area (PPS6 Out of Centre)		
	Development Zone		
	Total Gross floor area:		450 sqm
	Survey date: SUNDAY		19/10/14
<b>4</b>	<b>LE-06-B-01</b>	<b>THAI RESTAURANT</b>	<b>LEICESTERSHIRE</b>
	BRAUNSTONE GATE		
	LEICESTER		
	Edge of Town Centre		
	Commercial Zone		
	Total Gross floor area:		450 sqm
	Survey date: SATURDAY		19/05/07
			Survey Type: MANUAL

*This section provides a list of all survey sites and days in the selected set. For each individual survey site, it displays a unique site reference code and site address, the selected trip rate calculation parameter and its value, the day of the week and date of each survey, and whether the survey was a manual classified count or an ATC count.*

TRIP RATE for Land Use 06 - HOTEL, FOOD & DRINK/B - RESTAURANTS

# VEHICLES

Calculation factor: 100 sqm

**BOLD print indicates peak (busiest) period**

Time Range	ARRIVALS			DEPARTURES			TOTALS		
	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate	No. Days	Ave. GFA	Trip Rate
00:00 - 01:00									
01:00 - 02:00									
02:00 - 03:00									
03:00 - 04:00									
04:00 - 05:00									
05:00 - 06:00									
06:00 - 07:00									
07:00 - 08:00									
08:00 - 09:00									
09:00 - 10:00	2	438	0.114	2	438	0.114	2	438	0.228
10:00 - 11:00	4	427	0.000	4	427	0.000	4	427	0.000
11:00 - 12:00	4	427	1.171	4	427	0.293	4	427	1.464
12:00 - 13:00	4	<b>427</b>	<b>2.342</b>	4	427	0.878	4	427	3.220
13:00 - 14:00	4	427	2.283	4	<b>427</b>	<b>2.693</b>	4	<b>427</b>	<b>4.976</b>
14:00 - 15:00	4	427	1.815	4	427	2.518	4	427	4.333
15:00 - 16:00	4	427	0.995	4	427	1.054	4	427	2.049
16:00 - 17:00	4	427	1.288	4	427	1.171	4	427	2.459
17:00 - 18:00	4	427	1.932	4	427	1.405	4	427	3.337
18:00 - 19:00	4	427	1.932	4	427	1.756	4	427	3.688
19:00 - 20:00	4	427	2.166	4	427	2.342	4	427	4.508
20:00 - 21:00	4	427	1.112	4	427	1.581	4	427	2.693
21:00 - 22:00	4	427	1.230	4	427	1.874	4	427	3.104
22:00 - 23:00	4	427	0.176	4	427	0.585	4	427	0.761
23:00 - 24:00	3	419	0.000	3	419	0.715	3	419	0.715
Total Rates:			18.556			18.979			37.535

This section displays the trip rate results based on the selected set of surveys and the selected count type (shown just above the table). It is split by three main columns, representing arrivals trips, departures trips, and total trips (arrivals plus departures). Within each of these main columns are three sub-columns. These display the number of survey days where count data is included (per time period), the average value of the selected trip rate calculation parameter (per time period), and the trip rate result (per time period). Total trip rates (the sum of the column) are also displayed at the foot of the table.

To obtain a trip rate, the average (mean) trip rate parameter value (TRP) is first calculated for all selected survey days that have count data available for the stated time period. The average (mean) number of arrivals, departures or totals (whichever applies) is also calculated (COUNT) for all selected survey days that have count data available for the stated time period. Then, the average count is divided by the average trip rate parameter value, and multiplied by the stated calculation factor (shown just above the table and abbreviated here as FACT). So, the method is: COUNT/TRP\*FACT. Trip rates are then rounded to 3 decimal places.

## Parameter summary

Trip rate parameter range selected: 383 - 450 (units: sqm)  
 Survey date range: 01/01/05 - 23/11/15  
 Number of weekdays (Monday-Friday): 0  
 Number of Saturdays: 3  
 Number of Sundays: 1  
 Surveys automatically removed from selection: 0  
 Surveys manually removed from selection: 0

This section displays a quick summary of some of the data filtering selections made by the TRICS® user. The trip rate calculation parameter range of all selected surveys is displayed first, followed by the range of minimum and maximum survey dates selected by the user. Then, the total number of selected weekdays and weekend days in the selected set of surveys are shown. Finally, the number of survey days that have been manually removed from the selected set outside of the standard filtering procedure are displayed.

We note the concerns raised by Midlothian Council supporting the recommendation for refusal. The concerns primarily relate to the intention to provide an on-site parking provision which is less than that specified by Midlothian Council standards, with the suggestion that the level of provision *'may lead to inconsiderate or illegal parking on the surrounding road network to the detriment of road safety'*. This is anecdotal and the opinion of the Officer and would not appear to have been based on any evidence. Using industry standard methodology, as presented within the submitted Transport Statement (appended to this form), would indicate that the proposed parking provision (9 spaces) will be able to accommodate the level of demand generated by the proposed development.

The Transport Statement was submitted in association with the planning application and this demonstrated that the site is in an accessible location, providing excellent opportunity for both patrons and employees to access the site on foot, by bicycle and by public transport, in preference to accessing the site by car. The accessible location will be supported by the provision of parking at a level which is less than that specified by parking standards to further discourage use of the car in accordance with national planning policy. It is also noted that Midlothian Council's parking standards suggest that a degree of flexibility can be adopted in their application for sites in a town centre location adjacent to high frequency quality bus services such as the application site.

