

# Notice of Meeting and Agenda



## Planning Committee

**Venue:** Council Chambers,  
Midlothian House, Dalkeith, EH22 1DN

**Date:** Tuesday, 19 November 2019

**Time:** 13:00

**Executive Director : Place**

**Contact:**

Clerk Name: Mike Broadway

Clerk Telephone: 0131 271 3160

Clerk Email: [mike.broadway@midlothian.gov.uk](mailto:mike.broadway@midlothian.gov.uk)

**Further Information:**

This is a meeting which is open to members of the public.

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## **1 Welcome, Introductions and Apologies**

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## **2 Order of Business**

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Including notice of new business submitted as urgent for consideration at the end of the meeting.

## **3 Declaration of Interest**

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Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **4 Minute of Previous Meeting**

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- 4.1** Minute of Meeting held on 8 October 2019 - For Approval 5 - 12

## **5 Public Reports**

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- 5.1** Implementing the Planning (Scotland) Act 2019 - Report by Director, Education, Communities and Economy. 13 - 16

- 5.2** Major Applications: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage – Report by Director, Education, Communities and Economy. 17 - 22

- 5.3** Appeals and Local Review Body Decisions - Report by Director, Education, Communities and Economy. 23 - 24

- 5.4** Gorebridge Conservation Area Character Appraisal and Management Plan - Report by Director, Education, Communities and Economy. 25 - 50

Applications for Planning Permission Considered for the First Time – Reports by Director, Education, Communities and Economy

- 5.5** Section 42 Application to Remove Condition 15, for the Prior Approval of the Details of the Provision and Use of Electric Vehicle Charging Stations throughout the Development, Imposed on a Grant of Planning Permission (17/00968/DPP) for Residential Development on Land 470m West of Corby Craig Terrace, Bilston, Roslin (19/00432/S42). 51 - 62

- 5.6** Application for Planning Permission for the Erection of Three Dwellinghouses; Formation of Access and Associated Works at Land Adjacent to 94 Edmonstone Road, Danderhall (19/00648/DPP). 63 - 76

## **6 Private Reports**

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No Private Reports for discussion at this meeting.

## **7 Date of Next Meeting**

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The next meeting will be held on Tuesday 14 January 2020 at 1.00pm.

Plans and papers relating to the applications on this agenda can also be viewed at <https://planning-applications.midlothian.gov.uk/OnlinePlanning/>.



# Minute of Meeting



## Planning Committee

Date	Time	Venue
8 October 2019	1.00 pm	Council Chambers, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Imrie (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Hardie
Councillor Johnstone	Councillor Lay-Douglas
Councillor Milligan	Councillor Muirhead
Councillor Munro	Councillor Parry (via video link)
Councillor Russell	Councillor Small

### In Attendance:

Mary Smith, Director, Education, Communities and Economy	Peter Arnsdorf, Planning Manager
Alan Turpie, Legal Services Manager	Jim Gilfillan, Consultant Policy & Planning, Policy & Road Safety
Mike Broadway, Democratic Services Officer	

## 1. Apologies

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Apologies for absence were intimated on behalf of Councillors Baird, McCall, Wallace and Winchester.

## 2. Order of Business

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The order of business was as outlined in the agenda.

## 3. Declarations of interest

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Councillor Alexander (non-pecuniary) declared an interest in agenda item 5.3 - Pre-Application Consultation on Proposed Holiday Resort Development at Land at Drummond Moor Landfill Site, Rosewell (19/00626/PAC) – on the grounds that the proposed development could potentially impact on her property and for this reason, she intended not to take part in consideration of the application and would withdraw from the meeting.

## 4. Minutes of Previous Meetings

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The Minute of Meeting of 27 August 2019 were submitted and approved as a correct record.

## 5. Reports

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Agenda No	Report Title	Presented by:
5.1	Major Applications: Applications Currently Being Assessed and Other Developments at Pre-Application Consultation Stage	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted a report dated 1 October 2019 by the Director, Education, Communities and Economy updating the Committee with regard to 'major' planning applications, formal pre-application consultations by prospective applicants, and the expected programme of applications due for reporting to the Committee.</p> <p>The current position with regard to 'major' planning applications and formal pre-application consultations by prospective applicants was outlined in Appendices A and B attached to this report.</p>		
<b>Decision</b>		
<p>The Committee, having heard from the Planning Manager who responded to Members questions, noted the major planning application proposals which were likely to be considered by the Committee in 2019/20 and the updates for each of the applications.</p>		
<b>Action</b>		
Planning Manager		

Agenda No	Report Title	Presented by:
5.2	Appeals and Local Review Body Decisions	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted a report dated 1 October 2019 by the Director, Education, Communities and Economy informing the Committee of the notices of review determined by the Local Review Body (LRB) at its meeting in September 2019 and advising that there were no appeals determined by Scottish Ministers to report.</p>		
<b>Decision</b>		
<p>The Committee noted the decisions made by the Local Review Body at its meetings on 10 September 2019.</p>		
<b>Action</b>		
<p>Planning Manager</p>		

Sederunt
<p>With reference to item 3 above, Councillor Alexander, having declared a non-pecuniary interest in the following item of business, left the meeting at 1.04 pm, taking no part in the consideration thereof.</p>

Agenda No	Report Title	Presented by:
5.3	Pre-Application Consultation on Proposed Holiday Resort Development at Land at Drummond Moor Landfill Site, Rosewell (19/00626/PAC)	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report, dated 1 October 2019, by the Director, Education Communities and Economy advising that a pre application consultation had been submitted regarding a proposal for a holiday resort at Drummond Moor Landfill Site, Rosewell. (19/00626/PAC).</p> <p>The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' view on the proposed major development. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of development for the Committee's consideration.</p>		
<b>Decision</b>		
<p>The Committee, having heard from the Planning Manager, noted:</p> <p>(a) The provisional planning position set out in the report;</p>		

<p>(b) That the potential for developer contributions arising from this proposed development would be explored as part of the formal assessment process once an application was received; and</p> <p>(c) That the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.</p>
<b>Action</b>
Planning Manager

<b>Sederunt</b>
Councillor Alexander re-joined left the meeting follow conclusion of the foregoing item of business at 1.07 pm.

Agenda No	Report Title	Presented by:
5.4	Pre-Application Consultation on Proposed Residential Development with Associated Infrastructure at Land North of Seafield Road, Bilston (part of Site HS16) (19/00641/PAC).	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report, dated 1 October 2019, by the Director, Education Communities and Economy advising that a pre application consultation had been submitted regarding a proposed residential development with associated engineering works, open space and landscaping at land north of Seafield Road, Bilston (19/00641/PAC).</p> <p>The report advised that in accordance with the pre-application consultation procedures noted by the Committee at its meeting on 6 June 2017 (paragraph 5.8 refers) the pre application consultation was being reported to Committee to enable Members to express a provisional 'without prejudice' view on the proposed major development. The report outlined the proposal, identified the key development plan policies and material considerations and stated a provisional without prejudice planning view regarding the principle of development for the Committee's consideration.</p>		
<b>Decision</b>		
<p>The Committee, having heard from the Planning Manager, noted:</p> <p>(a) The provisional planning position set out in the report; and</p> <p>(b) That the expression of a provisional view did not fetter the Committee in its consideration of any subsequent formal planning application.</p>		
<b>Action</b>		
Planning Manager		

Agenda No	Report Title	Presented by:
5.5	Application for Planning Permission for the Erection of 91 Dwellinghouses; Formation of Access Roads; SUDS Feature and Associated Works (Amendment to Development Layout, House Numbers and House Types Approved in terms of planning permission 17/00068/DPP) at Land between Deanburn and Mauricewood Road, Penicuik (19/00727/DPP).	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report, dated 1 October 2019, by the Director, Education, Communities and Economy concerning the above application.</p>		
<p>Having heard from the Planning Manager, the Committee in discussing the proposed development, noted that the relevant development plan policies as set out in the Midlothian Local Development Plan 2017 relating to affordable housing had been met, albeit as part of the overall development of the area.</p>		
<b>Decision</b>		
<p>The Committee agreed to grant planning permission for the following reason:</p>		
<p><i>The proposed development site is identified as being part of the Council's safeguarded/committed housing land supply within the development plan. The currently proposed detailed scheme of development in terms of its layout, form, design and landscaping is acceptable and as such accords with development plan policies, subject to securing developer contributions. The presumption for development is not outweighed by any other material considerations.</i></p>		
<p>subject to</p>		
<p>(i) The completion of a modification application to the existing planning obligation to ensure that:</p> <ul style="list-style-type: none"> <li>• The 'original' 74 units contained within this application are bound by that agreement; and</li> <li>• The additional affordable housing requirement (5 units) generated by the additional houses contained within this application is secured.</li> </ul> <p>(ii) The completion of a legal agreement in respect of the 17 'additional' dwellings to secure financial contributions towards:</p> <ul style="list-style-type: none"> <li>• a financial contribution towards education provision;</li> <li>• a financial contribution towards Penicuik Town Centre improvements; and</li> <li>• a financial contribution towards the A701 Relief Road</li> </ul> <p>(iii) the detailed conditions set out in the report.</p>		
<b>Action</b>		
<p>Planning Manager</p>		

Agenda No	Report Title	Presented by:
5.6	Application for Planning Permission for the Erection of 100 Dwellinghouses, Formation of Access Roads, SUDS Feature, Car Parking and Associated Works at Land between Rosewell Road and Carnethie Street, Rosewell (18/00403/DPP).	Peter Arnsdorf
<b>Outline of report and summary of discussion</b>		
<p>There was submitted report, dated 7 June 2019, by the Director, Education, Communities and Economy concerning the above application.</p> <p>The Committee, having heard from the Planning Manager, discussed the proposed development, giving particular consideration to both the relevant planning policies, and also the representations and consultation responses that had been received; details of which were contained in the report. Whilst it was acknowledged that this was an allocated housing site, the proposed development had attracted a sizeable body of representations, and there was some debate as to whether concerns regarding the impact of vehicular traffic, provision for education and the impact of the development had been adequately addressed.</p> <p>After further discussion, Councillor Parry, seconded by Councillor Milligan, moved that in light of the concerns regarding the potentially detrimental impact of the proposed development on road safety; the amenity of the existing residents; and also education provision that planning permission be refused for these reasons.</p> <p>As an amendment, Councillor Hardie, seconded by Councillor Hackett, moved that planning permission be granted for the reasons, and subject to the conditions, detailed in the Director's report.</p> <p>Thereafter, on a vote being taken, two Members voted for the motion and eleven for the amendment, which accordingly became the decision of the meeting.</p>		
<b>Decision</b>		
<p>The Committee agreed to grant planning permission for the following reason:</p> <p><i>The proposed development site is allocated in the Midlothian Local Development Plan 2017. The proposed detailed scheme of development in terms of its layout, form, design and landscape framework is acceptable and as such accords with development plan policies, subject to securing developer contributions. The presumption for development is not outweighed by any other material considerations.</i></p> <p>subject to:</p> <p>(i) the prior signing of a legal agreement to secure:</p> <ul style="list-style-type: none"> <li>• the provision of affordable housing equal to, or greater than 25% of the total number of residential units across site HS14 as a whole;</li> <li>• a financial contribution towards education provision;</li> <li>• a financial contribution towards community facilities (which could include the provision/upgrading of sports pitches);</li> <li>• a financial contribution towards public transport/Borders Rail; and</li> </ul>		

- maintenance of children's play/open space.

The legal agreement shall be concluded within six months. If the agreement is not concluded timeously the application will be refused.

(ii) the detailed conditions set out in the report.

Action

Planning Manager

## **6. Private Reports**

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No private business was discussed.

## **7. Date of Next Meeting**

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The next meeting will be held on Tuesday 19 November 2019.

The meeting terminated at 1.34 pm





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## IMPLEMENTING THE PLANNING (SCOTLAND) ACT 2019

Report by Director Education, Communities and Economy

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### 1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to update the Committee with regard; the Government's programme to implement the new planning reforms set out in the Planning (Scotland) Act 2019, and the impact the reforms have on the review of the Midlothian Local Development Plan (MLDP).

### 2 BACKGROUND

- 2.1 The Planning (Scotland) Bill 2017 received Royal Assent on 25 July 2019 and became the Planning (Scotland) Act 2019. The Committee considered a report on the changes to the planning system arising from the new Act at its meeting on 27 August 2019.

- 2.2 In terms of the development plan process the key changes include:

- the enhancement of the status of the National Planning Framework (NPF) which now constitutes part of the development plan and, amongst other things, sets the Housing Supply Targets for each authority to be included in their Local Development Plan;
- the removal of the requirement to prepare Strategic Development Plans and the introduction of Regional Spatial Strategies in their place;
- a more prescriptive approach to the form and content of a Local Development Plan, in particular how the plan meets the housing needs of older people and disabled people;
- the removal of Supplementary Guidance as part of the development plan; and
- the introduction of Local Place Plans to be prepared by communities.

