



PRE - APPLICATION REPORT REGARDING DEVELOPMENT OF MOUNTAIN BIKE TRAIL CENTRE, INDOOR AND OUTDOOR LEISURE FACILITIES, FOOD AND DRINK USES, PROFESSIONAL SERVICE SUITES, OFFICES, RETAIL, VISITOR ACCOMMODATION AND ASSOCIATED SITE ACCESS PARKING, LANDSCAPING AND OTHER WORKS AT FORMER LOTHIANBURN GOLF CLUB, 106 BIGGER ROAD, EDINBURGH (19/00126/PAC)

Report by Director of Education, Communities and Economy

1 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise the Committee of a pre-application consultation submitted regarding the development of a mountain bike trail centre, indoor and outdoor leisure facilities, food and drink uses, professional service suites, offices, retail, visitor accommodation and associated works at the Former Lothianburn Golf Club, 106 Biggar Road, Edinburgh.
- 1.2 The site forms part of a wider application site for a mixed uses leisure based development which extends across a relatively small area of Midlothian and a much larger area in the City of Edinburgh. That part of the site that lies within Midlothian comprise the access road for the Midlothian Snowsports Centre, the land at the junction of the said access road and a small section of the A702 and adjoining Lothian Burn.
- 1.3 The pre-application consultation is reported to Committee to enable Councillors to express a provisional view on the proposed major development. The report outlines the proposal, identifies the key development plan policies and material considerations and states a provisional without prejudice planning view regarding the principle of development.

2 BACKGROUND

- 2.1 Guidance on the role of Councillors in the pre-application process, published by the Commissioner for Ethical Standards in Public Life in Scotland, was reported to the Committee at its meeting of 6 June 2017. The guidance clarifies the position with regard to Councillors stating a provisional view on proposals at pre-application stage.

- 2.2 A pre-application consultation for the development of a mountain bike trail centre, indoor and outdoor leisure facilities, food and drink uses, professional service suites, offices, retail, visitor accommodation and associated works at the Former Lothianburn Golf Club, 106 Biggar Road, Edinburgh was submitted on 14 February 2019.
- 2.3 As part of the pre application consultation process the applicant held a drop in event at the Swanston Golf Club, 111 Swanston Road, Edinburgh on 5 March 2019, from 2pm until 7pm. On the conclusion of the consultation the applicant could submit a planning application for the proposal. It is reasonable for an Elected Member to attend such a public event without a Council planning officer present, but the Member should (in accordance with the Commissioner's guidance reported to the Committee at its meeting in June 2017) not offer views, as the forum for doing so will be at meetings of the Planning Committee.
- 2.4 A copy of the pre application notice has been sent by the prospective applicant to the Damhead Community Council.

3 PLANNING CONSIDERATIONS

- 3.1 In assessing any subsequent planning application the main planning issue to be considered in determining the application is whether the currently proposed development complies with development plan policies unless material planning considerations indicate otherwise.
- 3.2 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) and the Midlothian Local Development Plan 2017 (MLDP).
- 3.3 The former Lothianburn Golf Club is located to the south of the A720 City Bypass on the northern slopes of the Pentland Hills. It adjoins the Midlothian Snowsports Centre and Hillend Country Park at its northern boundary, covers an area of approximately 66.5 hectares and is predominantly within the City of Edinburgh Council administrative area. That part of the site that lies within Midlothian comprise the access road for the Midlothian Snowsports Centre, the land at the junction of the said access road and a small section of the A702 and adjoining Lothian Burn.
- 3.4 The proposal is in part a tourist attraction and as such is subject to policy VIS1 of the MLDP, which specifies the circumstances under which tourism attractions will be considered. This policy promotes the establishment of new, or the expansion of existing tourist attractions provided that the Council is satisfied that there is no significant negative environmental or amenity impacts. This policy also states that any development proposals that would directly or cumulatively prejudice the effective operation of an existing or consented tourist attraction will not be permitted.

