



APPLICATION FOR PLANNING PERMISSION 14/00518/DPP FOR THE ERECTION OF 290 DWELLINGHOUSES, PROVISION OF LAND FOR BUSINESS PARK, FORMATION OF ASSOCIATED ACCESS ROADS AND SUSTAINABLE URBAN DRAINAGE (SUDS) AT LAND TO THE SOUTH OF GORTON LOAN, ROSEWELL

Report by Head of Communities and Economy

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1** The application is for the erection of 290 dwellinghouses, the provision of 2.08 hectares of land for a business park and the formation of associated access roads and a sustainable urban drainage system (SUDS) at land to the south of Gorton Loan, Rosewell. There has been 23 letters of representation and consultation responses from the Rosewell & District Community Council, the Scottish Environment Protection Agency (SEPA), East Lothian Archaeological Service, the Coal Authority, the Council's Policy and Road Safety Manager, the Council's Head of Education and the Council's Environmental Health Manager. The relevant development plan policies are RP5, RP20, RP27, RP28, HOUS1, HOUS4, COMD1, IMP1, IMP2, IMP3 and DP2 of the adopted Midlothian Local Plan 2008 (MLP). The recommendation is to grant planning permission subject to conditions and securing developer contributions.

2.0 LOCATION AND SITE DESCRIPTION

- 2.1** The application site extends to approximately 17 Hectares and is roughly grassed. It is the site of a former open cast coal quarry that was backfilled some 20 years ago. The application site comprises 3 allocated sites: (i) site H10 - Gorton Loan, Rosewell, allocated for housing in the 2008 adopted Midlothian Local Plan with an indicative capacity of 125 dwellings; (ii) site H22 - Rosewell Mains which is established housing land in the 2003 Midlothian Local Plan with an indicative capacity of 150 dwellings and which is now a committed development site; and, (iii) site e24 - Gorton Loan, which was allocated for business and industry in the 2003 Midlothian Local Plan and is now part of the Council's established economic land supply.
- 2.2** The application site is bounded by; the A6094 to the north and north west, Gorton Road and residential properties to the north east, Gorton Loan and the former Rosewell Main Steading to the east, residential properties in Carnethie Street to the south east and residential properties in Lindsay Circus to the south.

- 2.3 The existing housing in the surrounding area comprises predominantly traditional post war, single-storey and two-storey detached, semi detached and terraced houses with more recent pockets of detached and semi-detached cul-de-sac development. The housing comprises a diverse mix of architectural styles although the majority of houses are characterised by various forms of rendered and brickwork wall finish.

3.0 PROPOSAL

- 3.1 The residential component of the proposed development is for the erection of 290 dwellinghouses and the formation of associated access roads and sustainable urban drainage system (SUDS). All of the proposed buildings are two-storey.
- 3.2 Proposed external finishing materials within the Area of Improved Quality includes: red rosemary clay or natural slate roofing tiles, facing brick and reconstituted stone. Proposed external finishing materials outwith the Area of Improved Quality includes: grey concrete tiles, dry dash render and reconstituted stone, brick and GRP (glassfibre reinforced plastic) for door canopies.
- 3.3 Ten house types are proposed. The dwelling mix includes 198 detached houses, 52 semi-detached houses and 40 terraced houses. There are to be 20 two bedroom units, 92 three bedroom units and 178 four bedroom units.
- 3.4 The applicant proposes that 40 two-storey terraced houses on plots 251-290 be the affordable units.
- 3.5 The proposed business park measures approximately 2.08 hectares in area including land along boundaries for structural landscaping.
- 3.6 A principal vehicular access to the site; which will serve both the proposed houses and the business park, is proposed from a new roundabout formed on the A6094 at a point near to the northern extremity of the site. Two secondary vehicular accesses are proposed off Gorton Road, one of which would be a secondary access to the proposed business park. Four of the proposed houses are also accessed off Gorton Loan.
- 3.7 A SUDS pond is proposed on the southern extremity of the site.
- 3.8 The application is accompanied by a Pre-Application Consultation Report, a Design and Access Statement, a Ground Conditions Survey, a Coal Mining Risk Assessment, an Ecological Walkover Survey, a Transport Statement, an Archaeological Desk Based Assessment and a report on an archaeological evaluation of the site.

4.0 BACKGROUND

- 4.1 Pre Application consultation 10/00270/PAC for a residential redevelopment was received in August 2013.
- 4.2 When the planning application was initially submitted in July 2014 planning permission was sought for 293 dwellings. Following subsequent negotiations and consideration of comments made by interested parties the applicants amended the scheme to a proposed 290 dwellings.
- 4.3 The planning application was initially reported to the Committee at its meeting of January 2015, but was subsequently deferred to enable further consideration of representations made, in particular those made by the Rosewell & District Community Council.

5.0 CONSULTATIONS

- 5.1 The **Head of Education** advises that the development of 290 dwellings could be expected to generate the following number of pupils:

Primary Non Denominational	82
Primary Denominational	8
Secondary Non denominational	59
Secondary Denominational	6

- 5.2 Primary Non-Denominational provision will be at Rosewell Primary School. The applicants will be required to make a developer contribution towards the extension of Rosewell Primary School.
- 5.3 Primary Denominational provision will be at St Matthew's RC Primary School which currently has sufficient capacity for the development.
- 5.4 With regard to Secondary Non-Denominational provision this will require additional capacity provision and, accordingly, developer contribution will be required towards the consequential costs of this augmented capacity.
- 5.5. With regard to Secondary Denominational provision a contribution of £135 per house towards St David's High School is required.
- 5.6. The **Council's Environmental Health Manager** recommends the imposition of conditions in respect of ground contamination remediation and noise mitigation. With regards to the latter it is recommended that the uses on the business park be restricted to those which can be carried out in a residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit. In addition the Manager recommends that noise emission levels from the business park be restricted.