- 2.3 In September 2019, the Government published its programme for implementing the Act. A copy of this document is available on the CMIS and online at - <https://www.gov.scot/publications/transforming-planning-practice-post-bill-work-programme/>

### **3 IMPLEMENTATION PROGRAMME**

- 3.1 The Government's programme sets out its rationale for implementing the legislation. It proposes to bring forward additional guidance and regulations for each section of the Act. It is also going to publish transitional arrangements for Local Development Plan.
- 3.2 The first commencement regulations come into force on 8 November 2019 and cover provisions concerning the preparation of the National Planning Framework 4 (NPF4) and powers to make regulations regarding development planning. As set out in the implementation programme these provisions will be developed through engagement and consultation with stakeholders and are not expected to be made until 2021.
- 3.3 The Government proposes to publish a draft of NPF4 for public consultation in Quarter 3 of 2020 (July – September). It will be laid before Parliament for a period of up to 120 days to allow time for representations to be made. Thereafter, consideration will be given to any revisions of the draft before being laid again before Parliament for approval prior to adoption. Due to the Scottish Parliament elections in May 2021 this is likely to be in Quarter 4, 2021 (October – December).
- 3.4 Further guidance and regulations will be brought forward over the course of 2020 and 2021 including:
- the appointment of a National Planning Improvement Co-ordinator to monitor and advise on planning authority performance (Q2 2020);
  - guidance on the qualifications, experience and role of a planning authority's *Chief Planning Officer* (Q4 2020);
  - regulations and guidance about Local Place Plans (Q1 2021);
  - guidance on effective community engagement in the preparation of Local Development Plans (Q1 2021);
  - guidance on the use of mediation in land-use planning (Q1 2021);
  - publication of statutory guidance on *Regional Spatial Strategies* and Local Development Plan Regulations (Q4 2021);
  - detailed procedures for Masterplan Consent Areas (Q4 2021); and
  - Regulations on training for elected members on Planning matters (Q2 2022).
- 3.5 The Government expects to have fully implemented the Act by Quarter 4 of 2021 (October – December 2021) (*with the exception of the elected member training*).

### **4 REVIEW OF THE MIDLOTHIAN LOCAL DEVELOPMENT PLAN**

- 4.1 New legislation brings with it a degree of uncertainty in terms of the timing as to when to start a review of the Midlothian Local Development Plan. Transitional arrangements for the new Act have yet to be published. However, published draft guidance supports planning

authorities which have reached the Proposed Plan consultation stage by Quarter 4, 2021 proceeding to adopt a replacement Local Development Plan under the existing provisions and procedures of the Town and Country Planning (Scotland) Act 1997 (as amended by the 2006 Act). Authorities which have not reached this stage (including Midlothian) by this time will be expected to follow the new processes introduced by the 2019 Act and should plan to prepare their replacement Local Development Plan on that basis. Regulations for Local Development Plans are not due to come into force until 2021, but the Government has indicated it will work with local authorities to help take forward preparatory work (evidence gathering, stakeholder engagement etc.) towards new-style plans during the transitional period.

- 4.2 The rejection of the Proposed SESplan2 in May 2019 introduced further uncertainty amongst SESplan partners in terms of their Local Development Plan review programmes and in terms of clarity on their Housing Supply Targets beyond 2024, which the replacement Local Development Plans will have to meet. The current SESplan (approved in June 2013) remains in force until the approval and publication of NPF4. Under the new legislation the NPF forms part of the development plan and will set the Housing Supply Targets for local authorities. In the absence of an up to date strategic development plan the first indication of the future housing land requirements for Midlothian will be the publication of the draft NPF4 anticipated in Quarter 3, 2020 (July – September).
- 4.3 The current Development Plan Scheme for Midlothian No. 11 (DPS) set out an indicative MLDP review programme based on an assumed approval of SESplan 2 in March 2019. This assumed the publication of a Main Issues Report (MIR) by winter 2020 and a Proposed MLDP2 by autumn 2020. This programme has been superseded by the rejection of SESplan2 and with the introduction of the new legislation. A new MIR could not be prepared, published and be subject to consultation until after the Housing Supply Target are set by NPF4 which will not be adopted until 2021. The DPS is updated annually. A new DPS will be prepared and reported to Committee in the early part of 2020 setting out the proposed Local Development Plan review programme to take forward MLDP2.

## **4 RECOMMENDATION**

- 4.1 It is recommended that the Committee:
- i) note the contents of the report; and
  - ii) receive further reports on changes to the Planning System when secondary legislation/regulations are published by the Scottish Government.

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

**Date:** 8 November 2019  
**Contact Person:** Neil Wallace, Lead Officer Development Plans  
**Tel No:** 0131 271 3459

**Background Papers:** The Planning Act 2019



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## **MAJOR DEVELOPMENTS: APPLICATIONS CURRENTLY BEING ASSESSED AND OTHER DEVELOPMENTS AT PRE-APPLICATION CONSULTATION STAGE**

Report by Director of Education, Communities and Economy

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### **1 PURPOSE OF REPORT**

- 1.1 This report updates the Committee with regard to 'major' planning applications, formal pre-application consultations by prospective applicants, and the expected programme of applications due for reporting to the Committee.

### **2 BACKGROUND**

- 2.1 A major application is defined by regulations and constitutes proposed developments over a specified size. For example; a development comprising 50 or more dwellings, a business/industry use with a gross floor space exceeding 10,000 square metres, a retail development with a gross floor space exceeding 5,000 square metres and sites exceeding 2 hectares. A major application (with the exception of a Section 42 application to amend a previous grant of planning permission) cannot be submitted to the planning authority for determination without undertaking a formal pre application consultation (PAC) with local communities.
- 2.2 At its meeting of 8 June 2010 the Planning Committee instructed that it be provided with updated information on the procedural progress of major applications on a regular basis.
- 2.3 The current position with regard to 'major' planning applications and formal pre-application consultations by prospective applicants is outlined in Appendices A and B attached to this report.

### **3 DEVELOPMENT PLAN UPDATE**

- 3.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan June 2013 (SDP1) and the Midlothian Local Development Plan 2017 (MLDP). The MLDP was adopted by the Council at its meeting of 7 November 2017.

## **4 RECOMMENDATION**

- 4.1 The Committee is recommended to note the major planning application proposals which are likely to be considered by the Committee in 2019 and 2020 and the updates for each of the applications.

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

**Date:** 8 November 2019  
**Contact Person:** Peter Arnsdorf, Planning Manager  
peter.arnsdorf@midlothian.gov.uk  
**Tel No:** 0131 271 3310

**Background Papers:** Planning Committee Report entitled 'Major Developments: Applications currently being assessed and other developments at Pre-Application Consultation stage' 8 June 2010.

## APPENDIX A

### MAJOR APPLICATIONS CURRENTLY BEING ASSESSED

Ref	Location	Proposal	Expected date of reporting to Committee	Comment
17/00435/DPP	Land at Newbyres, River Gore Road, Gorebridge	Erection of 125 residential units; formation of access roads, SUDS features and associated works	Being held in abeyance	Pre-Application Consultation (13/00609/PAC) carried out by the applicants in August - November 2013. The application has been held in abeyance for a significant period of time whilst the applicant considers amending their layout. The Planning Service has seen amended plans and has provided some initial comments for consideration (October 2019).
18/00099/DPP	Land at Gore Avenue and Newbyres Crescent, Gorebridge	Erection of 46 flatted dwellings; 17 dwellinghouses and 12 extra care units associated works	Being held in abeyance pending additional information from the applicant	Pre-Application Consultation (17/00913/PAC) carried out by the applicants in November 2017 – February 2018. This application is being held in abeyance subject to the applicant submitting additional information regarding mine gas mitigation measures - this information then needs to be cleared by the Council's Environmental Health Service.
18/00495/DPP	Land west of Burnbrae Terrace Bonnyrigg	Erection of resource facility including offices; training suites, stores, workshops, ambulance depot and enterprise units; formation of car parking, access roads and external storage areas; and associated works	Being held in abeyance pending a review of the project	Pre-Application Consultation (17/00721/PAC) carried out by the applicants in September 2017 – December 2017.  There is an outstanding objection from SEPA which needs addressing by the applicant. There is also an outstanding concern regarding potential noise impacts on nearby residential properties which needs consideration by the applicant and the Council in its assessment of the application.
18/00528/S42	Land at Calderstone, Biggar Road, Lothianburn	Section 42 Application to amend conditions 3, 4, 5, 6 and 10 of planning permission 15/00113/PPP, for the erection of hotel (to amend the phasing of the development).	Being held in abeyance	Section 42 applications do not require to go through the Pre-Application Consultation process. The conditions relate to the phasing of development, landscaping, building design and layout and transportation matters.  The applicant is considering withdrawing this application.

19/00432/S42	Land 470M West of Corby Craig Terrace, Bilston	Section 42 application to remove condition 15 of planning permission 17/00968/DPP (not to provide electric vehicle charging stations)	November 2019	Section 42 applications do not require to go through the Pre-Application Consultation process.  This application is reported to this meeting of the Committee.
19/00748/PPP	Whitehills, Whitehill Road, Millerhill	Planning permission in principle for Class 4 (Business), 5 (General Industry), 6 (Storage and Distribution) and sui generis uses (home improvement showrooms/warehousing).	January 2020	Pre-Application Consultation (19/00489/PAC) carried out by the applicants in May 2019 – August 2019.
19/00763/DPP	Former Site of Newbattle Community High School, Easthouses Road, Easthouses	Erection of primary school, nursery and formation of a MUGA, car parking and associated works.	January 2020	Pre-Application Consultation (19/00445/PAC) carried out by the applicants in May 2019 – August 2019.

**APPENDIX B**

**NOTICE OF PRE-APPLICATION CONSULTATIONS RECEIVED AND NO APPLICATION HAS BEEN SUBMITTED**

<b>Ref</b>	<b>Location</b>	<b>Proposal</b>	<b>Date of PAC submission</b>	<b>Earliest date for receipt of planning application and current position</b>
17/00367/PAC	Site Hs12 Hopefield Farm 2 Bonnyrigg	Residential development  The site is identified for an indicative 375 residential units in the MLDP.	9 May 2017	02/08/17 - no application yet received. A pre-application report was reported to the August 2017 meeting of the Committee.
17/00606/PAC	Land south east of Auchendinny, The Brae, Auchendinny (Site Hs20)	Residential development  The site is identified for an indicative 350 residential units in the MLDP.	27 July 2017	20/10/17 - no application yet received. A pre-application report was reported to the November 2017 meeting of the Committee.
17/00663/PAC	Land bounded by A7, Stobhill Road and Pentland Avenue, Gorebridge	Mixed use development comprising residential and commercial land uses	16 August 2017	09/11/17 - no application yet received. A pre-application report was reported to the October 2017 meeting of the Committee.
18/00894/PAC	Land at Wull Muir, Gorebridge	Erection of up to 9 wind turbines (wind farm)	9 November 2018	02/02/19 - no application yet received. A pre-application report was reported to the January 2019 meeting of the Committee.
18/00962/PAC	Land east and west of Easthouses Road, Easthouses	Residential development and erection of school, with associated engineering works, open space and landscaping	14 December 2018	09/03/19 - no application yet received. A pre-application report was reported to the February 2019 meeting of the Committee.
18/00970/PAC	Midlothian Snow Sports Centre	Redevelopment of existing snowsports centre to include leisure facilities; tourist accommodation; hotel; function suite and ancillary retail and restaurant; formation of access and car parking	21 December 2018	16/03/19 - no application yet received. A pre-application report was reported to the February 2019 meeting of the Committee.

19/00012/PAC	Land east of Salters Road, Dalkeith	Mixed use development comprising film and TV studios including workshops/offices; reception/commissary; gatehouse; backlot; trailer park; film academy and associated student accommodation; and associated access, parking and infrastructure	9 January 2019	04/04/19 - no application yet received. A pre-application report was reported to the January 2019 meeting of the Committee.
19/00106/PAC	Land north of Oak Place, Mayfield, Dalkeith	Residential development  The site is identified for an indicative 63 residential units in the MLDP.	8 February 2019	04/05/19 - no application yet received. A pre-application report was reported to the May 2019 meeting of the Committee.
19/00126/PAC	Former Lothianburn, Golf Club, 106 Biggar Road, Edinburgh	Mixed use development comprising mountain bike trail centre, indoor and outdoor leisure uses, food and drink, professional services, retail, visitor accommodation and associated works	14 February 2019	10/05/19 - no application yet received. A pre-application report was reported to the May 2019 meeting of the Committee.
19/00252/PAC	Land at Wellington School, Penicuik	Residential development  The site is identified as an 'Additional Housing Development Opportunity' for an indicative 50 - 60 residential units in the MLDP.	20 March 2019	13/06/19 - no application yet received. A pre-application report was reported to the June 2019 meeting of the Committee.
19/00626/PAC	Land at Drummond Moor, Rosewell	Proposed holiday resort development	15 July 2019	08/09/19 - no application yet received.  A pre-application report was reported to the October 2019 meeting of the Committee.
19/00641/PAC	Land north of Seafield Road, Bilston	Residential development  The site forms part of a site (Hs16) identified for an indicative 350 residential units in the MLDP.	22 July 2019	15/09/19 - no application yet received.  A pre-application report was reported to the October 2019 meeting of the Committee.



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## APPEALS AND LOCAL REVIEW BODY DECISIONS

Report by Director of Education, Communities and Economy

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### 1 PURPOSE OF REPORT

- 1.1 This report informs the Committee of a notice of review determined by the Local Review Body (LRB) at its meeting in October 2019. There are no Scottish Government appeal decisions to report to the Committee.

### 2 BACKGROUND

- 2.1 The Council's LRB considers reviews requested by applicants for planning permission, who wish to challenge the decision of planning officers acting under delegated powers to refuse the application or to impose conditions on a grant of planning permission.
- 2.2 The decision of the LRB on any review is final, and can only be challenged through the Courts on procedural grounds.
- 2.3 Decisions of the LRB are reported for information to this Committee.

### 3 PREVIOUS REVIEWS DETERMINED BY THE LRB

- 3.1 At its meeting on 22 October 2019 the LRB made the following decision:

	<b>Application Reference</b>	<b>Site Address</b>	<b>Proposed Development</b>	<b>LRB Decision</b>
<b>1</b>	19/00247/DPP	16 Lady Brae, Gorebridge	Erection of temporary building	Permission granted (for one year) at LRB meeting of 22.10.2019

## **4 RECOMMENDATION**

- 4.1 The Committee is recommended to note the decision made by the Local Review Body at its meeting in October 2019.