Nevertheless, the standards appear to be an outdated minimum based policy which is contrary to current best practice and is not in line with national policy. Indeed, Paragraph 279 of Scottish planning Policy (SPP) states that *'uses should be sited at locations which are well served by public transport, subject to parking restraint policies, and supported by measures to promote the availability of high-quality public transport services.'* This could be seen to be an exact description of this type of site and it is, therefore, surprising that Midlothian Council have refused the application on policy grounds relating to parking. Additionally, national standards identified in SPP, would suggest that a **maximum** provision of 11 spaces is appropriate for a development of the form and scale being proposed. The current proposal, therefore, complies with this standard. The outdated **minimum** standards required by Midlothian Council are contrary to National Policy and could also lead to an exacerbation of any traffic issues in Lasswade by promoting car use, which is again contrary to national policy.

The operator is extremely keen to promote a sustainable development in accordance with local and national planning policy, and all patrons will be advised (at the time of booking) of the limited number of parking spaces available within the site and encouraged to access the site on foot, by bicycle, by bus or by taxi rather than travelling by private car. Indeed, the building entrance is located within 50m of the nearest bus stops to the site, a distance which equates to less than a minute's walk. Furthermore, no spaces will be available for staff use. The operator would be willing to accept a planning condition relating to the provision of a Travel Plan and monitoring which will assist in reducing the level of private vehicle use associated with the site.

It is noted that a concern has also been raised with regard to the operation of the car park in terms of vehicles being able to manoeuvre within the car park and the potential for the access to the adjacent residential dwelling to be blocked. The swept-path analysis presented within the Transport Statement, demonstrated that vehicles can access and leave the car park in a forward gear to address the main concern raised by Midlothian Council. Contrary to the view of Midlothian Council, it is not considered that the car park layout will require vehicles to *'undertake extensive reversing manoeuvres to be able to turn and exit the car park in a forward gear'* and that it provides the most efficient use of the space available to accommodate as many spaces as possible within the site. This is proved in the swept-path analysis which was included within the submitted Transport Statement

and demonstrated that all spaces can be accessed using standard parking manoeuvres. The operator will monitor the use of the car park, with any instances of illegal parking, including blocking of the access to the adjacent residential dwelling being promptly addressed. If required, road markings could be introduced to highlight the location of the access and dissuade vehicles from parking in this location. It is very surprising given the inconsistencies with OS mapping, that a concern has been raised over parking bay lengths. Notwithstanding this, there is sufficient space within the site to provide spaces of 4.8m x 2.4m to meet with accepted minimum standards as set out by Midlothian Council.

The submitted Transport Statement included an estimate of the level of parking demand generated by the restaurant to determine the level of parking which would be required to accommodate the anticipated operational needs of the development. This exercise demonstrated that the anticipated demand determined using empirical trip generation data, can be accommodated within the site and it is, therefore, considered that the provision of parking at a level which accords with Midlothian Council, will result in an over-provision of spaces which may even attract a greater number of vehicle trips to access the site. Indeed, the analysis did not take cognisance of the intention to promote the use of sustainable modes of travel when accessing the site and it is, therefore, expected that the identified demand is likely to be greater than that achieved by the operational restaurant. The level of parking which is being proposed, is considered to be appropriate to meet the anticipated demand.

The conclusion of the Transport Statement which was based on analysis of the development's operation, therefore, remains valid and it is considered the site is suitable to accommodate a development of the form and scale which is being proposed while at the same time promoting a sustainable development in accordance with local and national planning policy.

The decision notice considers that the lack of adequate parking will have a significant detrimental impact on the character and amenity of the surrounding area and is contrary to policies RP20 of the adopted Midlothian Local Plan and DEV2 of the proposed Midlothian Local Development Plan. Given the Transport Statement, provided as part of the application, states that parking provision for this size of development can be accommodated within the spaces provided, it is considered that there will be no detrimental impact on the character and amenity of the surrounding area. Indeed, it is considered that bringing a derelict, unused building back into operation will actually enhance the character of the area by preserving the built environment within the designated Conservation Area. Deterioration of the external fabric will result in an unattractive external appearance, which would be a detriment to the character and appearance of the area. The change of use proposed would bring an attractive building with frontage on the High Street back into use and would retain the visual character of the area in accordance with policies RP20 of the adopted Midlothian Local Plan and DEV2 of the proposed Midlothian Local Development Plan.

We therefore request a review of the planning decision made by Midlothian Council at Local Review Body

**MIDLOTHIAN COUNCIL****DEVELOPMENT MANAGEMENT  
PLANNING APPLICATION DELEGATED WORKSHEET:****Case Officer:** Graeme King **Site Visit Date:** 28/08/2017**Planning Application Reference:** 17/00636/DPP**Site Address:** 14 High Street, Lasswade

**Site Description:** The application site is an existing office building and associated car park situated within the centre of Lasswade. The building is a single storey laundry building dating from the 19<sup>th</sup> Century. The walls are stone and the roof is finished with slate. The building was converted to an office in 2006 and a modern extension was added to the building in 2008. The extension is a contemporary design with flat roof and timber cladding. The existing tarmac car park is laid out with 8 parking spaces. The building has been vacant since August 2016.