- 5.7 The Council's **Policy and Road Safety Manager** has requested further access, parking, footpath, SUDS and public transport infrastructure details and a Green Travel Plan. These details can be covered by condition.
- 5.8 The **Scottish Environment Protection Agency (SEPA)** initially objected to the application on the grounds of lack of information in respect of surface water drainage and potential impact on the water environment. They subsequently removed their objection following the submission of additional information on drainage submitted by the applicant's agent. They highlight that the applicant should ensure that the calculated retention time is taken into account when considering the SUDs pond outfall and the alignment of the swale outfall discharging into the SUDS pond.
- 5.9 The **Coal Authority** informs that the site falls within the defined Development High Risk Area and therefore within the site and surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of the planning application. They state that they concur with the recommendations of the Coal Mining Risk Assessment Report submitted with the application that coal mining legacy potentially poses a risk to the proposed development and that further site investigation works should be undertaken prior to development in order to locate the mine entries and that the shallow coal mining working should be subject to a programme of consolidation. The Coal Authority recommends that the Council impose a planning condition on a grant of planning permission requiring these site investigation works be remedial measures prior to commencement of development. Subject to this the Coal Authority raises no objection to the planning application.
- 5.10 **Rosewell & District Community Council (RDCC)** makes the following comments:
- i. The Community Council concede that the application site is adopted for housing and business use in previous Local Plan.
 - ii. Additional time should be given for the RDCC to comment on the application.
 - iii. The RDCC has major concerns with issues such as the configuration of the roundabout, Gorton Loan and Cochrina Place.
 - iv. The RDCC is pleased at some amendments made to the original site plan; in particular that units have been removed from the rear of existing properties on Carnethie Street, and the setting of the B-listed Rosewell Parish Church will not be compromised. They also welcome cycle and pedestrian paths and the removal of flats.
 - v. The consultation responses from statutory consultees should be available for public viewing.
 - vi. On the Eplanning portal descriptions of documents do not encourage easy reading of online planning applications.

- vii. The site is allocated for 275 units and the originally submitted proposed development is for 293 units. The increase in the number of units which the site is allocated for is not acceptable. – The scale of the development is not appropriate to a rural area.
- viii. There is a concern that the proposed development will put undue pressure on the A6094 Rosewell Bypass, the B7005 Roslin Glen Road and the route via Poltonhall.
- ix. RDCC do not agree with the Bett Homes Transport Assessment that Rosewell is well served by public transport. Midlothian Council must ensure that an efficient public transport link is in place if Rosewell is to be regarded as a commuter village servicing Edinburgh.
- x. There is concern with the roundabout configuration. In addition, a safe method means for cyclists and horse riders to navigate the A6094 from Rosewell onto the Roslin Glen Road must be found. A principal concern is that the roundabout configuration will cause congestion problems at peak times and a substantial risk to pedestrians using this area at these times. It would be safer and better solution to have a direct link to the roundabout running in a straight line from Gorton Road.
- xi. The road should be configured to provide a more direct link to the A6094 Rosewell Bypass.
- xii. All HGV site traffic should enter and exit the village via the roundabout and not along existing streets, principally because of there being a history of subsidence.
- xiii. There should be prominent signs advising contractors of the approved access and exit points to the site via the A6094 Rosewell Bypass. A hotline telephone number must be displayed whereby the public may report infringements.
- xiv. Concerns about workmen littering the site with refuse during ground investigation works.
- xv. During construction work, parking for site contractor's vehicles and their private transport should be located within the Bett Homes' site and not on neighbouring village streets.
- xvi. Concern about detrimental impact of proposed houses on the cottages in Cochrina Place. The proposed houses should be moved a greater distance from Cochrina Place and density of the development in the proximity of Cochrina Place should be reduced.
- xvii. Neither Cochrina Place, nor the private back lane should be accessed by site traffic during construction of the development.
- xviii. It remains to be confirmed whether the affordable housing will be social or part-ownership/Golden Share.
- xix. If the affordable housing is to be part-ownership, they could be spread around the site.

- xx. Existing properties should be protected against damage; including subsidence, from construction work. The methodology of how they will be protected should be agreed prior to work commencing.
- xxi. The concern raised by residences of Gorton Loan should be addressed.
- xxii. Gorton Loan should not be used as a vehicular access to serve the development. The proximity of existing houses directly onto Gorton loan is a concern.
- xxiii. The Council should imposed controls to minimise the danger of possible subsidence, including specifying appropriate foundations for the buildings.
- xxiv. No deer, foxes, badgers, hedgehog, frogs and other small mammals and birds should be disturbed during the nesting season and statutory requirements for protection of the wildlife should be adhered to.
- xxv. The existing woodland to the east of the site should be retained and it should not be used as a future public walkway or play area.
- xxvi. It would seem sensible to encourage the future occupants of the houses to use Rosewell Public Park's play area so that they integrate with the existing community. It is therefore questionable whether a separate play area is required.
- xxvii. The future marketing of the business park on the site should not be to the detriment of existing local businesses.
- xxviii. Adequate safety measures should be put in place to protect children who will play on the business park land, close to the bypass, before it is developed.
- xxix. Will developer contributions from Bett Homes be used for primary education within Rosewell? Are there plans to further extend Rosewell Primary School?
- xxx. The development will require an even greater requirement for a purpose built community centre to serve the much increased population in Rosewell. Securing developer contributions from Bett Homes for a community facility is essential.

5.11 **East Lothian Archaeology Service** informed that the area is regarded as being of potential archaeological significance. Although there has been no archaeological work carried out on the proposed site, the archaeological remains throughout the area suggested that archaeological remains may be encountered during groundbreaking operations. Consequently any archaeological remains that may survive *in situ* could provide important information about the known prehistoric remains in the area. Any groundbreaking works carried out as part of the development process are considered as having a potential archaeological impact and require a suitable mitigated response. It is therefore recommended that a Watching Brief of all ground breaking work (such as foundations and services etc.) be carried out on the

undisturbed areas of the site at the north and east parts of the site subject to ground breaking work including landscaping, foundations and service etc.

5.12 **Scottish Water** has made no comment.