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

**Date:** 8 November 2019  
**Contact Person:** Peter Arnsdorf, Planning Manager  
peter.arnsdorf@midlothian.gov.uk  
**Tel No:** 0131 271 3310

**Background Papers:** LRB procedures agreed on the 13 June 2017.



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## **GOREBRIDGE CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLAN**

Report by Director of Education, Communities and Economy

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### **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek the Committee's agreement to adopt the 'Conservation Area Character Appraisal and Management Plan' (CACAMP) for the Gorebridge Conservation Area, attached to this report as Appendix A.

### **2 BACKGROUND**

- 2.1 At its meeting of 27 August 2019 the Committee agreed to undertake a formal consultation on the 'Conservation Area Character Appraisal and Management Plan' for the Gorebridge Conservation Area which ran from 4 September 2019 to 30 October 2019. The consultation was advertised via press release and social media. The Gorebridge Community Council, Historic Environment Scotland and other relevant local community groups were notified of the draft CACAMP and invited to make comment.
- 2.2 Conservation areas are areas of special architectural and/or historic interest. The character and/or appearance of which it is desirable to preserve and enhance. Conservation area appraisals are a non-statutory form of planning guidance recommended as part of the ongoing management of conservation areas.
- 2.3 The Gorebridge Conservation Area was designated in 1978 and is located in the town centre, focusing on Main Street. It has recently benefitted from investment through a Conservation Area Regeneration Scheme, part funded by Historic Environment Scotland, which ran from 2013-2018. The preparation and adoption by the Council of a Conservation Area Appraisal and Management Plan is a condition of the funding received from Historic Environment Scotland.

### **3 PURPOSE OF CONSERVATION AREA APPRAISAL AND MANAGEMENT PLANS**

- 3.1 Conservation area appraisals are a non-statutory form of planning guidance recommended by the Scottish Government as part of the

ongoing management of conservation areas. The purpose of this CACAMP is to:

- Confirm the importance of the designation of the area and to consider the ongoing relevance of the current conservation area boundaries;
- Highlight the significance of the area in terms of townscape, architecture and history; and
- Provide a framework for conservation area management and for managing change within the conservation area.

3.2 The purpose of conservation area designation and of the appraisal is not to prevent change, but to identify the key characteristics of the historic environment and establish a context within which change can continue in a way which enhances the historic character of the area.

3.3 Midlothian Local Development Plan 2017 Policy ENV 19 Conservation Areas states that in assessing proposals for development (by way of a planning application) in or adjacent to a conservation area, consideration will be given to any relevant Conservation Area Character Appraisal.

#### 4 CONSULTATION RESPONSES

4.1 Three consultation responses have been received; the details of which are set out below along with the proposed Council's response:

Consultee	Summary of Consultation Response	Requested Change	Proposed Midlothian Council Response
Gael Robertson	<p>Supportive of the possible future extension of the Conservation Area to cover Private Road.</p> <p>Supportive of any improvements to the supermarket façade on Main Street.</p> <p>Parking problems within the Conservation Area are not sufficiently addressed in the document.</p> <p>Action is required on the 'inappropriate signage for the Conservation Area at</p>	<p>Address the parking problems in the Gorebridge Conservation Area.</p> <p>Take action against the signage at the funeral directors next to the railway line.</p>	<p>The comments in relation to parking are noted. These matters are assessed through the application of other Council policy and procedures, individual action and Police enforcement.</p> <p>The signage at the funeral directors does not constitute a breach of planning controls.</p>

	the recently opened funeral directors next to the railway line'.		
Mr and Mrs Callaghan	Supportive of the possible future extension of the Conservation Area along the west side of Hunterfield Road.	None	None.
Arniston Estate	No comments. Happy with the proposals as set out.	None	None

4.2 It is not proposed to amend the CACAMP in response to the consultation responses.

## 5 RECOMMENDATION

- 5.1 The Committee is recommended to:
1. adopt the Gorebridge Conservation Area Character Appraisal and Management Plan; and
  2. authorise the Planning Manager to make any necessary minor editing and design changes to the Gorebridge Conservation Area Character Appraisal and Management Plan prior to publication.

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

**Date:** 8 November 2019  
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**Background Papers:** Midlothian Local Development Plan 2017





# Gorebridge

Conservation Area Character  
Appraisal & Management Plan

**AS PROPOSED FOR ADOPTION –  
NOVEMBER 2019**

MIDLOTHIAN COUNCIL

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## Introduction

1. Conservation areas are areas of special architectural and/or historic interest, the character or appearance of which it is desirable to preserve and enhance. Under Section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, Midlothian Council is required to determine which parts of their administrative area should be designated as conservation areas.
2. When a conservation area has been designated, it is the duty of Midlothian Council to pay special attention to the character or appearance of the conservation area when exercising powers under planning legislation. The character of a conservation area is not a simple matter of style, it is a combination of street layout, building density, building scale and building form.
3. Conservation area appraisals are a non-statutory form of planning guidance recommended as part of the ongoing management of conservation areas. The purpose of this Conservation Area Character Appraisal and Management Plan (CACAMP) is to:
  - Highlight the significance of the area in terms of townscape, architecture and history;
  - Provide a framework for conservation area management and for managing change within the conservation area; and
  - Confirm the importance of the designation of the area and to consider the ongoing relevance of the current conservation area boundary.

This CACAMP will define how change is managed within the conservation area, identifying specific opportunities for enhancement and it will inform planning decisions in the conservation area. The purpose of conservation area designation and the CACAMP is not to prevent change. The aim is to identify the key characteristics of the historic environment and establish a context within which change can continue in a way which enhances historic character.

4. Gorebridge is located 4 miles south of Dalkeith, to the east of the A7 (the original Edinburgh – Carlisle trunk road). It has a population of approx. 8,100. The town has incorporated a number of small villages as it has grown, including Stobhill, Arniston and Harvieston. Gorebridge is situated on a south west facing slope at the southern end of the Mayfield to Tranent ridge. The ridge forms the watershed between the valleys of the River Esk and the Tyne Water. The Gore Water (a tributary of the River South Esk) runs to the west of Gorebridge, and gives the settlement its name.
5. Gorebridge Conservation Area was designated in 1978 and is located in the town centre, focusing on Main Street. The Conservation Area has a tightly drawn boundary to the rear of the properties fronting Main Street and the south eastern part of Hunterfield Road. Main Street slopes steadily from north east to south west. To the

south of the Conservation Area lies the Borders Rail Line and the wooded valley of the Gore Water.



6. The Conservation Area benefitted from investment through a Conservation Area Regeneration Scheme, funded by Historic Environment Scotland, which ran from 2013-18. This Conservation Area Appraisal and Management Plan has been prepared following the completion of the Conservation Area Regeneration Scheme. It utilises the appraisal work undertaken as part of the project, including work by University of Edinburgh Architecture students in 2015.

## Historical Development and Significance

### Origins of the Settlement

- Gorebridge Conservation Area is focused on Main Street, which is the core of the original village. Gorebridge's development resulted from the opening of the first gunpowder works in Scotland, Stobs Mill, in the 1790s. The buildings on Main Street are first shown on a map from 1828, although the road can be seen on earlier maps dating back to the 1750s (Roy Lowlands 1752-55). The housing and enterprises on Main Street developed in the first half of the 19<sup>th</sup> Century to house and serve the employees of the gunpowder works.

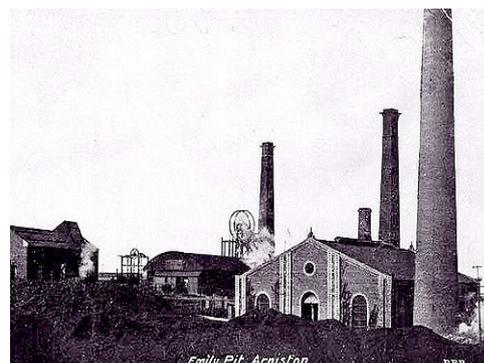


Sharp, Greenwood & Fowler Map of the County of Edinburgh (1828)



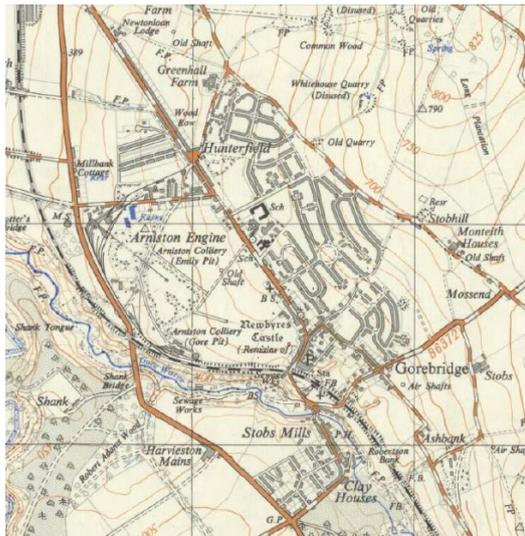
Roy Lowland Map (1752-55)

- The railway station first opened in 1847 to help serve local industry. Robert Dundas of Arniston opened two large collieries, the Emily pit in 1854 and the Gore pit in 1878, which drove the expansion of the village and the continuing success of Main Street as the commercial centre of the village. Both sides of Main Street were redeveloped in the later 19<sup>th</sup> century to provide two storey buildings with continuous street frontages, giving a strong enclosure to the street, accentuated by the curve and slope of the street and ground. Shopkeepers and other business owners originally lived above the commercial premises, but the success of the businesses led to the development of the villas on Private Road, which backs on to Main Street to the east, as homes for the business owners. The town continued to grow in the 20<sup>th</sup> and early 21<sup>st</sup> centuries as large housing estates were developed.

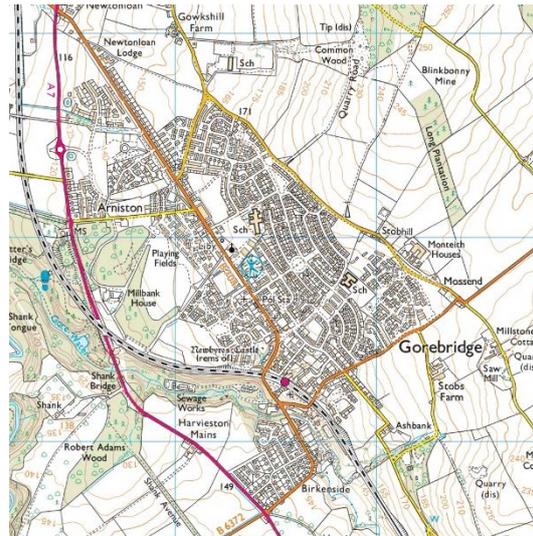


Archaeological & Historical Significance

9. Gorebridge as a whole has considerable historical importance. The settlement's creation was closely linked to its geography and landscape setting. The mineral rich fields of the area not only provided a suitable location for Scotland's first gunpowder works, but also provided the coal that was to define and develop the character of the town in the 19<sup>th</sup> and 20<sup>th</sup> centuries. Commercialism grew on the back of the industrial growth. Main Street presents a fairly intact and relatively unaltered example of a 19<sup>th</sup> century commercial High Street.



Ordnance Survey 1955



Current Ordnance Survey

## Townscape Analysis

### Architectural Quality & Built Form

10. The streetscape along Main Street is defined by its two opposing rows of buildings fronting directly on to the street. The road runs down the steep hill to the valley, and corresponding to this the roof ridges reflect the fall in the street. The result of the strict formation of buildings is that when approaching from the north and looking down towards the valley, attention is drawn through the narrow corridor formed by the buildings out to a glimpse of the horizon, which then opens out into panoramic view of the hills beyond when travelling down the street. The skyline in this lower section of the Conservation Area is characterised by diminishing or rising building heights (depending on direction faced) and a regular pattern of chimney stacks.



11. At the northern end of Main Street, the streetscape opens out into Hunter Square and Hunterfield Road. The looser knit and wider street scene of Hunterfield Road, with its properties set back from the street, contrasts with the character of Main Street. The original street layout at the junction of Hunterfield Road and Main Street had a narrower carriageway, but buildings were demolished to widen the street. This area has been improved recently to create a functional civic space for the community. Beyond this, on Hunterfield Road, there are coal mining cottages with their distinct steeply pitched rooflines and regularly positioned chimney stacks. Rubble sandstone walls and well maintained hedges line the street and, in contrast with Main Street, the buildings are set back from the street to provide an element of privacy. From this point on the hill there are panoramic views to the south out above the roofline of Main Street.



12. The Conservation Area has two distinct architectural styles, with the exception of the ecclesiastical and modern buildings.



The first style is along Main Street, where the buildings are predominantly rectangular plan, 2 storey terraced houses, built for commercial use and fronting directly onto the street. The buildings form a distinct linear street plan. Most of these buildings have plain facades featuring large windows or shop fronts on the ground floor and residential premises above. The main change to this pattern over the years has been the conversion of ground floor shops to residential premises. Rooflines on Main Street are generally aligned parallel to the carriageway with occasional gable ends at right angles to the road, for example the Old Post Office, which has a baronial style crow stepped gable.



The second style is found on Hunterfield Road, and is defined by cottages with steep pitched roofs, bargeboards, finialed porches, and in some cases further detailing such as hood moulded windows and heraldry.