To the West the site is bounded by Lasswade High Street. To the East the site is bounded by the River North Esk. To the North is a detached dwellinghouse. To the South is an area of landscaped public open space beyond which is a terrace of dwellinghouses fronting onto the High Street. The houses to the South have a vehicular access through the car park of the application site. The site is within Lasswade and Kevoek Conservation Area.

**Proposed Development:** Change of Use from Office (Class 4) to Restaurant (Class 3) and installation of roof vent

**Proposed Development Details:** It is proposed to change the use of the building to a restaurant. The proposed floor plan submitted with the application shows a seating layout with 66 covers. The application form states that 9 car parking spaces will be provided. The application is supported by a Planning Statement and a Transport Statement; they both refer to 9 car parking spaces being provided. The proposed site plan submitted with the application shows 8 car parking spaces being provided. The only external change proposed is a vent in the roof of the North elevation.

**Background (Previous Applications, Supporting Documents, Development Briefs):**

14 High Street:

04/00352/FUL - Change of use from laundry to form two dwellinghouses, including associated extension and alterations. Refused

05/00530/FUL - Erection of decking, installation of rooflights and other external alterations. Consent with conditions.

07/00905/FUL - Erection of extension to existing office building. Consent with conditions

17/00046/DPP - Change of Use from Office (Class 4) to Restaurant (Class 3) and installation of roof vent. Application withdrawn

16 High Street:

13/00669/DPP - Change of use from dwellinghouse (class 9) to office (class4) and formation of car parking. Consent with conditions

16/00358/DPP - Change of use from office (Class 4) to dwellinghouse (Class 9). Consent with conditions

17/00072/DPP - Installation of rooflight and replacement windows and door; formation of bifold doors and new door opening; erection of fence and gates. Consent with conditions

Land West of the Laird and Dog Hotel, High Street:

16/00727/DPP - Erection of 9 dwellinghouses; formation of new access road and car parking and associated works. Refused (Appeal in progress)

30 School Green:

07/00728/FUL - Erection of two dwellinghouses. Refused

**Consultations:** The Council's **Environmental Health** Manager does not object to the application however the response notes that there is potential for noise disturbance to the neighbouring residential property at 16 High Street; and the potential for loss of amenity due to cooking odour smells. Should planning permission be granted it is recommended that any consent include conditions relating to noise outputs from plant, machinery or equipment; the soundproofing of the premises; and relating to the specification of the ventilation system. The response also notes that the application has been referred to the Food, Health & Safety Team; no further comment was provided.

The Council's **Policy and Road Safety** Manager has no objection to the principle of the proposal but has road safety concerns over the access and parking arrangements. The response notes that the proposed site layout shows 8 parking spaces and that the Council's parking standards require a minimum parking requirement of 18 spaces for a restaurant of this size. The low level of parking may result in customers arriving by private car, being unable to find a parking space and parking on the road or at nearby junctions.

The proposed internal layout of the car park with of 2 of the proposed spaces requiring drivers to undertake extensive reversing manoeuvres to be able to turn and exit the car park in a forward gear. As the car park also provides vehicle access for adjacent private dwellings any congestion or inconsiderate parking within the car park could result in access to the private driveway being blocked.

The proposal falls well short of the minimum parking requirement for a restaurant of this size which may lead to inconsiderate or illegal parking on the surrounding road

to the detriment of road safety. The Policy and Road Safety Manager recommends that the application be refused.

**Bonnyrigg and Lasswade Community Council** offered neutral comments on the proposal. The response notes that noise and disturbance to local residents should be limited by the licensing system. The response states that the Community Council considers parking to be the major constraint on the site. It is noted that the site does not have enough parking spaces but on the other hand the public car park is underutilised. The response states that the former office use of the building employed approximately 60 staff without parking problems. It is suggested that the lack of parking will encourage active transport solution such as walking and cycling. The response concludes by stating that the Community Council would like to see a continuing commercial use for the building and to achieve that accept that the parking situation is not ideal.

**Representations:** Fourteen objections have been received. The grounds for objection are as follows:

- Loss of amenity due to noise and cooking smells
- Lack of parking
- Detrimental impact on the character of Lasswade
- The increase in traffic associated with the proposal
- The impact on an existing right of vehicular access, for neighbouring residential properties, through the car park
- The lack of space for vehicle manoeuvring
- Road safety
- Queries over the relevance and accuracy of the supporting information
- Lasswade is already well served by restaurants
- Lasswade is not conducive to cycling due to its topography
- Lack of information on flood risk
- Many of the comments in support of the application are not from local residents

There have been 50 comments in support of the application. The grounds for supporting the proposal are as follows:

- Creation of new jobs
- Good public transport links
- Within walking distance for many people
- An empty building will be brought back into use
- Improved choice of restaurants within Midlothian
- Small/local businesses should be supported

**Relevant Planning Policies:** The adopted development plan is the **Midlothian Local Plan 2008 (MLP)**. The following policies are relevant to this application:



**Policy RP20: Development within the Built-up Area** states that development will not be permitted within the built-up area where it is likely to detract materially from the existing character or amenity of the area.

**Policy RP22: Conservation Areas** seeks to prevent development which would have any adverse effect on the character and appearance of Conservation Areas.