6.0 REPRESENTATIONS

6.1 Twenty one written representations have been received in relation to the application including a petition containing 24 signatures. The issues raised are summarised as follows:

- The proposed affordable houses (those on plots 251-290 inclusive) should be sited further back or there should be a buffer zone of planting between them and the houses in Cochrina Place.
- By positioning the affordable house into one area that area will become a ghetto. The affordable houses should be distributed throughout the site.
- There should not be access from the development site to the private land to the rear of Cochrina Place.
- Concern about loss of bird nesting habitat.
- Loss of amenity of the existing neighbouring houses.
- Inappropriate mix of house types – terraced and semi-detached houses will detract from the character of the area.
- Too many houses proposed for the site.
- Insufficient green open space is being provided in the development for dogs resulting in green spaces within neighbouring sites being used by the future occupants of the proposed houses.
- Concern about unauthorised use of an existing tree belt that the occupants of houses in Fairmeadow have title to.
- Existing pedestrian and road safety concerns with Gorton Road which will be exacerbated by the proposed development.
- Concern that the existing road infrastructure in the area is not of a sufficient standard to cope with the increase in traffic arising from the development.
- The development will put an undue strain on existing services and facilities in Rosewell which will not be able to cope with the increase in demand on them.
- Insufficient capacity at the existing primary school in Rosewell.
- Concern about damage to existing drains; including field drains, which prevent flooding at Cochrina Place/Gorton Loan.
- Concern about existing problems of flooding at Cochrina Place/Gorton Loan and that no details have been submitted with the application on how this will be addressed in the development.
- The developer should upgrade the access track to the rear of Cochrina Place and Gorton Loan.
- Concerns about the development causing land shift and subsidence to properties in Cochrina Place.
- Concern about the effects of the development on wildlife - flora and fauna.
- Concern about noise and disruption during periods of construction.

- Concern about noise from the new residences; including traffic noise.
- Concerns about loss of sunlight and daylight to neighbouring properties.
- Loss of views.
- The scale of the development should be reduced significantly.
- Concern about dust nuisance.
- Insufficient neighbour notification and consultation has taken place.
- The proposed affordable homes should be located on a different location on the site.
- Overlooking and loss of privacy to neighbouring houses and gardens.
- The development contravenes the Human Rights Act.
- There should be a buffer between the development and neighbouring residential properties.
- The size of the rear private gardens of a number of the proposed houses fall short of the minimum size set by adopted Midlothian Local Plan Policy DP2.
- The proposed development is an overdevelopment of the site.
- The density of the proposed development is not in keeping the existing density in the vicinity of the site.
- Insufficient open space and structural landscaping has been incorporated into the development.
- It is unclear where the area of improved quality is to be located.
- The proposed development would result in parking congestion on neighbouring roads, particularly on sections of road close to the local shops.
- Concern about cars associated with the development obstructing the existing bus stops in Carnethie Street.
- In the event of planning permission being granted the hours of construction should be restricted to safeguard the amenity of neighbouring noise sensitive properties and in the interests of health and safety in particular the safety of children travelling to the primary schools in the village.
- The proposed development will negatively affect the peaceful character of the village, changing its character to that of a commuter town.
- The proposed development; including the two-storey house types, is out of keeping with the character of the area.
- Would result in a diminishing of the market value of existing neighbouring properties.
- There is no need for the proposed development.
- Concern about nuisance, disruption and littering caused by contractors surveying the site.
- Concern that the proposed development will obstruct access to the driveway of No.12 Gorton Loan.
- Concern about the absence of a turning head on Gorton Loan to allow service vehicles serving the existing and proposed houses accessed off Gorton Loan to manoeuvre and turn on Gorton Loan.
- Concern about the existing condition of Gorton Loan.

- Concern about Gorton Loan not being of an adequate standard to be used as an access into the development site.
- Concern about bollards positioned on Gorton Loan obstructing access to the garage of the house at 12 Gorton Loan.
- Insufficient information has been submitted with the application for it to be assessed.
- Possibility of an access road to the site to be formed through the neighbouring site at Rosewell Mains Steading.
- The number of new houses accessible from Gorton Loan should be restricted.
- Concern that the proposed development would result in coalescence of Roswell and Hopefield/Bonnyrigg.
- The existing bus service in Rosewell is inadequate.
- Concern about conflict between vehicles accessing the site off the proposed new roundabout access on the A6094 and cyclists using the cycle path that runs alongside that road.
- Concern about child safety on neighbouring roads.
- Concern about parking for construction workers associated with the development parking on neighbouring roads.
- The programme of archaeological works recommended by the Council's archaeological advisor should be carried out.
- Existing problems with inadequate broadband/internet access and mobile phone reception within the village.
- Concern that the future occupants of the houses will not integrate into the community.
- Concern about access to houses in Cochrina Place and Gorton Loan during periods of construction.
- Concern about inconsistency in decisions made by the planning authority.
- Concern about past decisions by the planning authority on householder planning applications.
- Concern that the Council applies different rules in assessing planning applications by house builders to assessing planning applications made by private individuals.
- The permanent closure of Gorton Loan onto the A6094 should not be considered as part of the planning application. The concern is that closure of Gorton Loan would increase traffic on Carnethie Street and the Lindsay Row part of the neighbouring Fairmeadow estate, which is unfit for significant volumes of traffic.
- The haulage routes for construction traffic accessing and leaving the site should be restricted to main roads around Rosewell and no traffic should be allowed onto Rosewell Main Street.
- Concern that the B7003 is not of a suitable standard to cope with use by construction vehicles.
- Noise and pollution from the development should be monitored.
- Haulage routes should be kept clean and in good repair.