13. There are a few notable exceptions to the styles identified above. These include 13 Hunterfield Road, which is a Category C listed building built in 1886 as a public library (Newbyres Reading Room). It is a single storey, 3 bay, Tudor gothic style building of tooled squared and snecked sandstone with overhanging eaves. It has 2 pane and 4 pane timber sash and case windows, a grey slate roof with lead ridge, cast iron rainwater goods and wallhead stacks. The Category B listed former church at 20 Hunterfield Road, which is now a children's nursery, was built in 1886. It is a gothic revival church with truncated bellcote (originally a spire) with sandstone walls and a slate roof. Newbyres Hall (5 Hunterfield Road) was built as a Free Church in 1858, then turned into a village hall in 1882. It was restored as part of the Conservation Area Regeneration Scheme, and now accommodates a children's nursery.



#### **Materials**

14. The buildings in the Conservation Area are primarily of sandstone masonry construction on the street facing façades and a mixture of rubble and brick to the sides and rear. The masonry finishes on the principal façades are mainly roughly pointed ashlar, often speckled and with a form of tooling to the face. The buildings with finely jointed ashlar also have other more decorative and detailed finished such as carved window and door surrounds, and carved panels, usually indicating greater wealth of the original owners.



15. The majority of roofs in to conservation areas are finished in slate, with most appearing to be Welsh slate. Over the years a high proportion of the original windows and doors in the conservation area have been replaced, leading to a variety of styles, shapes, colours and material. Progress on restoring these has been made through the recent Conservation Area Regeneration Scheme.



#### Setting and Views

16. Gorebridge sits on the north bank of the valley formed by the Gore Water, which is a major tributary of the River South Esk. The land rises steeply from the river, with Main Street running up this gradient. This setting provides picturesque views of the countryside to the south and west, including the Moorfoot and Pentland Hills.



17. The Conservation Area covers Gorebridge’s “town centre” although most of the residential areas which form the town lie to the north of the “centre”. Although some community facilities exist in the town centre, including a dentist, health centre, veterinary surgery and children’s nursery, other major facilities including the library, leisure centre and community hub building, along with convenience retailing, are located to the north of the town centre. The areas around the conservation area

reflect the gradual outward growth of the settlement from its original focus on Main Street.

**Public Realm, Open Space and Trees**

18. The public realm in the Conservation Area mainly consists of the footways between the road and building frontages. Along Main Street the footways are paved in light coloured stone slabs. The car parking bays along the eastern side of Main Street are defined by modern red and grey setts. The footways on Hunterfield Road are tarmac. The only area of civic open space in the conservation area is Hunters Square, which is paved in yorkstone with whinstone kerbing and granite block detailing.



19. There is no public greenspace within the Conservation Area. There is however a large greenspace immediately to the west of Main Street, which includes the remains of Newbyres Castle. This area is maintained by the Gorebridge and District Environmental Group and the Gorebridge Community Development Trust as a community garden. The only street trees in the Conservation Area are in Hunters Square. There are also two mature trees in the grounds of the former church at 20 Hunterfield Road that contribute to the street scene.



20. The street furniture in the Conservation Area is modern, but designed to be sympathetic to the setting. There are lamp posts, bollards, bins, bus stops, benches and a community noticeboard. There are also bespoke cycle racks in Hunter Square, designed to reflect the industrial heritage of the town. All are black painted metal.



## Assessment

### Significance

21. Gorebridge has considerable historical importance. The Gore Water and the mineral rich fields of Arniston, Dalhousie, Newbattle and Vogrie not only provided a suitable location for Scotland's first gunpowder works but also provided the plentiful supply of coal that defined the settlement character of Gorebridge and many other settlements across Midlothian. Commercialism grew on the back of the industrial growth in Gorebridge, and is of considerable historical importance locally. The intact nature of Main Street and its distinctive Victorian architectural quality is particularly significant, and is worthy of protection.
22. Gorebridge Conservation Area covers a largely intact 19<sup>th</sup> century core of commercial and residential buildings enclosing the curved slope of Main Street. It has been designated not only for the value of the individual buildings, but also for its significance as a group of buildings. Although the area contains some unsympathetic modern buildings and extensions, they do not significantly detract from the cultural value of the conservation as a whole, particularly since the restoration and improvements carried out through the recent Conservation Area Regeneration Scheme.

### Condition

23. The condition of the Conservation Area has been significantly improved through the Conservation Area Regeneration Scheme, both in terms of the individual buildings and the public realm. This investment in the conservation area has, due to its focus on restoration, made a noticeable difference to the condition of historic buildings. It has also enabled the reintroduction of historic materials into the public realm, specifically in Hunters Square.
24. The restoration of Newbyres Hall has made a particularly important contribution to the overall condition of the Conservation Area, as have the shopfront improvements on Main Street. There is still work to be done, particularly on the modern buildings to ensure they make a positive contribution to the conservation area. On-going appropriate maintenance is key to ensuring the legacy of the CARS investment and the overall condition of the Conservation Area.

### Opportunities

25. While significant improvements in the condition of buildings resulted from the Conservation Area Regeneration Scheme, there are still opportunities for further enhancement of the Conservation Area. One significant improvement would be the replacement of the supermarket façade on 23-25 Main Street with one that relates to the shop frontages in the traditional buildings.
26. There may also be some value in reviewing the boundary of the Conservation Area at some point in the future. Specific areas to consider are:

- Private Road, due to its links to the evolution of Main Street as the commercial centre of the village,
- the railway station building, due to its importance in the development of the town, and
- properties on the west side Hunterfield Road between the Police Station and the current Conservation Area boundary.

### Challenges

27. The recent investment in Gorebridge Conservation Area through the Conservation Area Regeneration Scheme has significantly reduced the challenges it is facing. However, there are on-going challenges with the potential loss of retail units to residential use resulting from the struggle to maintain viability faced by all town centres. This would significantly disrupt the historic character of Main Street. There are also buildings which still have issues with past, poor quality, inappropriate repairs.
28. An additional significant challenge is the potential for small incremental changes to buildings and poor quality repairs to have a cumulative negative impact on the Conservation Area. The effects of this happening in the past have been mostly rectified through the Conservation Area Regeneration Scheme, there is a definite risk that it could happen again, particularly as property ownership and tenancies change over time. This challenge also relates to shopfronts.
29. The existing public realm, particularly on Main Street and Hunter Square is of an appropriate standard for a Conservation Area as a result of recent investment. However, maintaining the public realm over the long term will be an important contribution to the character of the conservation area.

## Management Plan

30. The purpose of this Conservation Area Management Plan for Gorebridge Conservation Area is to set out the actions required to maintain and enhance the elements which contribute to the special architectural and historic interest of the conservation area, as described in the Conservation Area Appraisal. This Management Plan is intended to inform the actions of Midlothian Council and other stakeholders, including property owners and occupiers, in relation to the built environment within the Gorebridge Conservation Area. It explores the issues facing the conservation area, opportunities for enhancement and building repair and maintenance.

### Issues Facing the Conservation Area

31. Overall the Conservation Area is in good condition as a result of the recent investment through the Conservation Area Regeneration Scheme. There are still some buildings which would benefit from appropriate repair or action to rectify past repairs of an inappropriate quality. It is also important that the improvements achieved through the regeneration scheme are not undermined by small incremental changes in individual buildings.
32. As with many town centres, Gorebridge faces challenges to remain competitive and relevant. The townscape quality of the area is a significant contributor to the success or otherwise of a town centre. Gorebridge is particularly vulnerable to loss of shop premises to residential use, which disrupts the historic character of Main Street. Poor shop front design, unsympathetic public realm works and under use or vacancy of buildings can all contribute to erosion of the character and quality of the townscape.

### Opportunities for Enhancement

33. Most of the traditional buildings in Gorebridge are built of relatively thick, solid stone walls pointed in lime mortar. This traditional method of building enables the structure to 'breathe' as it is able to accommodate varying moisture levels by taking in and then evaporating moisture. These buildings usually have good ventilation under the floor and air movement is encouraged by open flues and through roof spaces. Breathing buildings are comfortable and healthy to live in. Repairing traditional buildings with modern materials such as cement mortars, gypsum plasters, modern formula paints and replacement windows will lead to problems with damp, stone decay and rot in timbers.
34. The following sections provide information on construction methods and materials used locally and expectations for the repair and restoration of traditional buildings in the conservation area.

### *Roofs and Chimneys*

Original roof pitches and coverings should be preserved. Roof coverings are usually natural slate (mainly Welsh slate in Gorebridge) which gives a distinctive character and texture to roofs that substitutes cannot easily replicate. When repairing or re-roofing, the preferred option is to use matching slate.

The detailing of roof lights, dormers, copings and flashing is equally important to the overall appearance of the roof and any change of materials should be avoided. Roof lights tend to be of metal fixed flush to the slope of the roof. Where replacement is necessary, conservation style rooflights should be specified. Repair and restoration of dormer windows should match the original design, materials and profiles closely. Original chimney stacks (stalks) and pots should be maintained where possible. Lead should usually be used to repair or replace dormer window flashings, roof valley gutters and skew gutters.

### *Masonry Walls*

Traditional masonry walls are built with two 'skins' of stone and lime mortar. The core between the skins is filled with broken stone, lime mortar waste and rubble. The outer layer or face is either random rubble (to take harl or smooth lime render) or ashlar (stone blocks with smoother or textured face built with fine joints). The inner skin is rubble with wider joints and lime mortar. Horizontal timber laths are fixed to the inner face to take two or three coats of lime plaster. The cavity between the lathes and the stone face allows air movement and the evaporation of any moisture in the wall. Original masonry surface coverings such as harling should be kept. Pointing should use a lime mortar and should be correctly carried out.

Moisture in the base of walls can be reduced by lowering ground levels, improving drainage around the building, replacement of cement mortar with lime mortar and ensuring underfloor ventilation is functioning effectively. Stone repairs should be carried out using matching stone and lime mortar. Reconstituted stone is not an appropriate finishing material in the conservation area. Patching with cement or other substitutes is not acceptable. Using a mortar analysis service, such as that offered by the Scottish Lime Centre, can help identify suitable mortar for repairs and maintenance.

### *Windows and Doors*

Original door and window openings possess the correct proportions for a building and should be retained to preserve the architectural integrity of the buildings. Original mullions should also be retained.

Additional window openings should be of an appropriate size and proportion, and should not spoil symmetry.

Most original windows in traditional buildings are either casements or sash. Repair or restoration of traditional windows is preferred over replacement, and replacement

with windows in other materials such as aluminium or uPVC is not recommended. Any replacement windows on the front and all sides of a traditional building in the conservation area which is visible to the public should match the original in every detail, including materials, design, opening method and paint finish.

Any original glazing should be investigated for its historic importance, and retained if merit is established (for example, Crown glass). Where existing glazing has no special merit, it may be possible to insert modern “slim profile” double glazing into the existing frames and astragals with minimal effect on the original profile.

Traditional doors are normally timber and panelled. Rear doors are usually plainer in style. Original doors should be retained or restored wherever possible. Where replacement is unavoidable, new doors should be timber and traditional in style, with door hardware in keeping with the character of the building.

#### *External Details*

A wide range of details contribute to the character of a conservation area, and is important that these are not lost. Important details include rainwater goods, external pipework, finials and stone details such as skews, cornices, balustrades, door and window surrounds and other ornamentation. Stone walls and metal railings should be retained.

Satellite dishes will not be permitted on principal or public elevations or above the ridge line of the roof. Equipment should be placed in unobtrusive locations to minimise their impact.

#### *Shopfronts and Signage*

The following principles should be taken into account when replacing or improving shopfronts in conservation areas:

- Shopfront design should be based on research into the historic shopfront for the specific building, and should be related to the composition of the building as whole. Proportions should reflect the historic proportions of the building.
- The use of traditional materials, including timber, is preferred. Aluminium or other “standard” shopfront systems that do not respect the historic patterns will not normally be acceptable, particularly for listed and traditional buildings.
- Proportions of shopfronts and signs should reflect the historic proportions of the building. Fascia signs should sit neatly within the fascia, clear of any framing detail. Over large fascias that are out of scale with adjoining fascias or obscure the shop window, or projecting box-like fascia signs, are not normally acceptable.
- Where separate buildings have been amalgamated at ground level into one unit, the shopfronts should be kept separate with strong vertical divisions between the buildings. Where two or more shop units occupy the same shop frontage in the same building, the shopfront design should not fragment the frontage.

*Streetscape and Street Furniture*

Recent improvements in the public realm will need careful maintenance to ensure that the quality of the streetscape is protected. Any future works in the conservation area should use traditional materials (for example yorkstone, granite setts and whinstone kerbing). Detailing should be in keeping with existing traditional styles. Street signage should be carefully located and kept to the minimum amount possible.

*Trees*

Under Section 172 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, trees in Conservation Areas are given some protection. Anyone proposing to cut down or carry out work on a tree in a conservation area is required to give the planning authority six weeks' notice. The purpose of this requirement is to give the planning authority an opportunity to consider whether a Tree Preservation Order should be made in respect of a tree. Further information and a link to the relevant application forms is available at [www.midlothian.gov.uk](http://www.midlothian.gov.uk).