**Policy DP7: Control of Class 3 (Food and Drink) Uses and Hot Food Takeaway Shops** states that applications for restaurants solely for the consumption of food and drink on the premises will be considered on their individual merits, taking into account such factors as the size of the proposed establishment; its relationship to adjoining uses and, in particular, residential properties; its relationship to other relevant planning policies; and its likely traffic generation and parking provision.

The **Midlothian Local Development Plan (MLDP)** was submitted to the Scottish Ministers for examination on 09 September 2016. The Examination Report was received in July 2017 with formal adoption anticipated for late 2017. As this plan is at an advanced stage of preparation it represents the settled view of the Council and is therefore a material consideration of significant weight in the assessment of applications. The following policies in the MLDP are relevant to this application:

**Policy DEV2: Development within the Built-up Area** states that development will not be permitted within existing and future built-up areas where it is likely to detract materially from the existing character or amenity of the area.

**Policy ENV19: Conservation Areas** seeks to prevent development which would have any adverse effect on the character and appearance of Conservation Areas.

**Planning Issues:** The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. Any representations and consultation responses received are material considerations.

Historically Lasswade functioned as village/town centre that served various small settlements in the surrounding area. The centre formerly contained functions such as schools, a bank, shops, a registry office, a garage and various mill buildings; many of these functions moved to neighbouring settlements, in particular Bonnyrigg, during the 20<sup>th</sup> Century. The office building that is the subject of this application; a photographer's studio; a children's nursery; and two pub/restaurants are the only non-residential uses that remain within the centre of Lasswade. Retaining the building in a non-residential use would help to retain the character of Lasswade as a destination that draws people from the surrounding area. The existing building is a discrete but attractive building that enhances the character of the surrounding area: the proposed use would retain the external appearance of the building and would not have a detrimental impact on the visual appearance of the conservation area.

The Northern elevation of the building faces directly onto the driveway of the neighbouring house at no.16; while the boundary between the properties is marked by a line of kerbing there is no obvious physical barrier between the 2 separate curtilages. The space between the 2 curtilages varies from approximately 0.3m to



approximately 1m. The application subjects have 4 windows and a door that open onto the garden of the neighbouring house. The close proximity of the 2 properties raises issues with regard to the loss of amenity to the occupants of the house due to noise and smell; the occupants of the house have objected to the application. The Planning Statement submitted in support of the application states that the elevation of the house which is closest to the application subjects does not contain habitable rooms; the occupant of the house disputes this and states that there are 2 bedrooms with external walls on that elevation. The Planning Statement also states that it is not possible to provide boundary demarcation between the properties due to the location of the vehicular access for no.16; the site plans submitted with the current application show a driveway width of 7.5m at no.16 which suggests that a solid boundary to attenuate noise would be possible.

The response from the council's Environmental Health notes the validity of the concerns raised regarding loss of amenity but goes on to recommend conditions that could mitigate against the loss of amenity. The conditions would ensure that the loss of amenity would not be significant enough to warrant refusal of the application; it is worth noting that the pub/restaurant on the opposite side of the High Street (the Laird and Dog) also abuts the garden of a residential property.

Lasswade High Street is a busy classified road that forms one of the main entry points into Midlothian from Edinburgh. The High Street is relatively narrow and follows a winding route as it drops into and out of the valley of the River North Esk; the narrow and twisting nature means that there is almost no on street parking available on the High Street. Most residential properties in the centre of Lasswade rely on their own off-street parking. The 2 existing pub/restaurants within Lasswade are longstanding uses that predate the adoption of the Council's current parking standards; notwithstanding this both of the premises benefit from significantly larger car parks than that of the application subjects. It should be noted that despite the parking available the pub/restaurant on West Mill Road (The Paper Mill) generates a significant demand for on street parking and this has proven to be an issue for local residents.

The Council's current parking standards were adopted by the Council in March 2015 and came into force in May 2015. The standards for restaurants are based on the public floor area of restaurants and require 12 spaces per 100 sqm or part thereof. The proposed internal layout of the restaurant has a public floor area of 150sqm and therefore the restaurant would be expected to provide 18 car parking spaces. The current car parking layout provides 8 spaces; these spaces comprise 6 perpendicular spaces and 2 parallel spaces. The site plan submitted with the application shows a different proposed layout which also provides 8 spaces; these spaces comprise 8 perpendicular spaces. A layout shown in the Transport Statement shows 9 spaces; these comprise 8 perpendicular spaces and 1 parallel space.

When considering the acceptability of these layouts it is necessary to consider the minimum dimensions for a car parking space, as set out in the Council's parking standards and the Scottish Government's Policy Statement "Designing Streets". The desirable dimensions for a car parking space are 5m long and 2.5m wide with an acceptable absolute minimum of 4.8m long and 2.4m wide. Parallel parking typically requires spaces 2m wide and 6m long; however these dimensions assume that cars

will be parked on a street rather than parallel to a wall as happens at the application site. To provide convenient access to perpendicular spaces a roadway width of 6m is desirable; reduction of the roadway width will require vehicles to make multiple movements to enter spaces.