6.2 In a letter of representation a number of questions/queries were asked:

1. How many years should the overall development take to complete?

2. What is the timescale for the phases of the development and in what sequence?
3. Is the whole site levelled in Phase 1?
4. Is the suds pond part of Phase 1?
5. Where will access for Phase 3 be taken from? There should be no access to the development via Gorton Loan, Cochrina Place and the village roads?
6. The new houses closest to the affected properties on Cochrina Place and Gorton Loan are completed first so they can minimise the length of time residents are living in a potential building site.
7. The plans still show the gates for 12 Gorton Loan in the wrong position which could affect the houses facing 12 Gorton Loan.
8. Improvements to village infrastructure such as roads, schools and community facilities must be developed in conjunction with the development.

7.0 PLANNING POLICY

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) (SESplan) and the Midlothian Local Plan (MLP), adopted in December 2008. Also relevant with regards to the part of the site comprising committed development site H22 - Rosewell Mains, is Policy HOUS4: *Affordable Housing and Special Needs Housing* of the then 2003 Midlothian Local Plan.

The following policies are relevant to the proposal:

South East Scotland Strategic Development Plan 2013 (SESPlan)

- 7.2 Policy 2 (Supply and Location of Economic Land) requires local development plans to allocate sufficient land for business and industry and to provide a range and choice of marketable sites to meet the anticipated requirements.
- 7.3 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.

Midlothian Local Plan 2008

- 7.4 Policy **COMD1: Committed Development** states that the Council will seek the early implementation of all committed development sites and related infrastructure, facilities and affordable housing requirements.

- 7.5 Policy **RP5: Woodland Trees and Hedges** does not permit development that would lead to the direct or indirect loss of woodland which has a particular value in terms of amenity, nature conservation, recreation, landscape character or shelter.
- 7.6 Policy **RP20: Development within the Built-up Area** states that development will not be permitted within the built-up area where it is likely to detract materially from the existing character or amenity of the area.
- 7.7 **Policy RP27: Other Important Archaeological or Historic Sites** states that development will not be permitted where it could adversely affect an identified regionally or locally important archaeological or historic site or its setting unless the applicant can show that: (A) there is a public interest to be gained from the proposed development which outweighs the archaeological importance of the site; (B) there is no alternative location for the proposal; and, (c) the proposal has been sited and designed to minimise damage to the archaeological interest.
- 7.8 **Policy RP28: Site Assessment, Evaluation and Recording** states that where any development proposal 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 impact of the proposal on the archaeological resource.
- 7.9 Policy **HOUS1: Strategic Housing Land Allocations (Proposal)** states that housing development to meet strategic housing land requirements will be permitted on sites identified in the Local Plan provided they accord with Local Plan policies IMP1, IMP2, IMP3 and DP2. Reference should be made to policy HOUS4 with respect to the proportion of affordable housing to be provided.
- 7.10 Policy **HOUS4: Affordable Housing** requires that on residential sites allocated in this Local Plan and on windfall sites identified during the plan period, provision shall be required for affordable housing units equal to or exceeding 25% of the total site capacity, as follows:
- for sites of less than 15 units (or less than 0.5 hectares in size) no provision will be sought;
 - for sites of between 15 and 49 units (or 0.5 to 1.6 hectares in size) there will be no provision for the first 14 units thereafter 25% of the remaining units will be for affordable housing
 - for sites of 50 units and over (or larger than 1.6 hectares in size), there will be a requirement for 25% of the total units to be for affordable housing.

Lower levels of provision, or a commuted sum, may be acceptable where this has been fully justified. Supplementary planning guidance for the affordable housing provision shall provide advice on: the acceptable tenure split between social and low cost housing; possible delivery mechanisms; the scope for commuted sums; and other relevant matters as necessary.

- 7.11 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 transport infrastructure, 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.
- 7.12 Policy **IMP2: Essential Infrastructure required enabling New Development to Take Place**, states that new development will not take place until provision has been made for essential infrastructure and environmental requirements, related to the scale and impact of the proposal. This includes essential roads infrastructure, protecting valuable environmental assets within or adjacent to the site and compensation for any losses including alternative provision where appropriate. In this case the need to upgrade junctions and access arrangements will come through a Traffic Assessment and specific requirements may arise from water and drainage and flood risk assessments. Contributions to meet the consequential impact of the development on education capacity are also required from this development.
- 7.13 Policy **IMP3: Developer Contributions Towards Facility Deficiencies** states that in addition to the essential infrastructure requirements set out in policy IMP1, contributions will be required for proposal HOUS1 and HOUS2 developers to remedy any deficiencies in local facilities and amenities identified within the community which result from the additional housing, including leisure, local shops (subject to favourable assessments of prospects for community viability) and open space. Legal agreements will be used to secure the appropriate developer contributions. For allocated housing sites in Rosewell, contributions will be sought towards a community facility.
- 7.14 Policy **DP2: Development Guidelines** sets out Development Guidelines for residential developments. The policy states the standards that should be applied when considering applications for dwellings.

Midlothian Local Plan 2003

- 7.15 Policy **HOUS4: Affordable Housing and Special Needs Housing** requires that on residential sites allocated in the 2003 Local Plan and on windfall sites, where site condition and marketing conditions allow, the provision in the range of 5-10% affordable and special needs housing will be required. Provision of less than 5% may be acceptable in circumstances where capacity of land is limited.

With regards to sites predating the 2003 Midlothian Local Plan; which site h22 does, it is stated in Appendix 1A of that Plan that as referred to in the Housing Land Audit, there may be a requirement for the

provision of 5-10% affordable housing units relating to the sites included in the Established Housing Land Supply.

National Policy

- 7.16 **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.
- 7.17 **The Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design.

8.0 PLANNING ISSUES

- 8.1 The main planning issue to be considered in determining this application is whether the currently proposed development complies with development plan policies unless material planning considerations indicate otherwise. The representation responses and the consultation responses received are material considerations.