- 3.5 The Planning Committee will recall that a pre-application consultation regarding a mixed use leisure and tourism based development at the Midlothian Snowsports Centre was reported to its meeting of 19 February 2019 (18/00970/PAC). Mountain biking didn't form part of the Snowsports Centre proposals and as such it could be argued that the two uses complement each other. However, as both proposals include retail and tourist accommodation, consideration will need to be given as to whether there would be a conflict of interest which impacts on the viability of one or both of the proposals, or creates an overall quantum of development, in particular retail uses, which impacts on other centres.
- 3.6 The area is covered by a number of policies designed to protect the sensitivity of the landscape setting of Hillend Country Park and the wider Pentland Hills (policies RD3 and RD4). The site is also located within the green belt and the Pentland Hills Special Landscape Area (ENV1 and ENV6).
- 3.7 Policies RD3 and RD4 provide protection for the Pentland Hills Regional Park and Midlothian's Country Parks (Hillend being a Country Park). Proposals within the parks are not acceptable where they are contrary to the aims and objectives of the park.
- 3.8 Proposals within the green belt are not permitted unless they are proposals which are necessary to agricultural, horticulture or forestry or provide opportunities for access to the open countryside, outdoor sport or outdoor recreation or relate to other uses appropriate to the rural character of the area.
- 3.9 Development within the Special Landscape Areas (SLA) must incorporate high standards of siting and design so that they do not have an unacceptable impact on the qualities of the Pentland Hills Special Landscape Area. The *Special Landscape Areas Supplementary Guidance* was adopted by the Planning Committee at its meeting of 9 October 2018 and contains a Statement of Importance for each SLA that outlines the important characteristics of the landscape.
- 3.10 Policies relating to tourism and retail would also be pertinent in determining an application. Policy VIS1 promotes the establishment of new, or the expansion of existing tourism-related development where it can be demonstrated that it improves the quality of visitor facilities within Midlothian, while VIS2 supports proposals for the development of hotels or self-catering tourist accommodation, including at key gateway locations within ease of access to the major junctions on the A720 City Bypass.
- 3.11 With regard to the retail policies in the MLDP (particularly TCR2), major retail proposals outwith the identified town centres are not supported. Exceptions are made with the Straiton Commercial Hub and an identified potential opportunity of Gorebridge/Redheugh –

Newtongrange corridor, provided the proposal does not undermine the vitality or viability of the town centres within the expected catchment of the proposals.

3.12 Consequently, the retail element of the proposal may be contrary to the development plan. However, the scale and nature of the retail offer in relation to the development of the site as a whole would be an important consideration in determining its acceptability as an ancillary development. Furthermore, the Council have considered proposals where the retail offer is provided to primarily service the tourism market and where it would not undermine the local town centres – in these cases the Council would have to give consideration to appropriate controls to mitigate the impact of the offer.

3.13 A significant consideration will be the access arrangements, of which a number of options are being examined by the applicant. While the pre-application consultation does not provide a detailed layout of the proposal, the applicant has provided copies of the display boards that they have used for consultation purposes which provide an indicative layout. These show the main reception buildings at the southeast corner of the site close to the A702 and the access road to the Midlothian Snowsports Centre. Potential access options include:

- Crossing the Lothian Burn to make use of the access road to the Midlothian Snowsports Centre;
- Forming an access onto the A702 between The Steading and the residential property to the north of it;
- Making use of the existing access road onto the A702 between the former Clubhouse and the residential property to the north by forming an access road behind The Steading and the former Clubhouse. It is worth noting that this junction is to have traffic lights installed as part of the consent for a hotel on the opposite side of the A702.

3.14 If the first access option is preferred, the Council if approached to grant the necessary right of access, will have to consider whether it will be possible to alter the existing access road and junction to ensure it can cope with the expected increase in patronage of the site arising from the development. There may be a cumulative effect to be considered in relation to access if this application is being determined at the same time as the proposal for the Midlothian Snowsport Centre. As all of the options above seek access from the Trunk Road network, Transport Scotland will need to be consulted should a planning application be submitted.

3.15 The prominence of the site on the northern slopes of the Pentland Hills will make the detail of any landscape treatment and design of great importance in determining the acceptability of any proposal. The potential environmental impacts arising as a result of the development will have to be considered. The submission of an Environmental Impact Assessment (EIA) may be required in relation to the

application. This process systematically sets out the relevant environmental impacts in order that they can be assessed, designed out of the proposal, minimised or mitigated.

- 3.16 If an application is submitted there is a presumption in favour of supporting leisure and tourist based developments. There may also be a requirement for developer contributions to be made towards the A701 Relief Road.