**Midlothian Local Development Plan 2017**

**Policy ENV 19 Conservation Areas**

*Within or adjacent to a Conservation Area, development will not be permitted which would have any adverse effect on its character and appearance. In assessing proposals, regard will be had to any relevant Conservation Area Character Appraisal.*

***New buildings, extensions and alterations***

*In the selection of site, scale, choice of materials and design, new buildings, and extensions and alterations to existing buildings, must preserve or enhance the character and appearance of the Conservation Area. Materials appropriate to the locality or structure affected, will be used in new building, extensions or alterations. Care in the design of replacement windows and doors will be required on the public frontage of buildings.*

***Demolition***

*Demolition to facilitate new development of part or all of a building or structure that makes a positive contribution to a Conservation Area will only be permitted where it can be shown that:*

- A. The structural condition of the building is such that it cannot be adapted without material loss to its character to accommodate the proposal; and*
- B. The Conservation Area will be enhanced as a result of the redevelopment of the site; and*
- C. There is no alternative location physically capable of accommodating the proposed development.*

*Where demolition of any building or other structure within a Conservation Area is proposed, it must be demonstrated that there are acceptable proposals for the immediate future use of the site which enhance the character or appearance of the Conservation Area.*

*Detailed plans for an acceptable replacement building must be in receipt of planning permission before conservation area consent will be granted for demolition and redevelopment. Conditions will be applied to the planning permission to ensure that demolition does not take place in advance of the letting of a contract for the carrying out of a replacement building or alternative means of treating the cleared site having been agreed.*

*These requirements may not apply in circumstances where the building is of no architectural or historic value, makes no material contribution to the Conservation Area, and where its early removal would not detract from the character and appearance of the Conservation Area.*

## Appendix 1: Listed Buildings

Address	Description	Category	Ref No.
20-22 Hunterfield Road	<p><b>Church building including gate, gate piers and boundary wall.</b>                      1886. Rectangular plan, Gothic Revival church with truncated bellcote (originally a spire). Squared and snecked bullfaced sandstone with polished dressings. Base course; dividing band courses; pointed arched openings; angle buttresses with pinnacles.                      Octagonal gate piers with square base and gabled caps; cast iron gate with barley sugar uprights; tooled squared and snecked coped wall surmounted by matching cast iron railings along SW front; snecked sandstone rubble walls with semicircular coping to SE and NW.</p>	B	<a href="#">LB45157</a>
13 Hunterfield Road	<p><b>Single storey, 3 bay, Tudor gothic former public library with 20th century additions to rear.</b>                      Robert Smith, 1886. Tooled squared and snecked sandstone with droved dressings; long and short quoins; chamfered reveals; hoodmoulds; overhanging eaves; plain bargeboards to gables.                      Known as the Newbyres Reading Room, the hall was built by Robert Dundas as a public library (for books originally donated by Dr Milne of the gunpowder mill). In addition it was used by Gorebridge Working Men's Club for "social intercourse, instruction and rational amusement" (Gorebridge Yesterdays p5).</p>	C	<a href="#">LB45158</a>
34 Hunterfield Road	<p><b>Single storey, 3 bay cottage, with later additions to rear.</b>                      1888. Squared and snecked sandstone with droved dressings; chamfered reveals; overhanging eaves with plain bargeboards and carved timber finials to gables.                      Built by Robert Dundas as a cottage for the District Nurse.</p>	C	<a href="#">LB45159</a>
14 Main Street (Lonach)	<p><b>2 storey, 3 bay, rectangular plan traditional terraced house.</b>                      Later 19th century. Painted tooled snecked sandstone with droved dressings.</p>	C	<a href="#">LB45160</a>

*Gorebridge Conservation Area Character Appraisal & Management Plan*

19 & 21 Main Street	<b>2 storey, 3 bay, rectangular plan traditional terraced house altered to form shops at ground floor.</b> Later 19th century. tooled snecked sandstone rubble with droved dressings; long and short quoins.	<b>C</b>	<a href="#">LB45161</a>
32 & 34 Main Street	<b>2 storey, 5 bay, rectangular plan pair of shops with tenements over.</b> Dated 1889. Coursed stugged sandstone with droved dressings, stop chamfered to first floor; long and short quoins; base course; dividing band course.	<b>C</b>	<a href="#">LB45162</a>
36, 38 & 40 Main Street	<b>2 storey; 3 bay; rectangular plan shop with tenement above.</b> Late 19th century. Irregular coursed tooled sandstone with stugged and polished dressings. Long and short quoins; chamfered reveals.	<b>C</b>	<a href="#">LB45163</a>
45a & 45b Main Street	<b>Symmetrical 2-storey, 3-bay rectangular-plan terraced house, including boundary wall and railings.</b> 19th century with later alterations. Slightly setback from street forming part of a former dairy complex. Snecked, tooled sandstone with droved dressings and stop-chamfered reveals. Distinctive single storey gabled porch centred to NW (principal) elevation with ball finial, small windows to returns with remnants of painted 'Dairy' lettering to lintels. BOUNDARY WALL AND RAILINGS: tooled low sandstone wall flanking porch to NW, semi-circular coping surmounted by modern plain iron railings.	<b>C</b>	<a href="#">LB49673</a>
53 Main Street	<b>2 storey, 3 bay, rectangular plan house, forming end of terrace.</b> Later 19th century. Tooled coursed sandstone with droved dressings; long and short quoins.	<b>C</b>	<a href="#">LB45164</a>
Gorebridge Post Office, Main Street	<b>2 storey and attic; 4 bay terraced house.</b> 1879. Coursed tooled sandstone with droved dressings; chamfered reveals.	<b>C</b>	<a href="#">LB45166</a>





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**SECTION 42 APPLICATION 19/00432/S42 TO REMOVE CONDITION 15, FOR THE PRIOR APPROVAL OF THE DETAILS OF THE PROVISION AND USE OF ELECTRIC VEHICLE CHARGING STATIONS THROUGHOUT THE DEVELOPMENT, IMPOSED ON A GRANT OF PLANNING PERMISSION (17/00968/DPP) FOR RESIDENTIAL DEVELOPMENT ON LAND 470M WEST OF CORBY CRAIG TERRACE, BILSTON, ROSLIN.**

Report by Director of Education, Communities and Economy

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## **1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION**

- 1.1 At its meeting on 3 April 2018 the Committee granted planning permission (17/00968/DPP) for the erection of 155 dwellinghouses and 36 flatted dwellings; formation of access roads; car parking and associated works on land 470M west of Corby Craig Terrace, Bilston subject to a planning obligation securing developer contributions and conditions. This section 42 application seeks to remove condition 15, which requires the prior approval of details of the provision and use of electric vehicle charging stations throughout the development. There has been one representation received and a consultation response from the Roslin and Bilston Community Council.**
- 1.2 The relevant development plan policies are policies 5 and 7 of the Edinburgh and South East Scotland Strategic Development Plan 2013 (SESplan) and policies STRAT3, DEV2, DEV3, DEV5, DEV6, DEV7, DEV9, TRAN1, TRAN2, TRAN5, IT1, ENV2, ENV7, ENV9, ENV10, ENV11, ENV15, ENV24, ENV25, NRG6, IMP1, IMP2 and IMP3 of the Midlothian Local Development Plan 2017.**
- 1.3 The recommendation is to refuse planning permission.**

## **2 LOCATION AND SITE DESCRIPTION**

- 2.1 Works have commenced to implement planning permission 17/00968/DPP on the site which comprises approximately 8.6 hectares of land to the west/north west of the settlement of Bilston, which was formally agricultural land. The site is part of a larger allocated housing site Hs16 with an indicative capacity of 350 dwellings.**
- 2.2 The site slopes upwards from the south west to the north east. There are open views from the site westwards towards the Pentland Hills and**

the north west of Edinburgh. Much of the character of the site comes from its agricultural setting with existing farms and rolling countryside to the north and east.

- 2.3 Further to the west/north west of the site is land safeguarded as a potential housing allocation; identified for a potential 200 units, beyond which is the corridor of the safeguarded realigned A701 relief road. The remainder of site allocation Hs16 bounds the site to the north east. To the south is Seafield Road and to the west are existing residential properties with the A703 Seafield Moor Road beyond. An existing hedgerow interspersed with trees demarcates the northern, eastern and southern boundaries of the site.
- 2.4 The existing housing in the settlement of Bilston comprises predominantly two-storey detached, semi-detached and terraced houses. The character of the area comprises houses fronting onto streets with small front and rear gardens. The majority of the buildings are characterised by various forms of rendered and reconstituted stone wall finish.

### **3 PROPOSAL**

- 3.1 The application, made under Section 42 of the Town and Country Planning (Scotland) Act 1997 as amended by the Planning etc. (Scotland) Act 2006 (hereafter referred to as the Act), is to remove condition 15 of planning permission 17/00968/DPP.
- 3.2 A Section 42 application, is in itself a planning application - a particular kind of planning application for development without complying with a condition/s previously imposed on an earlier grant of planning permission. A grant of planning permission under Section 42 results in an entirely new planning permission which will supersede the original permission if implemented. Therefore, if planning permission were granted for this application it would supersede the planning consent 17/00968/DPP if implemented. It would therefore be a new planning permission for the residential development of the site.
- 3.3 Although a Section 42 application is a new planning application in law the Act states *“on such an application the planning authority shall consider only the question of the conditions subject to which planning permission should be granted”*. The principle, layout and form of development are not subject to assessment. However, as a new planning application it would be subject to a new/amended legal agreement to secure developer contributions.
- 3.4 Condition 15 of planning permission 17/00968/DPP states:
- “Development shall not begin until details of the provision and use of electric vehicle charging stations throughout the development have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the*

*approved details or such alternatives as may be approved in writing with the planning authority.*

*Reason: To ensure the development accords with the requirements of policy TRAN5 of the Midlothian Local Development Plan 2017.”*

#### **4 BACKGROUND**

- 4.1 Planning permission 17/00968/DPP for the erection of 155 dwellinghouses and 36 flatted dwellings, formation of access roads, SUDS and car parking and associated works at land 470 metres west of Corby Craig Terrace, Bilston was granted with conditions in September 2018.
- 4.2 An environmental impact assessment (EIA) screening opinion request, 15/00937/SCR, for a proposed residential development on the site was submitted 25 November 2015. The applicant was advised that an EIA was not required under schedule 2 of the EIA Regulations.
- 4.3 The applicant carried out a pre-application consultation (15/00936/PAC) for a residential development on the site, which was reported to Committee at its meeting of January 2016.

#### **5. CONSULTATIONS:**

- 5.1 **Roslin and Bilston Community Council** object to the application on the basis that there should be no relaxation of the condition requiring electric vehicle charging points as required by policy TRAN5 of the Midlothian Local Development Plan 2017. It is of the utmost importance that electric car charging points be provided. However excellent the provision of information about public transport and opportunities to travel by foot and bicycle, it is highly likely that 50% of the residents will commute into Edinburgh for their work by car. In the interests of sustainability, there must be every encouragement for them to use electric cars. The consultation can be viewed in full on the online application case file.

#### **6. REPRESENTATIONS:**

- 6.1 There has been one representation received objecting to the application on the grounds of environmental sustainability; stating all developments whether residential, industrial or retail should be required to provide Electric Vehicle Charging Stations (EVCS) in order to meet Scotland's carbon emissions target and to create a better environment for all. The representation can be viewed in full on the online application case file.

#### **7 PLANNING POLICY**

- 7.1 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). The following policies are relevant to the proposal:

Edinburgh South East Scotland Strategic Development Plan 2013 (SESPlan)

- 7.2 **Policy 5 (HOUSING LAND)** requires Local Development Plans to allocate sufficient land for housing which is capable of becoming effective in delivering the scale of the housing requirements for each period.
- 7.3 **Policy 7 (MAINTAINING A FIVE YEAR HOUSING LAND SUPPLY)** states that sites for Greenfield housing development proposals either within or outwith the identified Strategic Development Areas may be allocated in Local Development Plans or granted planning permission to maintain a five years' effective housing land supply, subject to satisfying each of the following criteria: (a) The development will be in keeping with the character of the settlement and local area; (b) The development will not undermine Green Belt objectives; and (c) Any additional infrastructure required as a result of the development is either committed or to be funded by the developer.

Midlothian Local Development Plan 2017 (MLDP)

- 7.4 Policy **STRAT3: Strategic Housing Land Allocations** states that strategic land allocations identified in the plan will be supported provided they accord with all other policies. The development strategy supports the provision of an indicative 350 housing units on the site (Hs16).
- 7.5 Policy **DEV2: Protecting Amenity within the Built-Up Area** states that development will not be permitted where it would have an adverse impact on the character or amenity of a built-up area.
- 7.6 Policy **DEV3: Affordable and Specialist Housing** seeks an affordable housing contribution of 25% from sites allocated in the MLDP. Providing lower levels of affordable housing requirement may be acceptable where this has been fully justified to the Council. This policy supersedes previous local plan provisions for affordable housing; for sites allocated in the Midlothian Local Plan (2003) that do not benefit from planning permission, the Council will require reasoned justification in relation to current housing needs as to why a 25% affordable housing requirement should not apply to the site.
- 7.7 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.8 Policy **DEV6: Layout and Design of New Development** requires good design and a high quality of architecture, in both the overall layout of developments and their constituent parts. The layout and design of developments are to meet set criteria.
- 7.9 Policy **DEV7: Landscaping in New Development** requires development proposals to be accompanied by a comprehensive

scheme of landscaping. The design of the scheme is to be informed by the results of an appropriately detailed landscape assessment.