The Principle of Development

- 8.2 The site is allocated for housing and business/general industry and is located within the built up area of Rosewell where there is presumption in favour of appropriate development. The principle of residential development on committed development site h22 (Rosewell Mains) is established by its allocation for housing within the 2003 Midlothian Local Plan, with an indicative capacity of 150 units. The principle of residential development on site H10 (Gorton Loan) is established by its allocation for housing within the MLP, with an indicative capacity of 125 units. The principle of business/industrial uses on established economic land supply site e24 (Gorton Road) is established by its allocation for business/industrial use in the 2003 Midlothian Local Plan.
- 8.3 In this application the southern part of site e24 is proposed for houses. As a quid pro quo the northern extremity of site H10 is proposed as part of the business/industrial park. The area of land of the proposed business/industrial park is comparable to that of established economic land supply site e24 and thus the reorientation of the economic land is acceptable.

Layout and Form of the Development

- 8.4 The site consists of a field which has been allocated for both housing and business/industrial use in the local plan. The landform of the site sits slightly higher than the adjacent existing development and is generally sloping from north to south albeit the northernmost corner slopes to the north. The proposed development is for 290 dwellings with an average density of some 37 dwellings per hectare. This equates to a density appropriate to the established density of Rosewell.

- 8.5 Policy DP2 requires the provision of the following minimum useable private garden areas for houses: (i) 110 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. A proportion of the proposed houses have rear private gardens that fall below the Council's minimum requirement set out in the DP2 Guidelines in the Local Plan. Forty of those houses are small terraced houses. In the case of these terraced houses if the minimum private rear garden size was adhered to the rear gardens would be overly long. Overall in the development the units with smaller rear gardens balance those with larger rear gardens. The mixture of properties with larger and smaller rear gardens creates variation in the layout and visual diversity to the development. This justifies allowing a relaxation in the size of the gardens in this particular case. In addition the areas of open space on and off the site helps to offset concerns about rear garden sizes.
- 8.6 The layout comprises a series of formal streets with the integration of open space and planting. The street pattern reflects the existing housing in part and is designed to adapt to the irregular shape of the site. The distances between properties are generally in compliance with the spatial standards set by MLP policy DP2; the only exceptions being in the case of the back to back distance between houses on four plots. However the distances are only marginally below the recommended 25 metres and therefore not significantly below such that the future occupants of these houses would not be afforded adequate residential amenity. The arrangement of buildings, disposition of open space and scale and massing of the proposed development is acceptable. The development has been designed to include a series of linear streets and loops, some of which are laid out with 5.5 metre wide shared surfaces in block paving with 2 metre wide grassed service strips/verges on both sides. Shared surfaces encourage reduced vehicle speeds as motorists perceive that they do not have priority over any other users of the road space.

Design and Materials

- 8.7 The mix of house types and sizes is acceptable. The architectural styles of the houses are traditional in form and complement the character and visual amenity of the area. In terms of the number of units, their size, massing and positioning on the site the houses would not appear cramped or an unsympathetic development on the site.
- 8.8 MLP policy DP2 requires that there be an added emphasis on the quality in design of a minimum of 20% of the dwellings on the site. This applies to individual buildings and the use of materials both in building finishes and also in boundary treatment and ground surfaces. The expectation is that such treatment is focused on prominent landmark groups or key individual buildings. The houses fronting onto the open spaces, the houses fronting onto the SUDS pond and the open spaces flanking the SUDS pond, houses fronting onto the principal road in the development, houses adjacent to the entrance to the site off the A6094

road and the houses accessed of Gorton Loan; which comprise 46 units in total, are all prominently positioned on the site. Therefore, these house plots should comprise the area of improved quality/enhanced key buildings in terms of both design and materials. The style and appearance of the buildings on these plots are relatively traditional, which is in keeping with the established character and amenity of the area. Materials in the Area of Improved Quality (AIQ) should be slate or clay tiles, good quality facing brick or wet dash render, and stone detailing for quoins, window and door surrounds, lintels and sills. Stone or smooth/high quality reconstituted stone shall be used for any under building and window frames shall be timber or UPVC.

- 8.9 Elsewhere within the development, out with the aforesaid plots the relatively traditional architectural style of the proposed houses is sympathetic to the neighbouring buildings in Rosewell. Accordingly, in terms of architectural style the proposed houses would not harm the character or visual amenity of the area. In order that the external finishes of the buildings are appropriate to the development and its location it should be made a condition of a grant of planning permission that samples are submitted for the prior approval of the Planning Authority.
- 8.10 No details of 'percent for art' for the development have been submitted with the application. It can be made a condition of a grant of planning permission that details of artwork be submitted for the prior approval of the Planning Authority.
- 8.11 In terms of their size, height and positions on the site the proposed buildings; which are two-storey in height, would not unduly impose themselves or appear obtrusive within the locality, despite nearby properties in Cochrina Place, Gorton Road and Gorton Loan being single storey. The proposed buildings are so removed from existing neighbouring houses so as not to give rise to any demonstrable harm to their residential amenity in terms of loss of daylight, loss of sunlight or overlooking.
- 8.12 The proposed development will not harm the setting of any neighbouring listed building, including Rosewell Parish Church. The Rosewell Parish Church is separated from the proposed new dwellings by the provision of an area of open space alongside the SUDS pond.

Open Space and Play Areas

- 8.13 The development incorporates a principal central landscaped open space containing a kick about pitch and next to it an open space containing an equipped children's play area. This provides a focal point to the development. A SUDS pond is proposed on the southern end of the site and an area of open space is provided to the immediate north of it. The SUDS pond abuts an existing green open space in the neighbouring housing development to the south and together with the open space to the immediate north of the SUDS pond they will form an

attractive linear green corridor. The combined size of the open spaces meets the minimum size required by policy DP2. Houses front onto the open space areas providing passive surveillance. The finished levels of the houses, usable open spaces, play area and SUDS can be conditioned to ensure that the passive surveillance is delivered.

- 8.14 The proposed equipped toddler's children's play area on the site has been positioned centrally in easy reach of all of the houses on the site. It will receive passive surveillance from the windows in the houses that front onto it. The play area will need to include play equipment provided/funded by the developers in accordance with Policy DP2 (paragraph 4e Provision of Play Facilities for Children) of the adopted Local Plan. It should include two pieces of inclusive play equipment and have a number of good play items and include a bench and litter bin located within the fenced off area allocated for play. There should also be an area of hardstanding at the pedestrian gate entrance as there will be higher wear in this area. This can be secured by a planning condition.