4 PROCEDURES

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

5 RECOMMENDATION

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

Dr Mary Smith
Director of Education, Communities and Economy

Date: 2 May 2019

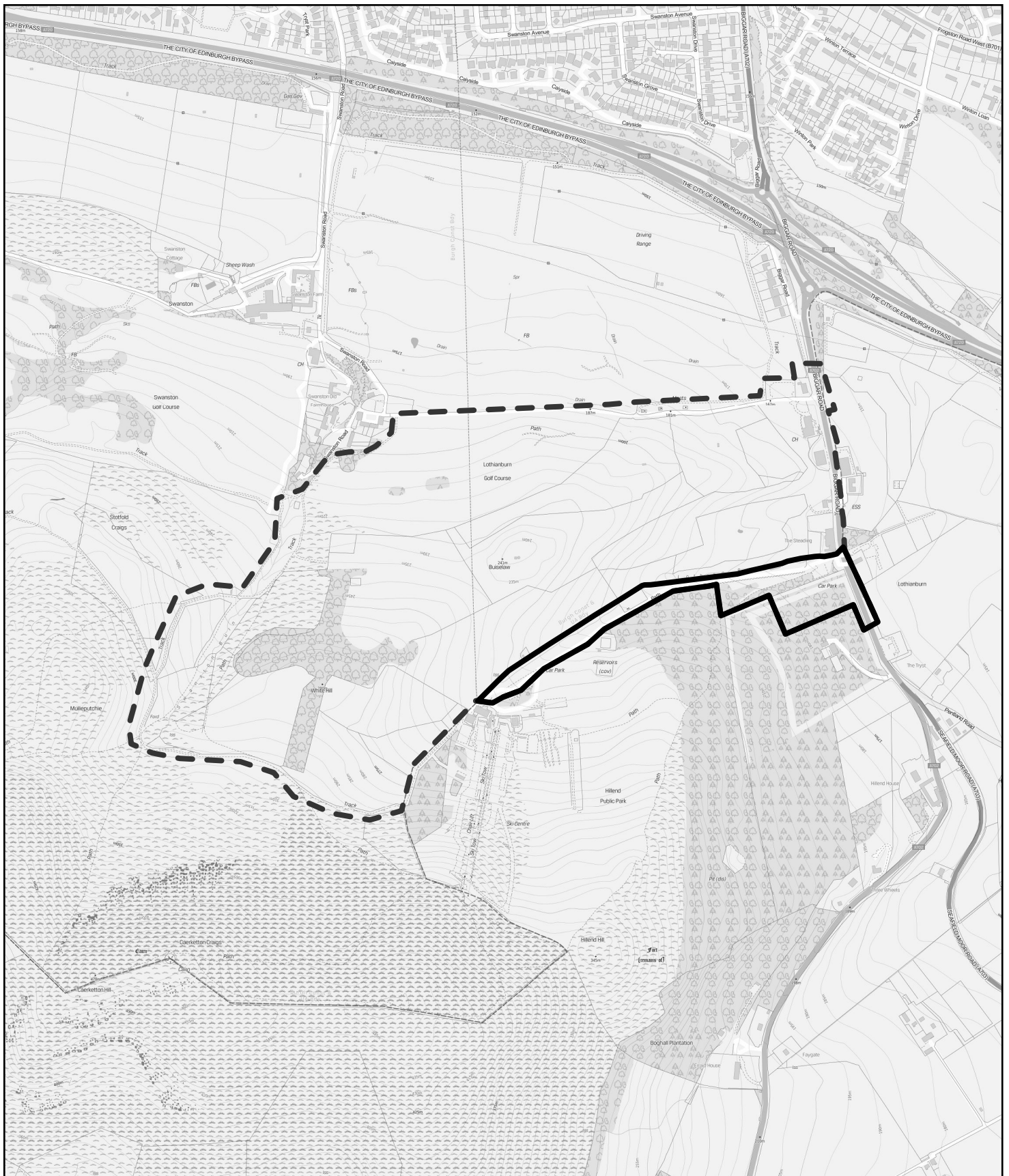
Application No: 19/00126/PAC (Available online)
Applicant: Oli Munden, Avison Young, Fountainbridge, Edinburgh

Validation Date: 14 February 2019

Contact Person: Fraser James

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Background Papers:



**Education, Economy
& Communities**
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Proposal of application notice for development of mountain bike trail centre, indoor and outdoor leisure facilities, food and drink uses, professional service suites, offices, retail, visitor accommodation and associated site access, parking, landscaping and other works at Former Lothianburn Golf Club, 106 Biggar Road, Edinburgh

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File No: 19/00126/PAC

Scale: 1:10,000