The existing perpendicular spaces at the application site are situated perpendicular to the main section of the building; these spaces are 2.4m wide and 4.7m long. The parallel spaces are situated adjacent to the low stone wall that separates the application site from the public open space to the South; these spaces are 5.1m long and 2.4m wide. The roadway separating the spaces is 5.2m wide. The proposed layouts shown on the proposed site plan and the Transport Statement include 2 perpendicular spaces to the South of the modern extension. Measurements on site indicate that this space is 4.6m wide and 4.7m long; it is not possible to deliver acceptable sized spaces at this location without partially blocking the existing right of access to the neighbouring residential properties. It is clear from these figures that the dimensions of the existing car parking layout are sub-standard; to deliver acceptable dimensions the maximum number of spaces that could be delivered is 6.

As noted above, to comply with the Council's Parking Standards a restaurant of this scale would require 18 car parking spaces; the maximum achievable number of acceptably dimensioned spaces with acceptable access arrangements is 6 car parking spaces. The achievable parking provision represents 33% of the necessary standard. A provision of this level would result in congestion and unnecessary vehicle movements as diners sought parking spaces only to discover that none are available. Council Members expressed concern at traffic congestion within Lasswade and the potential for further development to exacerbate when the planning committee considered application 16/00727/DPP (a site situated on the opposite side of the High Street from the application site) and this was one of the reasons for refusal of that application. Approval of the current application with its very obviously sub-standard parking provision would run contrary to the clearly expressed will of the Council Members.

The application is supported by a Planning Statement and a Transport Statement. These documents include information from the TRICS (Trip Rate Information Computer System) database; this is a UK wide system of trip generation analysis that is widely used by transport planners and engineers throughout the UK. The available trip generation data forecasts that the proposed restaurant would generate a maximum demand of 9 spaces on weekdays and 6 spaces on Saturdays. While Midlothian Council acknowledges the benefits of TRICS data the Council is confident that the current Parking Standards reflect current demand for parking within Midlothian.

Both statements submitted suggest that additional parking provision could be accommodated via the existing public car park that serves the public park in Lasswade. The car park for the public park is situated on the opposite bank of the River North Esk and would be accessed via the existing footpath and pedestrian bridge. The public car park is approximately 100m from the application subjects, on foot, and approximately 300m from the application subjects by car; it would be unrealistic to expect customers to use this car park. In addition the car park is

accessed via narrow road with poor visibility splays; increased use of this car park would exacerbate the existing traffic congestion problems within Lasswade.

The SEPA Flood Risk Map indicates that the eastern portion of the application site is at high risk from river flooding. SEPA's standing advice for Planning Authorities advises that in the case of changes of use the Land Use Vulnerability Categorisation of the existing and proposed use should be used to determine whether or not a Flood Risk Assessment is required. Both the existing office use and the proposed restaurant use are considered by SEPA to be Less Vulnerable Uses; as the change of use will not result in an increase in vulnerability a Flood Risk Assessment is not required.

It is clear that the application subjects can provide only 33% of the minimum parking standard. Given the lack of parking on Lasswade High Street a restaurant with insufficient dedicated parking would be likely to result in dangerous and inconsiderate parking that would have a significant detrimental impact on the character, appearance and amenity of the surrounding area.

**Recommendation:** Refuse planning permission

**Reason for refusal:** The number of car parking spaces proposed for the development is significantly below that specified in the Midlothian Council Parking Standards. In addition it has not been satisfactorily demonstrated that the proposed spaces will meet the minimum car parking space sizes specified in the said Standards. Lack of adequate parking will have a significant detrimental impact on the character and amenity of the surrounding area. The proposal is therefore contrary to policies RP20 of the adopted Midlothian Local Plan and DEV2 of the proposed Midlothian Local Development Plan.

## Refusal of Planning Permission

Town and Country Planning (Scotland) Act 1997

**Reg. No. 17/00636/DPP**

Cundall  
Partnership House  
4th Floor  
Regent Farm Road  
Newcastle Upon Tyne  
NE3 3AF

Midlothian Council, as Planning Authority, having considered the application by Mrs Louise Toye, 14 High Street, Lasswade, EH18 1ND, which was registered on 18 August 2017 in pursuance of their powers under the above Acts, hereby **refuse** permission to carry out the following proposed development:

**Change of use from office (class 4) to restaurant (class 3) and installation of roof vent at 14 High Street, Lasswade, EH18 1ND**

In accordance with the application and the following documents/drawings:

<u>Document/Drawing.</u>	<u>Drawing No/Scale</u>	<u>Dated</u>
Location Plan	1041-01A 1:1250	18.08.2017
Existing Site Plan	1041-02 1:200	18.08.2017
Proposed Site Plan	1041-02E 1:200	18.08.2017
Existing Floor Plan	1041-03 1:50	18.08.2017
Existing Elevations	1041-04 1:100	18.08.2017
Proposed Floor Plan	1041-05B 1:50	18.08.2017
Proposed Elevations	1041-06A 1:100	18.08.2017
Planning Statement		18.08.2017
Transport Statement		18.08.2017
Transport Statement Addendum		22.09.2017