Ground Conditions

- 8.15 The controls referred to by the Council's Environmental Health Manager in respect of ground contamination can be secured by a condition imposed on a grant of planning permission.

SUDS

- 8.16 The SUDS proposals as delineated on the application comprise a pond, designed as a relatively soft feature, and required maintenance access track. The SUDS scheme will ensure that there will be no net detriment to the locality's drainage whilst providing a locally attractive space.

Landscaping

- 8.17 A tree belt of some 20 metres deep is to be formed along the north western edge of the site which abuts the A6094 road and countryside beyond. This structural landscaping will create an adequate visual buffer and a good landscape fit. Additionally it will provide protection of the development against the prevailing winds from the Pentland Hills whilst at the same time it will not grow to an over-dominant feature casting a shade over the houses and rear gardens adjacent to it.
- 8.18 An existing woodland adjacent to the boundary with the neighbouring Rosewell Mains Steading site has good landscape value and will provide a landscape buffer to the development. Therefore this woodland should be retained and protected. This can be secured by a planning condition.
- 8.19 Elsewhere in the development the proposed landscaping will integrate the development into the landscape. The tree lined boulevard proposed from the entrance to the development off the A6094 road up to the entrance to the principal open space will be an attractive entrance to the development.

Business/Industrial Site

- 8.20 Owing to the relatively close juxtaposition of existing houses and proposed houses on the site to the proposed business park on the northern part of the site, there is a concern that general industrial processes (falling within Class 5 of the Town and Country Planning (Use Classes) (Scotland) Order 1997) could not be carried out on the business park without detriment to the amenity of these existing and the proposed neighbouring houses by reason of noise, vibration, smell, fumes dust or grit etc. Consequently, if planning permission is to be granted for the proposed development it should be subject to a planning condition restricting uses on the business park to those falling within class 4 of the said Use Classes Order; which includes offices (financial, professional and other services, research and development processes and light industry which can be carried out in any residential area without detriment to residential amenity). In addition, the Council's Environmental Health Manager recommends in the interest of safeguarding existing and proposed neighbouring noise sensitive properties that it be made a condition of a grant of planning permission that noise emissions from the buildings erected on the business park be restricted. Subject to these recommended controls business and light industrial uses on the business park could coexist with the proposed houses and existing neighbouring houses without significant harm to their residential amenity

Transportation Issues

- 8.21 The proposed access arrangements; including the configuration of the roundabout access off the A6094 Rosewell Bypass, are acceptable in transportation terms. Through an amendment made to the current application a mini roundabout to the south of the new roundabout to be formed on the A6094 has been deleted from the scheme. The currently proposed development will have the capacity to be safely and conveniently accessed by private modes of transport and service vehicles. The existing road network is of a sufficient standard to cope with the increase in use resulting from the proposed development. Parking provision meets the Council's standard of 150%. Suitable access and turning has been provided for service vehicles. The proposed development raises no material road safety concerns.
- 8.22 To ensure the safety and convenience of existing local residents and those visiting the development site during the construction process and in the interests of safeguarding the amenity of neighbouring properties, it should be made a condition of a grant of planning permission that development does not begin until details of the access arrangements and haulage routes for construction traffic accessing and leaving the site have been submitted to and approved in writing by the planning authority. It will be the responsibility of the developer to ensure that the access arrangements and haulage routes for construction traffic agreed with the planning authority are adhered to.

- 8.23 At present there does not exist from the application site a safe pedestrian and cycle route to the primary school in Rosewell. A safe route to the primary school is an essential element of infrastructure which is required, and needs to be a three metre wide hard surfaced cycleway/footpath with a half metre verge on either side. The only possible route is through the site the subject of undetermined planning application ref.14/00471/PPP for residential redevelopment of the site of the former Rosewell Steading (this site adjoins the application site). It would be made a condition of any grant of planning permission on application ref.14/00471/PPP that a 4 metre wide strip of land along the south east boundary of that site be omitted from the development to allow for the future formation of the route. The site has been designed to ensure an internal route connects to the boundary with the adjoining site (14/00471/PPP) to enable the safe route to school to be formed. During the construction of the site alternative safe routes to school will be formed connecting to Gorton Road and Gorton Loan.
- 8.24 Rosewell is presently served by the No.49 Lothian Region Transport bus service. It is a frequent service running every 15 minutes during peak times and during the day, and every 30 minutes off-peak and in the evenings.

Ecology

- 8.25 The report on the ecological survey of the site does not recommend against the development on grounds of impact on biodiversity.

Archaeology

- 8.26 In accordance with the recommendation of the Council's Archaeological Advisor an Archaeological Evaluation has been carried out on the site. The Council's Archaeological Advisor informs that this meets the archaeological requirements of the site and no additional archaeological works are required to be undertaken.

Developer Contributions

- 8.27 In accordance with policy HOUS4 the provision of 25% affordable housing is required to be provided on allocated housing site H10. 160 units are proposed on site H10 and thus the affordable housing requirement for that site equates to 40 units. These units are proposed on plots 251 – 290 to the rear of Cochrina Place, off Gorton Road. Policy HOUS5 of the now superseded 2003 Midlothian Local Plan states that the provision of between 5% and 10% affordable housing on committed development site h22 may be required. 130 units are proposed on site h22 and thus the affordable housing requirement for that site equates to 6.5 to 13 units. These units are not proposed on site and as such a commuted sum should be considered towards off site provision, subject to a viability assessment of the site. The delivery of and tenure of affordable units can be secured through a Section 75 legal agreement. The clustering together of the affordable houses is acceptable in principle in planning terms. There is insufficient justification in planning terms to require that the developer to distribute the affordable units throughout the site.