- 7.10 Policy **DEV9: Open Space Standards** requires that the Council assess applications for new development against set open space standards and seeks an appropriate solution where there is an identified deficiency in quality, quantity and/or accessibility.
- 7.11 Policy **TRAN1: Sustainable Travel** aims to encourage sustainable modes of travel.
- 7.12 Policy **TRAN2: Transport Network Interventions** highlights the various transport interventions required across the Council area, including the A701 realignment.
- 7.13 Policy **TRAN5: Electric Vehicle Charging** seeks to promote a network of electric vehicle charging stations by requiring provision to be an integral part of any new development.
- 7.14 Policy **IT1: Digital Infrastructure** supports the incorporation of high speed broadband connections and other digital technologies into new homes.
- 7.15 Policy **ENV2 Midlothian Green Networks** supports development proposals brought forward in line with the provisions of the Plan that help to deliver the green network opportunities identified in the Supplementary Guidance on the *Midlothian Green Network*.
- 7.16 Policy **ENV7: Landscape Character** states that development will not be permitted where it significantly and adversely affects local landscape character. Where development is acceptable, it should respect such character and be compatible in terms of scale, siting and design. New development will normally be required to incorporate proposals to maintain the diversity and distinctiveness of the local landscapes and to enhance landscape characteristics where they have been weakened.
- 7.17 Policy **ENV9: Flooding** presumes against development which would be at unacceptable risk of flooding or would increase the risk of flooding elsewhere. It states that Flood Risk Assessments will be required for most forms of development in areas of medium to high risk, but may also be required at other locations depending on the circumstances of the proposed development. Furthermore it states that Sustainable urban drainage systems will be required for most forms of development, so that surface water run-off rates are not greater than in the site's pre-developed condition, and to avoid any deterioration of water quality.
- 7.18 Policy **ENV10: Water Environment** requires that new development pass surface water through a sustainable urban drainage system (SUDS) to mitigate against local flooding and to enhance biodiversity and the environmental.

- 7.19 Policy **ENV11: Woodland, Trees and Hedges** states that development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees (including trees covered by a Tree Preservation Order, areas defined as ancient or semi-natural woodland, veteran trees or areas forming part of any designated landscape) and hedges which have a particular amenity, nature conservation, biodiversity, recreation, landscape, shelter, cultural, or historical value or are of other importance.
- 7.20 Policy **ENV15: Species and Habitat Protection and Enhancement** presumes against development that would affect a species protected by European or UK law.
- 7.21 Policy **ENV24: Other Important Archaeological or Historic Sites** seeks to prevent development that would adversely affect regionally or locally important archaeological or historic sites, or their setting.
- 7.22 Policy **ENV25: Site Assessment, Evaluation and Recording** requires that where development could affect an identified site of archaeological importance, the applicant will be required to provide an assessment of the archaeological value of the site and of the likely impact of the proposal on the archaeological resource.
- 7.23 Policy **NRG6: Community Heating** seeks to ensure developments deliver, contribute towards or enable the provision of community heating schemes.
- 7.24 Policy **IMP1: New Development**. This policy ensures that appropriate provision is made for a need which arises from new development. Of relevance in this case are education provision, transport infrastructure; contributions towards making good facility deficiencies; affordable housing; landscaping; public transport connections, including bus stops and shelters; parking in accordance with approved standards; cycling access and facilities; pedestrian access; acceptable alternative access routes, access for people with mobility issues; traffic and environmental management issues; protection/management/compensation for natural and conservation interests affected; archaeological provision and 'percent for art' provision.
- 7.25 Policy **IMP2: Essential Infrastructure Required to Enable New Development to Take Place** states that new development will not take place until provision has been made for essential infrastructure and environmental and community facility related to the scale and impact of the proposal. Planning conditions will be applied and; where appropriate, developer contributions and other legal agreements will be used to secure the appropriate developer funding and ensure the proper phasing of development.
- 7.26 Policy **IMP3: Water and Drainage** require sustainable urban drainage systems (SUDS) to be incorporated into new development.

## National Policy

- 7.27 The **SPP (Scottish Planning Policy)** sets out Government guidance for housing. All proposals should respect the scale, form and density of their surroundings and enhance the character and amenity of the locality. The individual and cumulative effects of infill must be sustainable in relation to the social and economic infrastructure of a place, and must not lead to over-development.
- 7.28 The SPP encourages a design-led approach in order to create high quality places. It states that a development should demonstrate six qualities to be considered high quality, as such a development should be; distinctive; safe and pleasant; welcoming; adaptable; resource efficient; and, easy to move around and beyond. The aims of the SPP are developed within the local plan and local development plan policies.
- 7.29 The SPP states that *design is a material consideration in determining planning applications* and that *planning permission may be refused and the refusal defended at appeal or local review solely on design grounds*.
- 7.30 The SPP supports the Scottish Government's aspiration to create a low carbon economy by increasing the supply of energy and heat from renewable technologies and to reduce emissions and energy use. Part of this includes a requirement to guide development to appropriate locations.
- 7.31 The SPP notes that "high quality electronic communications infrastructure is an essential component of economic growth across Scotland". It goes on to state that
- "Planning Authorities should support the expansion of the electronic communications network, including telecommunications, broadband and digital infrastructure, through the development plan and development management decisions, taking into account the economic and social implications of not having full coverage or capacity in an area"*.
- 7.32 The Scottish Government policy statement, **Creating Places**, emphasises the importance of quality design in delivering good places.
- 7.33 **Designing Places, A Policy Statement for Scotland** sets out the six key qualities which are at the heart of good design namely identity, safe and pleasant environment, ease of movement, a sense of welcome, adaptability and good use of resources.
- 7.34 **The Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design.

## **8 PLANNING ISSUES**

- 8.1 The main issue to be determined is whether the proposal accords with the development plan, unless material planning considerations indicate otherwise.

### The Principle of Development

- 8.2 The site is allocated for housing and is located within the built up area of Bilston where there is a presumption in favour of appropriate development. The subsequent grant of planning permission 17/00968/DPP for housing reaffirmed the principle of residential development across the application site.

### The Removal of Condition 15

- 8.3 Application 17/00968/DPP includes condition 15 which states:

*“Development shall not begin until details of the provision and use of electric vehicle charging stations throughout the development have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.”*

- 8.4 In the planning statement submitted in support of the application, the applicant states that there is no policy or guidance which requires the provision of EVCS, in particular with regard residential developments. Neither, the policy referenced by the local planning authority (TRAN5) or the officer guidance takes any cognisance of the potential impact of the electricity network and the required upgrading that may be necessary to achieve the correct supply to support the loadings that would be required with the extensive use of EVCS. Therefore, a blanket approach to the provision of EVCS cannot be taken and EVCS provision for each development would need to be consider in the context of the infrastructure capacity in each location. In relation to the proposed site at Seafield Road, Bilston, investigations have revealed that there is no additional capacity within the existing network to support EVCS.

### The Planning Position with regard EVCS

- 8.5 Policy TRAN5 seeks to promote a network of EVCS by requiring provision to be an integral part of any new development. The MLDP was adopted by Midlothian Council on 7 December 2017, which was before the grant of planning permission 17/00968/DPP (approved September 2018). Thereby the policies in the MLDP, including Policy TRAN5, are a significant consideration in the determination of application 17/00968/DPP. Section 25 (status of development plan) of the Town and Country Planning (Scotland) Act 1997 (as amended) states that *“Where, in making any determination under the Planning Acts, regard is to be had to the development plan, the determination is, unless material considerations indicate otherwise – (a) to be made in accordance with the plan“*.

- 8.6 Adopted policy TRAN 5 states that *“The Council will support and promote the development of a network of electric vehicle charging stations by requiring provision to be considered as an integral part of any new development or redevelopment proposals.”* The premise behind Policy TRAN5 is as explained in the preamble text of that policy which states that: *“electric vehicles represent an increasingly realistic option in terms of car ownership and travel; they have the potential to contribute substantially to an overall reduction in CO2 emissions, improving air quality and delivering sustainable development...The Council through the development management process, will provide advice on the detailed siting of such facilities.”*
- 8.7 The applicant has not provided any evidence to substantiate their claim that there does not exist capacity within the electricity network to support the provision of EVCS in the development or that the electricity network capacity cannot be upgraded to provide EVCS. Any cost burden of providing EVCS in the development including any necessary infrastructure cost including upgrading/increasing of the electricity capacity is a development constraint that should be bore by the applicant/developer. Furthermore, it is worth noting that the Proposed Plan approved in December 2014 included later adopted policy TRAN5 – it is therefore reasonable to conclude that in the early design work undertaken by the applicant prior to submitting application 17/00968/DPP in December 2017 early consideration could have been given to securing the required electricity infrastructure.

#### National Guidance

- 8.8 In its *‘A Nation With Ambition: The Government’s Programme for Scotland 2017-2018’* the Scottish Government announced plans to promote the use of ultra-low emission vehicles (ULEVs) with a target to phase out the need for new petrol and diesel cars by 2032. This is part of a broad plan to cut carbon emissions across Scotland.
- 8.9 To support this aim the Scottish Government has committed to:
- expanding electric charging infrastructure between now and 2022. Easy access to smart and rapid charge points will mean 'range anxiety' will be addressed;
  - work with delivery partners to create Scotland's first 'electric highway' on the A9, including charging points along the route;

- accelerating the procurement of ULEVs in the public and private sectors;
- introducing large scale pilots across the country, to encourage the private motorist to use ULEVs and remove barriers to their use;
- providing financial support for local solutions and small scale research and development to address the particular challenges to expanding the charging infrastructure in Scotland, such as charging in tenement properties, and capitalising on opportunities such as better linking electric vehicles with renewable energy and energy storage and systems in Scotland.

8.10 The Scottish Government has, through its *'Delivering for Today, Investing for Tomorrow: The Government's Programme for Scotland 2018-2019'*, also committed to introducing 1500 new electric vehicle charge points and investing further in the switch to electric vehicles.

8.11 The Scottish Government's aims to reduce carbon are supported through the Planning system. The Scottish Planning Policy (SPP) sets out areas where Planning can assist in reducing carbon emissions across Scotland. The SPP generally seeks to support a shift in energy supply from fossil fuels to renewable sources, thereby reducing carbon emissions. The SPP states that the *Planning system should help reduce emissions and energy use in new buildings from new infrastructure by enabling development at appropriate locations that contributes to energy efficiency*. There are general requirements to ensure new developments are energy efficient. These aspirations should not cease outwith the buildings which form new development. Developments as a whole should aim to reduce carbon emissions.

## **9 RECOMMENDATION**

9.1 It is recommended that planning permission be refused for the following reasons:

*It has not been demonstrated to the planning authority that the electricity network within the area does not have capacity and that the electricity network capacity cannot be increased in order to provide electric vehicle charging stations within the residential development the subject of planning permission ref. 17/00968/DPP and this current planning application. In the absence of demonstrable proof that there is an insurmountable technical reason why the electricity capacity cannot be increased, there is no justifiable reason for the planning authority to grant planning permission for residential development without the imposition of condition 15 on application 17/00968/DPP. The provision of electric vehicle charging stations complies with the Midlothian Local Development Plan 2017 and is support by national policy objectives.*

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

**Date:** 8 November 2019

**Application No:** 19/00432/S42

**Applicant:** Mr Craig Henderson

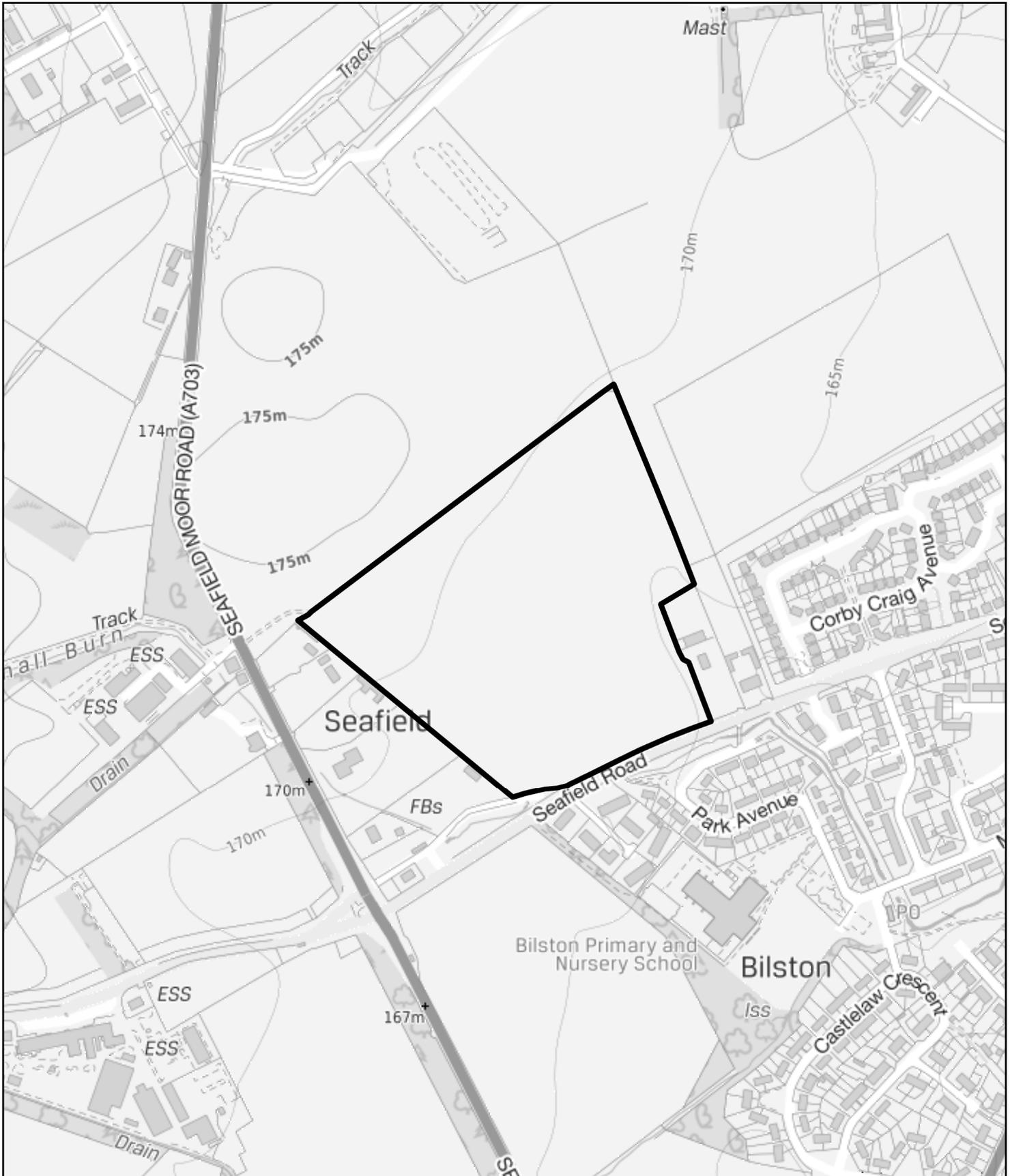
**Validation Date:** 21 May 2019

**Contact Person:** Peter Arnsdorf

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**Background Papers:** Applications 17/00968/DPP, 15/00937/SCR and  
15/00936/PAC