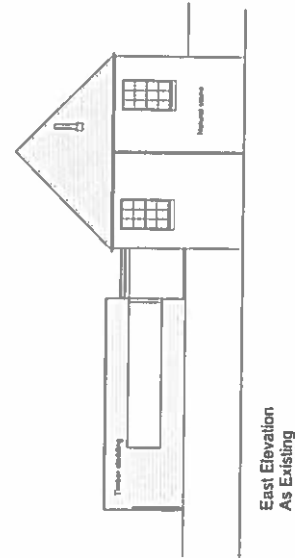
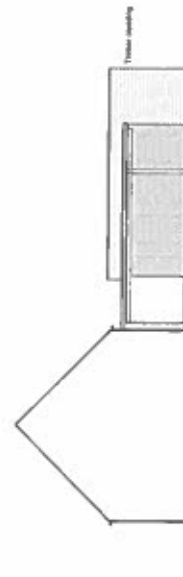
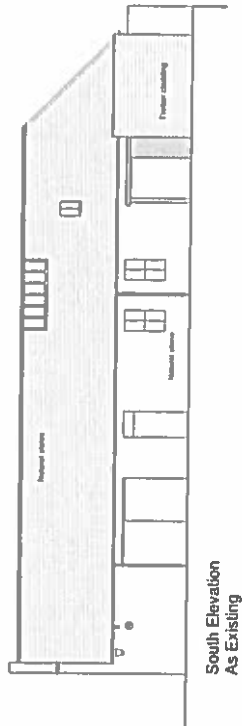
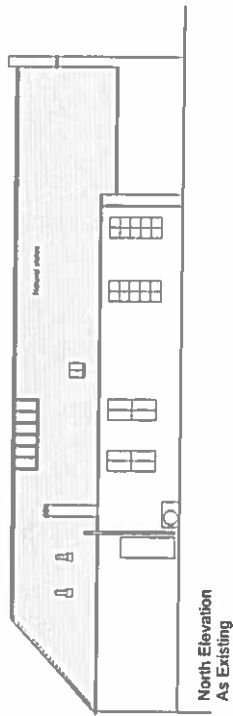
The reason for the Council's decision is set out below:

1. *The number of car parking spaces proposed for the development is significantly below that specified in the Midlothian Council Parking Standards. In addition it has not been satisfactorily demonstrated that the proposed spaces will meet the minimum car parking space sizes specified in the said Standards. Lack of adequate parking will have a significant detrimental impact on the character and amenity of the surrounding area. The proposal is therefore contrary to policies RP20 of the adopted Midlothian Local Plan and DEV2 of the proposed Midlothian Local Development Plan.*

Dated 13 / 10 / 2017

A handwritten signature in black ink, appearing to be 'DR' with a stylized flourish.

.....  
Duncan Robertson  
Lead Officer – Local Developments  
Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN



Approved  
M 201915 Preliminary  
A1 240017 Planning

Planning

**Ford Design Ltd**

Architecture Planning Supervision

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North Street E10 4LN  
Tel 01620 854174  
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Client  
Mrs L. Tope  
14 High Street  
LASSWADE  
EH18 1ND

Project  
Proposed Alterations to  
14 High Street  
LASSWADE  
EH18 1ND

Drawing Title  
ELEVATIONS AS EXISTING

Scale  
1:100 @ A1

Date  
24 Jan 2017

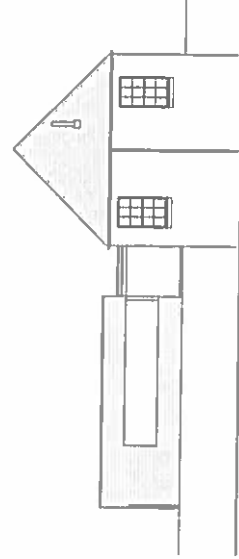
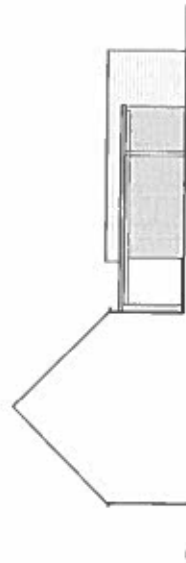
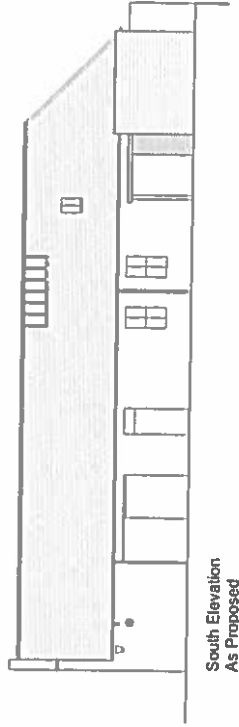
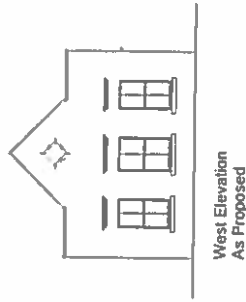
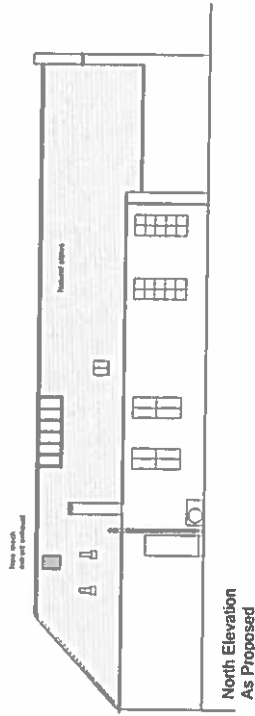
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EAO