- 8.28 The development cannot be accommodated without increased primary and secondary educational capacity and, if approved, the applicant will be required to contribute towards the consequential cost of any additional school accommodation as part of the Section 75 legal agreement.
- 8.29 A developer contribution is also required towards a community facility/community space.
- 8.30 Policy IMP2 also identifies the requirement for developer contributions from new housing allocations towards the reopening of the Borders Rail Line.

Other Matters raised by Representors and Consultees

- 8.31 The application is sufficiently detailed to show the nature of the proposed development.
- 8.32 The application has been determined on its own merits, giving due consideration to all material considerations including the matters raised in consultation responses and letters of objection/representation. Planning decisions reached by the planning authority relating to other development sites and also relating to householder developments is not a material consideration in the determination of this planning application. Any future planning applications for development on other sites stand to be determined on their own merits.
- 8.33 The nature of the proposed development is unlikely to give rise to significant nuisance or significant risk to human health as a result of dust deposition during periods of construction. However, if dust deposition were to become a problem it could be addressed through environmental health legislation.
- 8.34 The nature and scale of the proposed development is unlikely to result in extraordinary levels of noise and disturbance during periods of construction. If noise nuisance were to arise it could be dealt with through environmental health legislation.
- 8.35 No evidence has been submitted to substantiate the claim made in a letter of representation that the development contravenes the Human Rights Act.
- 8.36 Any damage to and the requirement for future repairs to the haulage routes of construction vehicles associated with the development of the site is a legal matter and not a material consideration in the determination of this planning application.
- 8.37 Issues raised by the representors have been largely addressed above. The following matters raised in letters of representation are not material considerations in the determination of the application:
- The effect of the development on the market value of existing residences in the village.

- Whether there will be any damage to neighbouring buildings and property as a result of ground movement/vibrations associated with the movements of heavy construction vehicles or subsidence within the village.
- The effect of the development on broadband speeds/internet access and mobile phone reception.
- Existing problems of drainage within neighbouring properties;
- Problems with illegal parking on neighbouring bus stops.
- The parking of site contractors vehicles on neighbouring roads.
- Loss of view.
- Whether or not there is a need for the proposed houses.
- Alleged littering of the site by workmen during ground investigation works.
- The future marketing of the business park on the site and the effect of this on existing local businesses.
- Children playing on the land comprising the proposed business park.

8 RECOMMENDATION

- 9.1 It is recommended that planning permission is granted for the following reason:

The proposed development site is identified as being part of the Council's safeguarded/committed housing land supply and economic land supply within the adopted Midlothian Local Plan 2008 and accords with policies COMD1 and RP20. Furthermore, the development, subject to the recommended planning conditions, accords with good design principles and with Policies DP2, IMP1, IMP2 and IMP3 of the adopted Midlothian Local Plan 2008. The presumption for development is not outweighed by any other material consideration

subject to:

- a. the prior signing of a legal agreement to secure the provision of affordable housing and securing developer contributions towards education provision, the Borders Rail Line, children's play provision and community/leisure facilities.
- b. 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 notwithstanding that delineated on docketed drawings, existing and finished ground levels and floor levels for all buildings, open spaces, SUDS 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 and open space, including trees, shrubs, hedging, wildflowers and grassed areas;
- iv location and design of any proposed walls, fences and gates, including 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. The landscaping in the open spaces shall be completed prior to the houses/buildings on adjoining plots are occupied. Any tree felling or vegetation removal proposed as part of the landscaping scheme shall take place out with the bird breeding season (March-August);
- vii drainage details, watercourse diversions, flood prevention measures 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);
- x proposed cycle parking facilities;
- xi proposed area of improved quality; and,
- xii proposed play equipment.

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 RP20 and DP2 of the Midlothian Local Plan and national planning guidance and advice.

2. No trees within the site shall be lopped, topped or felled unless otherwise agreed in writing with the local planning authority.

Reason: To ensure the development does not result in the loss or damage of a tree which merits retention in accordance with policies RP5 and RP20 of the Midlothian Local Plan and national planning guidance and advice.

3. Development shall not begin until temporary protective fencing is erected around all trees on the site to be retained and the trees overhanging the site including those within the neighbouring former Rosewell Mains site in accordance with the recommendations of the British Standard BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction'. The fencing shall be positioned in

circumference to the trunk at a distance from it which correlates to the trees canopy unless otherwise agreed in writing with the local planning authority. No excavation, soil removal or storage shall take place within the enclosed area.

Reason: *To ensure the development does not result in the loss or damage of a tree which merits retention in accordance with policies RP5 and RP20 of the Midlothian Local Plan and national planning guidance and advice.*

4. Notwithstanding the material specified on drawings docketed to this planning permission, 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. An enhanced quality of materials shall be used in the area of improved quality which shall include the following plots: 001, 006, 010, 011, 012, 037, 038, 039, 040, 041, 042, 043, 044, 061, 062, 078, 079, 080, 081, 082, 094, 095, 096, 100, 101, 102, 103, 104, 118, 123, 124, 125, 126, 135, 151, 152, 162, 163, 164, 171, 176, 177, 183, 184, 185, 186, 187, 196, 209, 210, 227, 228, 229, 230, 231, 233, 234, 235, 236, 237 and 244. 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 RP20 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

5. Development shall not begin until details, including a timetable of implementation, of 'Percent for Art' have been submitted to and approved in writing by the planning authority. The 'Percent for Art' shall be implemented as per the approved details.

Reason: *To ensure the quality of the development is enhanced by the use of art to reflect its setting in accordance with policies IMP1 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

6. Development shall not begin until details of the site access, roads, footpaths, cycle ways and transportation movements has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
 - i existing and finished ground levels for all roads and cycle ways in relation to a fixed datum;
 - ii proposed vehicular, cycle and pedestrian access;
 - iii proposed roads (including turning facilities), footpaths and cycle ways;
 - iv proposed visibility splays, traffic calming measures, lighting and signage;

- v a green transport plan designed to minimise the use of private transport and to promote walking, cycling, safe routes to school and the use of public transport:
- vi proposed car parking arrangements;
- vii a programme for completion for the construction of access, roads, footpaths and cycle paths.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

Reason: *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

7. Development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
 - i. the nature, extent and types of contamination and/or previous mineral workings on the site;
 - ii measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
 - iii measures to deal with contamination and/or previous mineral workings encountered during construction work; and,
 - iv the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied for residential purposes, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

Reason: *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.*

8. No house shall have an under-building that exceeds 0.5 metres in height above ground level unless otherwise agreed in writing by the planning authority.