**Education, Economy  
& Communities**  
Midlothian Council  
Fairfield House  
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Section 42 application to remove condition 15 of planning permission 17/00968/DPP (to develop without providing provisions of electric vehicle charging stations) at Land 470M West of Corby Craig Terrace, Bilston, Roslin

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**APPLICATION FOR DETAILED PLANNING PERMISSION 19/00648/DPP FOR THE ERECTION OF THREE DWELLINGHOUSES; FORMATION OF ACCESS AND ASSOCIATED WORKS AT LAND ADJACENT TO 94 EDMONSTONE ROAD, DANDERHALL**

Report by Head of Communities and Economy

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**1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION**

- 1.1 The application is for the erection of three dwellinghouses on land adjacent to 94 Edmonstone Road, Danderhall. There have been no representations and consultation responses from the Council's Archaeology Advisor and the Council's Policy and Road Safety Manager.**
- 1.2 The relevant development plan policies are STRAT2, DEV2, DEV5, DEV6, DEV7, IT1, TRAN5, ENV11, ENV24, ENV25, IMP1 and IMP2 of the Midlothian Local Development Plan 2017.**
- 1.3 The recommendation is to grant planning permission subject to conditions and the applicant entering into a Planning Obligation to secure contributions towards necessary infrastructure.**

**2 LOCATION AND SITE DESCRIPTION**

- 2.1 The application site is located to the east of the residential properties at 94 Edmonstone Road, Danderhall. The application site comprises a parcel of relatively flat land measuring approximately 0.2ha in area. The application site is currently overgrown with shrubs and self-seeded trees. There are some small outbuildings located within the northern part of the site.
- 2.2 There is a natural stone boundary wall to the front of the application site, which fronts Edmonstone Road, and suggests that the site once formed part of the garden of the main house at 94 Edmonstone Road. This house is a large, three storey, traditional villa which has been extensively extended to the rear and subdivided over the years into three dwellings.
- 2.3 To the north of the site is land which was previously farmland and forms part of the Shawfair development area (allocated site h44, North Danderhall). The eastern boundary is partly defined by a brick wall and

planting. To the east of the site is an area that was formerly playing fields that will form the car park associated with the new Danderhall Primary School, which is currently being constructed (planning application 18/00735/DPP). Beyond this is Danderhall Bowling Club.

- 2.4 On the opposite side of Edmonstone Road, to the south, and to the west are residential properties. The surrounding residential properties within the area are a mix of single and two story buildings of various design styles and material finishes.

### **3 PROPOSAL**

- 3.1 Planning permission is sought for the erection of three dwellinghouses. A similar proposal was granted planning permission in 2011 but was not implemented.

- 3.2 The dwellings are to be set back to the rear of the site and arranged around a parking courtyard. The two dwellings set furthest back to the rear of the site are two storeys in height and are attached via a single storey double bay garage which looks to serve one of the dwellings. The third house is a single storey dwelling with living accommodation afforded in the roof space; this dwelling faces, at a slightly offset angle, onto the other two dwellings. At the eastern boundary, in-between the single storey and one of the two storey dwellings, are two single storey double bay garages which will serve two of the dwellings.

- 3.3 The two storey dwellinghouses have pitched roofs measuring some 5.1 metres to the eaves and 8.9 metres to the ridge. Each two storey house will comprise of five bedrooms, one en-suite, two bathrooms, utility room, kitchen and living room. There is an enclosed area of private garden ground to the rear of each dwelling. The single storey dwellinghouse has a pitch roof measuring some 2.7 metres to the eaves and 6.6 metres to the ridge. The single storey dwelling comprises of four bedrooms, one en-suite, two bathrooms, utility room, kitchen and living room. There is an enclosed area of private garden ground to the rear of this dwelling that backs onto Edmonstone Road. The associated double bay garages are approximately 6 metres by 6.3 metres and measure some 5.3 metres to the ridge.

- 3.4 All three dwellings and associated garages are of a traditional style with pitched roofs. Details of the external finishes have not been specified on the submitted plans, however, the submitted elevation plans and site sections are illustrated to show that the dwellings and garages are finished in a combination of render and stone with a slate or tiled roof with dark brown framed windows and doors within the dwellings and green double garage doors.

- 3.5 Vehicle access to the site is to be taken directly from Edmonstone Road through a gap which is to be formed within the existing stone boundary wall. There is an existing bus stop and shelter located at the

front of the proposed entrance which will be required to be removed and re-located.

#### **4 BACKGROUND**

4.1 In 2001 a planning permission in principle application, 00/00374/OUT, for a residential development was refused by Committee for the following reasons:

1. *In the Villages and Rural Area local plan, the application site is shown as part of housing site B. Access to the main part of housing site B is by means of the application site. Development of the application site on its own is likely to prejudice the successful development of the remainder of housing site B.*
2. *In the finalised Shawfair local plan Danderhall North is one of the three areas proposed for residential development. Danderhall North is immediately to the north of the application site. The location of vehicle and pedestrian access to Danderhall North has not yet been determined. It is likely that the application site could provide a convenient and attractive vehicle or pedestrian access to Danderhall North, in which case its development at the present time is premature and may prejudice the provision of such access.*

4.2 In 2011 planning application 08/00708/FUL, for the erection of three dwellinghouses and associated works including creation of access, was granted planning permission subject to conditions and a planning obligation to secure developer contributions and the relocation of the bus stop. This consent has not been implemented.

4.3 The current application has been called to Planning Committee for consideration by Councillor Curran because of concerns that the development could have a potential detrimental impact on Danderhall Miners Club.

#### **5 CONSULTATIONS**

5.1 The Council's **Archaeology Advisor** noted that the application site lies within the grounds of the former 17th century Woolmet House, which is now demolished. Other archaeological sites are recorded in the wider landscape, including the cropmark remains of a fort. The proposed development site lies within an area of archaeological potential and may contain previously unknown buried remains relating to the former Woolmet House and grounds, Woolmet Farmstead, and other remains dating from the prehistoric period onwards. The application site has potential archaeological significance and therefore there is a requirement for a programme of archaeological works (desk-based assessment and trial trench evaluation) to be carried out to record the historical remains and to determine whether the development will disturb any buried archaeological deposits.

- 5.2 The Council's **Policy and Road Safety Manager** does not object to the application and did not raise any concerns in terms of parking or road safety.

## 6 REPRESENTATIONS

- 6.1 No representations have been received.

## 7 PLANNING POLICY

- 7.1 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). The following policies are relevant to the proposal:

### Midlothian Local Development Plan 2017 (MLDP)

- 7.2 Policy **STRAT2: Windfall Housing Sites** supports housing on non-allocated sites within the built-up area provided: it does not lead to loss or damage of valuable open space; does not conflict with the established land use of the area; has regard to the character of the area in terms of scale, form, design and materials and accords with relevant policies and proposals.
- 7.3 Policy **DEV2: Protecting Amenity within the Built-Up Area** states that development will not be permitted where it would have an adverse impact on the character or amenity of a built-up area.
- 7.4 Policy **DEV5: Sustainability in New Development** sets out the requirements for development with regards to sustainability principles.
- 7.5 Policy **DEV6: Layout and Design of New Development** requires good design and a high quality of architecture, in both the overall layout of developments and their constituent parts. The layout and design of developments are to meet set criteria.
- 7.6 Policy **DEV7: Landscaping in New Development** requires development proposals to be accompanied by a comprehensive scheme of landscaping. The design of the scheme is to be informed by the results of an appropriately detailed landscape assessment.
- 7.7 Policy **TRAN5: Electric Vehicle Charging** seeks to promote a network of electric vehicle charging stations by requiring provision to be an integral part of any new development.
- 7.8 Policy **IT1: Digital Infrastructure** supports the incorporation of high speed broadband connections and other digital technologies into new homes.

- 7.9 Policy **ENV11: Woodland, Trees and Hedges** states that development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees (including trees covered by a Tree Preservation Order, areas defined as ancient or semi-natural woodland, veteran trees or areas forming part of any designated landscape) and hedges which have a particular amenity, nature conservation, biodiversity, recreation, landscape, shelter, cultural, or historical value or are of other importance.
- 7.10 Policy **ENV24: Other Important Archaeological or Historic Sites** seeks to prevent development that would adversely affect regionally or locally important archaeological or historic sites, or their setting.
- 7.11 Policy **ENV25: Site Assessment, Evaluation and Recording** requires that where development could affect an identified site of archaeological importance, the applicant will be required to provide an assessment of the archaeological value of the site and of the likely impact of the proposal on the archaeological resource.
- 7.12 Policies **IMP1: New Development and IMP2: Essential Infrastructure Required to Enable New Development to Take Place** require the developer to deliver, or contribute to, the required infrastructure to mitigate the impact of the development.

#### National Policy

- 7.13 The **SPP** (Scottish Planning Policy) sets out Government guidance for housing. All proposals should respect the scale, form and density of their surroundings and enhance the character and amenity of the locality. The individual and cumulative effects of infill must be sustainable in relation to the social and economic infrastructure of a place, and must not lead to over-development.
- 7.14 The **SPP** encourages a design-led approach in order to create high quality places. It states that a development should demonstrate six qualities to be considered high quality, as such a development should be; distinctive; safe and pleasant; welcoming; adaptable; resource efficient; and, easy to move around and beyond. The aims of the SPP are developed within the local plan and local development plan policies.
- 7.15 The Scottish Government policy statement, Creating Places, emphasises the importance of quality design in delivering good places.

## **8 PLANNING ISSUES**

- 8.1 The main issue to be determined is whether the proposal accords with the development plan unless material planning considerations indicate otherwise. The consultation responses received are material considerations.

### Principle of Development

- 8.2 As the planning application relates to a non-allocated housing site the development proposal must comply with the terms of policy STRAT2 of the adopted local development plan. Policy STRAT2 states that housing developments on non-allocated sites can be permitted where they satisfy a number of criteria. Policies IMP1 and IMP2 of the adopted local development plan seek contributions towards essential infrastructure, environmental and community facility requirements.
- 8.3 The application site is identified in the adopted MLDP as being located within the built-up area of Danderhall. As such the site is not inherently unsuitable for residential development and the consultations carried out have not highlighted any overriding reasons as to why the site could not be developed for residential purposes. Furthermore, planning permission was previously granted in 2011 for a similar residential development. Generally, it is considered that a residential use of the site is compatible with the character of the area.
- 8.4 The principal planning issues relate to the assessment of the appropriateness of the scale, mass and proportions of the development, the elevation design, material finish, layout, amenity space, access and parking, impact on local amenity. With regards to the application consideration must also be given to the possibility of significant archaeological interest within the site.

### Site Layout, Amenity and Design

- 8.5 The policy DP2 Development Guidelines, from the now superseded 2008 Midlothian Local Plan, set out the development guidelines that are to be applied for residential developments. The policy set the standards that should be applied when considering applications for dwellings. The guidance set out within this policy has been successfully applied to development proposals throughout Midlothian and will be reflected within the Council's Supplementary Guidance (SG) on Quality of Place which is currently being drafted.
- 8.6 Care and consideration has been taken to design an attractive residential development arranged around a parking courtyard which respects the setting and the buildings within the local area. The dwellings are set back into the plot to ensure that the views of the attractive neighbouring dwellings at 94 Edmonstone Road, are retained. This also ensures the proposed dwellings do not visually detract from the street scene.
- 8.7 The proposed development is for three dwellinghouses over the 0.2 hectare site which creates a low density development. The layout consists of a single vehicle access (cul de-sac) running into the site from Edmonstone Road with three dwellings arranged around a parking court yard area. The proposed parking courtyard area to the

front of the dwellings will provide each dwelling with two parking spaces located to the front of each property. Together, the orientation of buildings around the parking courtyard, the layout and the relationship between the buildings both proposed and existing, creates a development which is compatible with its surroundings and provides good amenity.

