



**PRE - APPLICATION REPORT REGARDING MIXED USE
DEVELOPMENT COMPRISING OFFICES, STORES, GARAGE AND
WORKSHOPS, ENTERPRISE BUSINESS UNITS, PARKING AND
ANCILLARY FACILITIES AT LAND WEST OF BURNBRAE TERRACE,
BONNYRIGG (17/00721/PAC)**

Report by Head of Communities and Economy

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of a pre-application consultation submitted on behalf of Midlothian Council regarding a proposed mixed use development comprising offices, stores, garage and workshops, enterprise business units, parking and ancillary facilities at land west of Burnbrae Terrace, Bonnyrigg.
- 1.2 The pre-application consultation is reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlines the proposal, identifies the key development plan policies and material considerations and states a provisional without prejudice planning view regarding the principle of development.

2 BACKGROUND

- 2.1 Guidance on the role of Councillors in the pre-application process, published by the Commissioner for Ethical Standards in Public Life in Scotland, was reported to the Committee at its meeting of 6 June 2017. The guidance clarifies the position with regard to Councillors stating a provisional view on proposals at pre-application stage.
- 2.2 A pre-application consultation for mixed use development comprising offices, stores, garage and workshops, enterprise business units, parking and ancillary facilities at land west of Burnbrae Terrace, Bonnyrigg was submitted on 12 September 2017.
- 2.3 As part of the pre-application consultation, public drop in sessions took place at Burnbrae Primary School on Thursday 28 September and Thursday 26 October 2017, from 3pm to 7pm; and at Lasswade Library on Saturday 30 September and Saturday 28 October 2017, from 2pm to 5pm. On the conclusion of the public event and the 12 week pre application consultation engagement period the applicant could submit a planning application for the proposal. It is reasonable for an Elected

Member to attend such a public event without a Council planning officer present, but the Member should (in accordance with the Commissioner's guidance reported to the Committee at its meeting in June 2017) not offer views, as the forum for doing so will be at meetings of the Planning Committee.

- 2.4 Copies of the pre application notices have been sent by the prospective applicant to Poltonhall and District Community Council and Bonnyrigg and Lasswade Community Council.

3 PLANNING CONSIDERATIONS

- 3.1 In assessing any subsequent planning application the main planning issue to be considered in determining the application is whether the currently proposed development complies with development plan policies unless material planning considerations indicate otherwise.
- 3.2 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Development Plan 2017 (MLDP).
- 3.3 The site is bounded by the B6392 'Bonnyrigg Bypass' to the south, agricultural land to the west; and otherwise by the wider 'Hopefield' residential development currently under construction, Burnbrae Terrace and Little Wood Grove being completed and adjoining the site to the east and north respectively. Across the B6392 to the south is more agricultural land.
- 3.4 The site has been laid out with service roads, accessed from a single point on Burnbrae Terrace; with street lighting, surface water drainage features and surrounding structural landscaped bunds. The bunds are not currently within the control of the Council. The site is otherwise in a condition awaiting development.
- 3.5 No further details of the proposal have been submitted with the pre-application consultation.
- 3.6 The MLDP identifies the site as a 5 hectare (i.e. excluding the bunds) committed economic development site (e16). In terms of development considerations, the MLDP states that "development will need to be suitable for a location close to housing. To assist in safeguarding the amenity of neighbouring housing, acceptable uses [are] business (Class 4) alone. This will reduce the potential for neighbour conflict, but continue to provide scope for local jobs". The MLDP identifies the site as being within the built-up area of Bonnyrigg. Any subsequent application will be subject to assessment against policies STRAT1: Committed Development; DEV2: Protecting Amenity within the Built-Up Area; DEV5: Sustainability in New Development; DEV6: Layout and Design of New Development; DEV7: Landscaping in New Development; ECON1: Existing Employment Locations; TRAN1: Sustainable Travel; TRAN5: Electric Vehicle Charging; IT1: Digital Infrastructure; ENV9: Flooding; ENV10: Water Environment; NRG6:

Community Heating; IMP1: New Development; IMP2: Essential Infrastructure Required to Enable New development to Take Place; and IMP3: Water and Drainage.

- 3.7 Offices, business units, industrial activities/processes and associated uses which do not have a detrimental impact on residential amenity by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit can be classed as a 'Class 4 business use' and are therefore compatible with the site's allocation in the MLDP and acceptable in principle.
- 3.8 With regard the assessment of any planning application for the proposed uses which fall outwith 'Class 4 business use', such as storage and vehicle repairs, consideration of the impact on the amenity of neighbouring housing will be a significant material consideration. Employment uses outwith Class 4 could potentially be considered acceptable if they do not have a detrimental impact on neighbouring residential amenity and if they are integral to the development of the site as a whole.