Project No Drawing No Revision

1041 04

APPENDIX E



Revisions  
1/1/2017  
A

1/1/2017  
A

Planning

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Client  
Mrs L. Tong  
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Project  
Proposed Alterations to  
14 High Street  
LASSWADE  
EH18 1ND

Drawing Title  
ELEVATIONS AS PROPOSED

Date  
7 Aug 2017

Scale  
1:100 @ A1

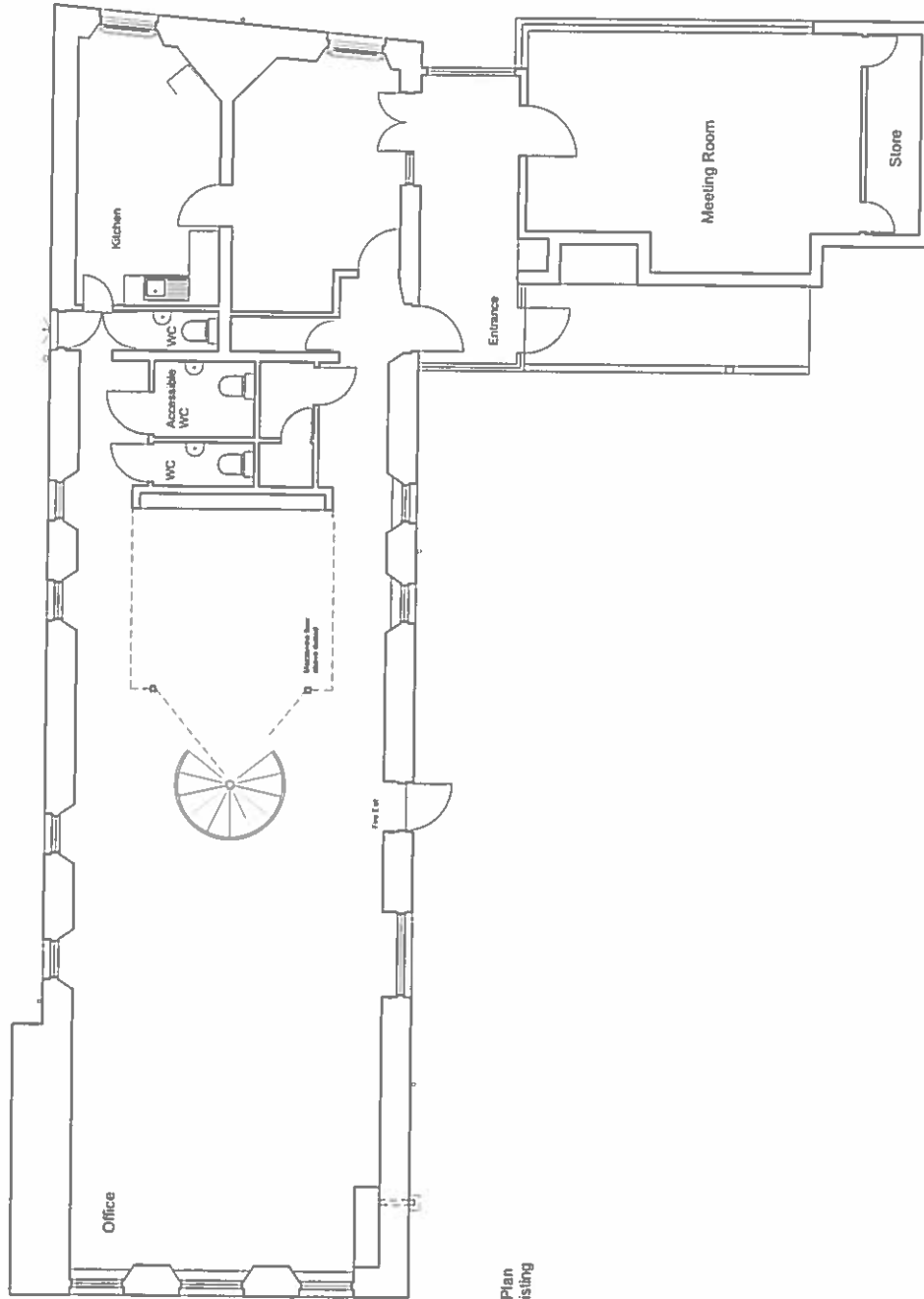
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Checked

Project No  
1041

Drawing No  
06

Revision  
A



⌚ Floor Plan  
As Existing  
1:50

Revisions:  
R1 22/12/16 Preliminary  
R2 24/01/17 Planning

## Planning

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Client

Mrs L. Toye  
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LASSWADE  
EH18 1ND