Reason: *Under-building exceeding this height is likely to have a materially adverse effect on the appearance of a house.*

9. Development shall not begin until details of the access arrangements and haulage routes for construction traffic accessing and leaving the site have been submitted to and approved in writing by the planning authority. Thereafter all construction traffic shall access and leave the site in accords with the approved details.

Reason: *To ensure the safety and convenience of existing local residents and those visiting the development site during the construction process.*

10. The buildings permitted shall not be occupied or brought into use until vehicular, cycle and pedestrian access details and routes have been constructed in accordance with plans to be submitted and approved in writing. The plans shall include details of construction, visibility, traffic calming measures, lighting and signage.

Reason: *To ensure the future users of the buildings have safe and convenient access to and from the site.*

11. Prior to the first occupation of any dwelling on phase 3; or by a different date to be approved in writing by the planning authority, the following shall be formed and made available for use to the approval of the planning authority and thereafter shall be retained unless otherwise approved by the planning authority:
 - i. A three metre wide hard surfaced and lit cycleway/footpath with a half meter verge either side of it on the area of land cross hatched in red on docketed plan titled: "14 0550 Annotated"; and,
 - ii. A Zebra crossing or a different form of safe link from the three metre wide hard surfaced cycleway/footpath required by i. above to the footpath on the north side of Gorton Road.

There shall be no variation therefrom unless with the prior written approval of the planning authority.

Reason: *To ensure the provision of a safe and convenient pedestrian and cycle route from the site to the primary school in Rosewell in the interests of pedestrian safety and the amenity of the future occupants of the houses.*

12. Notwithstanding that stated on application drawings the uses on the business park on the northern part of the site shall not include any general industrial uses falling within Class 5 of the Town and Country Planning (Use Classes) (Scotland) Order 1997; but instead, they shall only be light industrial uses or office, research and development uses falling within class 4 of the aforesaid Use Classes Order and which can be carried out in any residential area without detriment to residential amenity.

Reason: Owing to the close juxtaposition of existing houses and proposed houses on the site to the proposed business park, general industrial uses would have the potential to give rise to significant harm to the amenity of existing and proposed neighbouring residential properties by reason of noise, vibration, smell, fumes dust or grit etc. It is therefore necessary to restrict the uses to those that can be carried out in a residential area without significant harm to residential amenity.

13. The noise insulation properties of the commercial buildings erected on the business park on the northern part of the site shall be such that no A weighted continuous equivalent noise level emitting from within or from equipment installed on the buildings, measured over any five minute period at any place on the site boundary. (LAeq(5min.)) shall cause an increase in the existing measured background noise level defined as the level exceeded for 90% of the time and A weighted (LA90).
14. The level of noise emitting from within the business park hereby approved shall comply with Noise Rating curve NR25 (window open standard) when measured within any neighbouring noise sensitive premises.

Reason for 13 & 14: Owing to the close juxtaposition of existing houses and proposed houses on the site to the proposed business park, general industrial uses would have the potential to give rise to significant harm to the amenity of existing and proposed neighbouring residential properties by reason of noise. It is therefore necessary to restrict noise emissions from the business park in the interests of safeguarding the amenity of existing and proposed neighbouring noise sensitive properties.

15. The play area and play equipment required by condition 1xii will include; inter alia: (i) two pieces of inclusive play equipment; (ii) a bench and litter bin located within the fenced off area; (iii) two sets of benches and a litter bin provided alongside the path out with the play area; and, (iv) an area of hardstanding at the pedestrian gate entrance where there will be higher wear.

Reason: For the avoidance of doubt as to what is required for the provision of an acceptable play area.

16. Once installed the play equipment required by condition 1xii & 15 will be retained and maintained in accordance with the specifications approved unless otherwise approved in writing by the local planning authority. Any damaged equipment, fencing or hard/soft surface shall be replaced every six months in accordance with a schedule of maintenance to be submitted and approved in writing by the local planning authority within 1 month from the date of installation.

Reason: *In the interests of the safety of the children playing in the play area and for ease of maintenance in the interests of safeguarding the amenity of the area.*

17. Measures shall be undertaken to ensure that the first occupants of any house fronting onto an open space containing a play area, play equipment or kick about pitch is aware of the proposed use of the space: evidence of the measures taken shall be provided to the planning authority in advance of the first occupation of the said houses.

Reason: *to ensure future residents are provided with information by the site developer of the location of formal play areas within the site, and to avoid future antagonism towards the provision of such facilities.*

18. No electricity substation shall be erected within the site unless details of its position and appearance have been submitted to and approved in writing by the Planning Authority and any substation which is required shall be so located, or have a means of enclosure, as to prevent it having an adverse impact on the design and appearance of any open space or adjoining property.

Reason: *To ensure that any substation is unobtrusive and not unduly close to any occupied building.*

19. Prior to any dwelling being occupied the over-head power lines on the site shall be diverted or put underground in accordance with details to be approved in advance by the Planning Authority and no overhead wires, cables or telecommunication masts shall be introduced onto the site without the prior written approval of the planning authority.

Reason: *To ensure that the appearance of the development is not spoiled by over-head power lines, wires and telecommunication masts in accordance with Policy UTIL2 of the Midlothian Local Plan.*

Ian Johnson
Head of Communities and Economy

Date:	24 February 2015
Application No:	14/00518/DPP (Available online)
Applicant:	Bett Homes Limited, Argyll Court, The Castle Business Park, Stirling
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Validation Date:	16 July 2014
Contact Person:	Adam Thomson, Senior Planning Officer
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Background Papers:	File 13/00270/PAC can be viewed online.