4 PROCEDURES

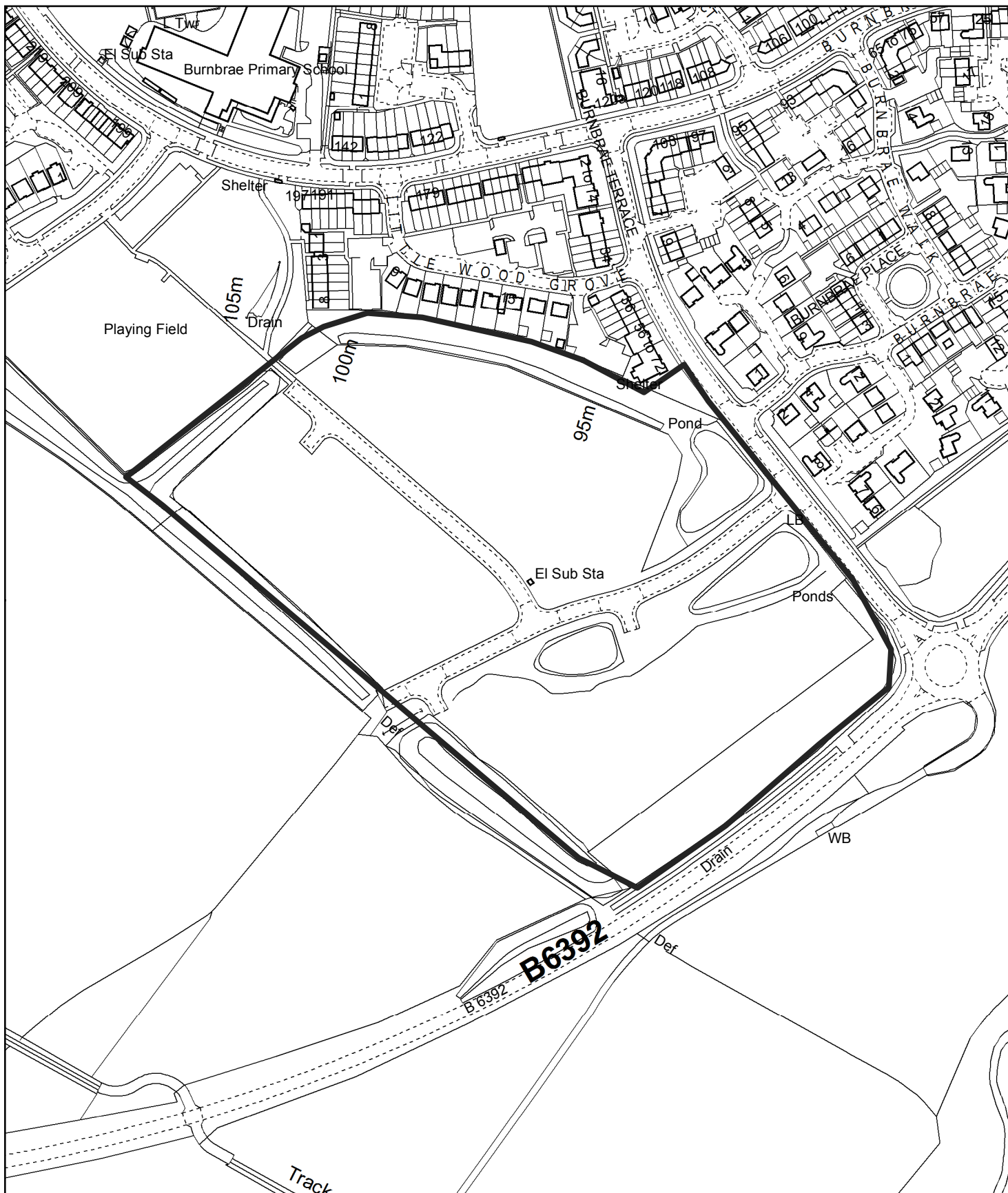
- 4.1 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures provides for Councillors to express a 'without prejudice' view and to identify material considerations with regard to a major application.
- 4.2 The Committee is invited to express a 'without prejudice' view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.
- 4.3 The Scottish Government's Guidance on the Role of Councillors in Pre-Application Procedures advises that Councillors are expected to approach their decision-making with an open mind in that they must have regard to all material considerations and be prepared to change their views which they are minded towards if persuaded that they should.

5 RECOMMENDATION

- 5.1 It is recommended that the Committee notes:
- a) the provisional planning position set out in this report;
 - b) that any comments made by Members will form part of the minute of the Committee meeting; and
 - c) that the expression of a provisional view does not fetter the Committee in its consideration of any subsequent formal planning application.

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Date: 22 December 2017
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Land West of Burnbrae Terrace, Bonnyrigg

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