Project

Proposed Alterations to  
14 High Street  
LASSWADE  
EH18 1ND

Drawing Title

PLAN AS EXISTING

Date

Scale

24 Jan 2017 1:50 @ A1

Drawn

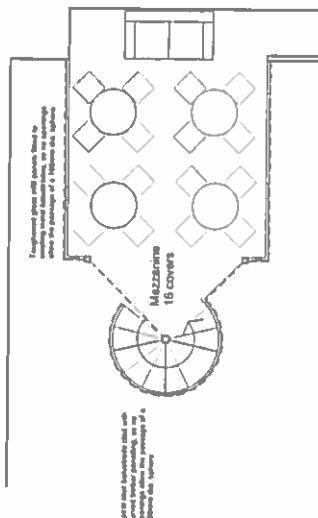
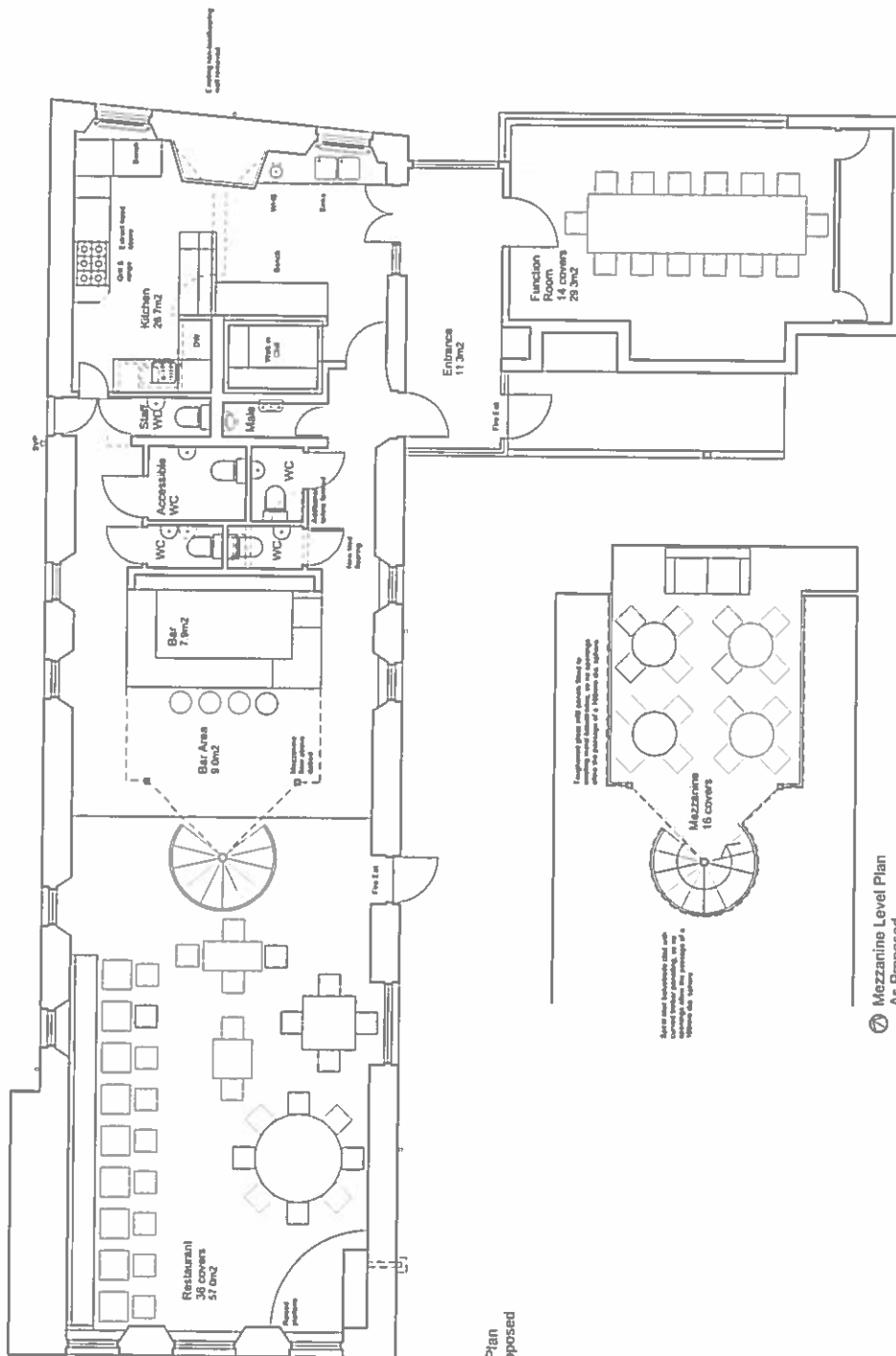
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EAC

Project No. Drawing No. Revision

**1041 03**





Revisions
F0 23-0117 Preliminary
F1 26-0117 Planning
A 22-0217 Small house upon added
B 09-0817 Family & children's needs studied

## Planning

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reducing noise

Mrs L Toye  
14 High Street  
LASSWADE  
EH12 1ND

Project  
Proposed Alterations to  
14 High Street  
LASSWADE  
EH18 1ND

**Brewing Tip**

PLAN A\$ PROPOSED

1

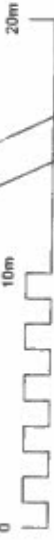
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148051 1500 AI

Checked

Project No. Drawing No. Revision

1041 05 B



War  
Memorial

FB

River North Esk

Fence  
(existing)

Bin  
Store

Locked  
gate

Fence  
(existing)

Tarmac

Covered Ramp  
to Entrance

Fire  
exit

Car park

Existing  
access

14

HIGH STREET

① Site / Block Plan  
1:200

Prepared  
C

Revised  
17

Planning

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Client  
Mrs L Tope  
14 High Street  
LASSWADE  
EH18 1ND

Project  
Proposed Alterations to  
14 High Street  
LASSWADE  
EH18 1ND

Drawing Title  
BLOCK PLAN

Date  
8 Aug 2017

Scale  
1:200 @ A3

Drawn  
Checked

EAD

Project No  
1041

Drawing No  
02

Revision  
E