- 8.8 The MLDP requires good levels of amenity for residential development in terms of garden sizes, open space and the separation distances between dwellinghouses to mitigate against overlooking, loss of privacy and a sense of overbearing on neighbours. The required spatial standards were set out in the superseded Midlothian Local Plan 2008 and are likely to be incorporated into the supplementary guidance on 'Quality of Place' which is currently being drafted following the adoption of the MLDP in November 2017. These dimensional standards help those in the planning process quantify what good levels of amenity are and therefore it is reasonable to expect housing developments to meet these requirements unless there is justification not to do so.
- 8.9 The requirements with regard usable private garden sizes should be: (i) 100 square metres for terraced houses of 3 or more apartments; (ii) 110 square metres for other houses of 3 apartments; and (iii) 130 square metres for houses of 4 apartments or more. Each of the proposed dwellings exceed the private open space required.
- 8.10 The requirements with regard to spaces between houses may vary on the type of houses and the nature of the sites. Certain minimum standards must be observed as follows (i) back to back distances, whether between single storey or two storey houses, of 25 metres; (ii) between gable and rear of such property 16 metres; and (iii) between front elevations 22 metres. The development does not comply with the standards set out for distances between the fronts of the proposed houses. However, the private garden ground for the dwellings far exceeds the minimum standards and the courtyard layout creates a pleasant space which will add to the amenity for future residents makes up for the failure to comply with the minimum front to front distance.
- 8.11 With regards to existing properties, there is some 6.8 metres between the gable end of 94 Edmonstone Road and one of the two storey dwellings; there are no windows proposed within the gable end of the application dwelling. It is considered that this is an adequate separation between the gable ends of the existing and proposed dwelling. The proposal does not raise overlooking concerns nor will the development have an adverse impact upon the outlook of the neighbouring properties due to the siting, scale and design of the development proposal. Overall, it is considered that the residential development is configured so as to mitigate against overlooking, loss of privacy and a sense of overbearing on neighbours, both proposed and existing.

- 8.12 Danderhall Bowling Club is approximately 70 metres east of the application site. In between the application site and Danderhall Bowling Club will be the car park associated with the new Danderhall Primary School, which is currently being constructed (planning application 18/00735/DPP). It is unlikely that the social activities linked to the bowling club will have a significant impact upon the amenity of the proposed residential development due to the separation distance.
- 8.13 The architectural styles of the houses are relatively traditional in form (square/rectangular single and two storey buildings with pitched roofs) and complement the character of the area. As previously noted, details of the external finishes have not been specified on the submitted plans, however, the submitted elevation plans and site sections are illustrated to show that the dwellings and garages are finished in a combination of render and stone with a slate or tiled roof with dark brown framed windows and doors within the dwellings and green double garage doors. In principle, the proposed materials suggested are compatible with the surrounding area and are acceptable. However, in order to confirm the external finishes of the buildings and ensure that they complementary to each other and appropriate to the character of the area, it should be made a condition of a grant of planning permission that samples are submitted for the prior approval of the planning authority.
- 8.14 The majority of the existing southern stone boundary wall is to be retained; a vehicle opening is to be formed within the wall. Details of boundary treatments to the north, east and west of the application site have not been detailed within the application submission, but can be covered by a condition on a grant of planning permission.
- 8.15 The development as a whole provides good levels of amenity to future occupants, has a considered layout and design which links to the local area.

#### Landscaping

- 8.16 Limited details have been provided in relation to landscaping. A condition will be attached on a grant of planning permission requiring landscaping details to be submitted to the planning authority so as to ensure that the landscaping is of a high quality that complements and enhances the development proposal.

#### Access and Transportation Issues

- 8.17 A new vehicle access is to be taken from Edmonstone Road. This is an appropriate place to access the site. The proposed development provides a total of six off-street car parking spaces as well as each dwelling being provided with a double bay garage. This level of parking provision does not fully comply with the Council's standards (it does not provide formal visitor spaces). The Council's Policy and Road Safety

Manager offered no objection and did not raise any concerns in terms of parking or road safety.

- 8.18 As a result of creating an access into the site from Edmonstone Road, the existing bus stop and shelter will need to be relocated. The replacement of the existing bus stop and shelter can be secured by conditions on a grant of planning permission.
- 8.19 No details have been provided with regards to electric vehicle charging point provision. Each dwelling with a garage or private driveway is expected to have a dedicated vehicle charging point – the Council's aspirations in this regard can be secured by a condition on a grant of planning permission.
- 8.20 There are bus stops located within close proximity to the site on Edmonstone Road, where Prentice Coaches provides a bus, Monday to Saturday, (no.111 connecting the site to the Royal Infirmary and East Lothian).

#### Archaeology

- 8.21 The Council's Archaeology Advisor has recommended that survey work and a desk-based assessment and trial trench evaluation are carried out. The controls identified by the Council's Archaeology Advisor can be secured by condition.

#### Developer Contributions

- 8.22 Scottish Government advice on the use of Section 75 Planning Agreements is set out in Circular 03/2012: Planning Obligations and Good Neighbour Agreements. The circular advises that planning obligations should only be sought where they meet all of the following tests:
- necessary to make the proposed development acceptable in planning terms (paragraph 15);
  - serve a planning purpose (paragraph 16) and, where it is possible to identify infrastructure provision requirements in advance, should relate to development plans;
  - relate to the proposed development either as a direct consequence of the development or arising from the cumulative impact of development in the area (paragraphs 17-19);
  - fairly and reasonably relate in scale and kind to the proposed development (paragraphs 20-23); and
  - be reasonable in all other respects.
- 8.23 The Council's existing guidance states that contributions in relation to developments of 3-9 dwellings will be sought, but that there will be an exemption from contributions for the first two units. In this instance, which is a three unit development, contributions will be sought from one of the units.

- 8.24 If the Council is minded to grant planning permission for the development it will be necessary for the applicant to enter into a Section 75 planning obligation in respect of the following matters:
- a financial contribution towards education provision;
  - a financial contribution towards community facilities (which could include the provision/upgrading of sports pitches);
  - a financial contribution towards public transport/Borders Rail; and
  - a financial contribution towards improvements to Sheriffhall roundabout.

## 9 RECOMMENDATION

- 9.1 That planning permission be granted for the following reason:

*The proposed development accords with the Midlothian Local Development Plan 2017. The proposed detailed scheme of development in terms of its layout, form and design is acceptable and as such accords with development plan policies, subject to securing developer contributions. The presumption for development is not outweighed by any other material considerations.*

Subject to:

- i) The prior signing of a legal agreement to secure:
- a contribution towards education provision;
  - a contribution towards community facilities;
  - a contribution towards Borders Rail/public transport; and
  - a contribution towards improvements to Sheriffhall roundabout.

The legal agreement shall be concluded within six months. If the agreement is not concluded timeously the application will be refused.

Subject to the following conditions:

1. Development shall not begin until details of a scheme of hard and soft landscaping has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i. existing and finished ground levels and floor levels for all buildings, open space and roads in relation to a fixed datum;
  - ii. existing trees, landscaping features and vegetation to be retained, removed, protected during development and in the case of damage, restored;
  - iii. proposed new planting in communal areas, rain gardens, road verges and open space, including trees, shrubs, hedging, wildflowers and grassed areas as well as root protection measures;

- iv. location and design of any proposed walls, fences and gates, including retaining walls and those surrounding bin stores or any other ancillary structures;
- v. schedule of plants to comprise species, plant sizes and proposed numbers/density;
- vi. programme for completion and subsequent maintenance of all soft and hard landscaping;
- vii. drainage details and sustainable urban drainage systems to manage water runoff;
- viii. proposed car park configuration and surfacing;
- ix. proposed footpaths and cycle paths (designed to be unsuitable for motor bike use); and
- x. details of existing and proposed services; water, gas, electric and telephone.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

**Reason:** *To ensure the quality of the development is enhanced by landscaping to reflect its setting in accordance with policies DEV2, DEV6 and DEV7 of the adopted 2017 Midlothian Local Development Plan and national planning guidance and advice.*

2. Development shall not begin until samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out using the approved materials or such alternatives as may be agreed in writing with the planning authority.

**Reason:** *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policies DEV2 and DEV6 of the adopted 2017 Midlothian Local Development Plan and national planning guidance and advice.*

5. Development shall not begin until details of a sustainability/biodiversity scheme for the site, including the provision of house bricks and boxes for bats and swifts throughout the development has been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** To ensure the development accords with the requirements of policy DEV5 of the Adopted 2017 Midlothian Local Development Plan.

6. Development shall not begin until details of the provision and use of electric vehicle charging stations throughout the development have been submitted to and approved in writing by the planning authority. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be approved in writing with the planning authority.

**Reason:** To ensure the development accords with the requirements of policy TRAN5 of the Adopted 2017 Midlothian Local Development Plan.

7. Development shall not begin until details, including a timetable of implementation, of high speed fibre broadband have been submitted to and approved in writing by the planning authority. The details shall include delivery of high speed fibre broadband prior to the occupation of each dwellinghouse. The delivery of high speed fibre broadband shall be implemented as per the approved details.

**Reason:** To ensure the quality of the development is enhanced by the provision of appropriate digital infrastructure in accordance with the requirements of policy IT1 of the Adopted 2017 Midlothian Local Development Plan.

8. No development shall take place on the proposed site until the applicant has undertaken and reported upon a programme of archaeological (desk-based assessment and trial trench evaluation) work in accordance with a written scheme of investigation which has been submitted by the applicant (or their agent) and approved by the planning authority.

**Reason:** To ensure this development does not result in the unnecessary loss of archaeological material in accordance with policies ENV24 and ENV25 of the adopted Midlothian Local Development Plan.

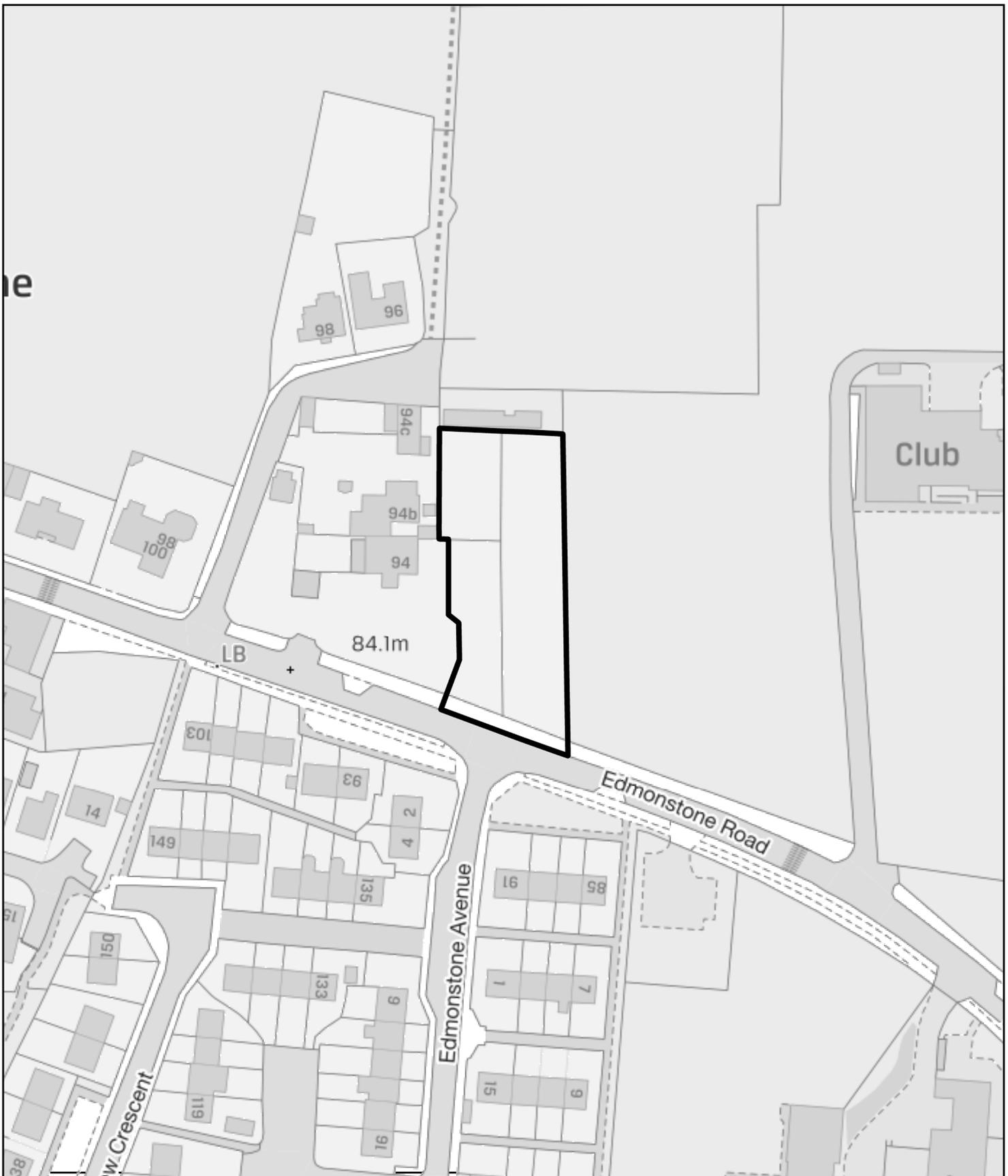
9. Unless otherwise agreed in writing by the planning authority, prior to the commencement of development the existing bus stop, located at the proposed vehicular access on drawing no. 07011 (00) 001 B, shall be removed.
10. Prior to the bus stop referred to in condition 9 being removed a replacement bus stop, including a shelter and associated works, shall be provided (constructed and operational) in a position to be agreed in writing by the planning authority.

*Reason for conditions 9 and 10: To ensure that the existing bus stop and shelter are replaced prior to the removal of the existing bus stop and shelter, so as to ensure that the development proposal does not result in the loss of public transport facilities and comply with policy IMP1.*

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

**Date:** 8 November 2019

**Application No:** 19/00648/DPP  
**Applicant:** Mr Sean Lynch  
**Agent:** Andrew McCafferty  
**Validation Date:** 12 August 2019  
**Contact Person:** Whitney Lindsay  
**Tel No:** 0131 271 3315  
**Background Papers:** 08/00708/FUL and 00/00374/OUT



**Education, Economy  
& Communities**  
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Erection of 3 dwellinghouses; formation of access and associated works at Land adjacent to 94 Edmonstone Road, Danderhall

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