OUTLINE APPLICATION FOR PLANNING PERMISSION (09/00354/OUT) FOR RESIDENTIAL DEVELOPMENT AND CLASSES 4, 5 AND 6 ECONOMIC DEVELOPMENT AT LAND BETWEEN LOANHEAD ROAD AND EDGEFIELD INDUSTRIAL ESTATE, LOANHEAD

Report by Director Strategic Services

1 LOCATION AND SITE DESCRIPTION

1.1 The application site extends to around 23.5 hectares. It is on the east side of the B702, Loanhead Road, to the south of Straiton Pond local nature reserve. To the west across the road is Straiton Retail Park, to the south west are residential properties, to the south east is Edgefield Industrial Estate and to the east across a dismantled railway is Eldin Industrial Estate.

1.2 The site is presently occupied predominantly by open fields. It also includes Ashgrove House and its grounds, including the tree lined access from Loanhead Road. There is a burn crossing the site and there is presently an overhead electricity transmission line carried by steel pylons.

1.3 The site is part of the Midlothian Local Plan allocation, and it comprises the H12 housing site, E6 business/industrial site, and the safeguarded route for the Edgefield Relief Road.

2 PROPOSAL

2.1 The proposal is for a mixed development of residential and business/industrial uses. The proposed development incorporates a new relief road intended to divert heavy commercial traffic using the existing industrial development at Edgefield and Eldin away from residential areas, and which also provides the access for the proposed development sites. A separate detailed planning application (09/00353/FUL) for the road was granted consent on 12 February 2010.

2.2 The submitted site plan shows that the residential development will be kept north of the burn crossing the site and west of the relief road, and the business/industrial development will be to the south of the burn and to the east of the relief road. The plan also indicates that there will be two access points from Loanhead Road into the residential area. An existing upgraded access will serve a smaller number of units around and including Ashgrove House, designated as character housing (anticipated to be 20 to 30 units), and a large signal controlled junction will service the remainder of the housing (140 to 150 units). The relief road will be intended to access the existing and proposed industrial estates, although it will be open to all traffic.
2.3 The site plan indicates that there will be a significant area of open space in the north of the site nearest to Straiton Pond. This area will incorporate a SUDS feature. There are also two linear open spaces, one along the burn through the centre of the site, and one adjacent to the north boundary parallel to the north section of the relief road. Tree belts are proposed along all boundaries except that shared with Edgefield Industrial estate.

2.4 All details with the exception of the relief road and the position of Ashgrove House are indicative.

2.5 In support of the application the applicant has submitted a design statement, a traffic assessment, a tree survey, an archaeological report, a flood risk assessment, and a landscape study.

3 BACKGROUND

3.1 There have been no applications for the development of this site, however, as noted above planning permission has been granted for the relief road (09/00353/FUL).

3.2 There are three planning permissions which have been tied to the provision of the relief road;

- 08/00680/FUL - Eldin Industrial Estate, a financial contribution to the road is required and access to the site must be via the new road once it is open;

- 06/00808/FUL - A Inglis And Son, Edgefield Industrial Estate, one of the two buildings approved must be held back for the completion of the road; and

- 04/00127/FUL - Unit A3, Edgefield Industrial Estate, permission is minded to grant subject to the provision of the relief road.

4 CONSULTATIONS

4.1 Consultations have been sent to SEPA, Scottish Natural Heritage (SNH), East Lothian Archaeological Service, and Scottish Water. There have been no objections; however several recommendations were made which will be required to be met by condition.

4.2 SEPA has no objection but in the event of consent being granted would advise on conditions requiring a waste management plan; details of surface water drainage, including SUDS; and the provision of a construction method statement.

4.3 SNH has no objection subject to the implementation of the recommendations of the landscape study. In particular the provision of tree belts; the submission of a detailed landscape plan; respect being given to the landscape setting of Ashgrove House; the augmenting of riparian planting along the watercourse;
protection of existing trees on site; protection of planting alongside the footpath link to Straiton Pond; details of all SUDS; and careful control of lighting. In terms of ecology the following surveys are required; a phase 1 habitat survey; a badger survey; a bat survey including all trees and buildings on site; and invasive non-native plant survey. It is required that vegetation removal should avoid the bird nesting season.

5 REPRESENTATIONS

5.1 Five letters of representation have been received. The issues of concern are;
- Erosion of the green belt;
- Noise from industrial uses and traffic;
- Need to protect the Mayburn as a wildlife corridor;
- Need to protect trees along the drive to Ashgrove House;
- Mature trees should be protected to safeguard the setting of Loanhead and Ashgrove;
- Adverse impact upon visual amenity;
- Loss of wildlife;
- Need to adequately separate industrial units from existing houses with a noise abatement embankment;

6 PLANNING POLICY

6.1 The development plan is comprised of the Edinburgh and Lothians Structure Plan 2015, approved in June 2004, and the Midlothian Local Plan, adopted in December 2008. The following are the significant policies that are relevant to the present proposals;

6.2 The relevant policies of the Midlothian Local Plan are RP5 Woodland Trees and Hedges; RP7 Landscape Character; RP8 Water Environment; RP13 Species Protection; RP14 Habitat Protection outwith formally Designated Areas; RP15 Biodiversity Action Plan; RP20 Development within the Built-Up Area; RP32 Public Rights of Way and Other Access Routes; HOUS1 Strategic Housing Land Allocations; HOUS4 Affordable Housing; ECON1 Strategic Economic Land Allocations (PROPOSAL); TRAN1 Sustainable Modes of Transport; NRG3 Energy for Buildings; WAST4 Waste Minimisation; IMP1 New Development; IMP2 Essential Infrastructure Required to Enable New Development to Take Place; IMP3 Developer Contributions Towards Facility Deficiencies; and DP2 Development Guidelines.

7 PLANNING ISSUES

7.1 The determining issues are whether the proposals are consistent with the relevant provisions of the development plan and if not, whether there are any material considerations which would justify their determination otherwise. Material considerations will include National Planning Policy and Guidance, and any material representations and consultations received timeously.
7.2 The site is allocated for residential and economic development in the 2008 Midlothian Local Plan, having been released from the green belt. The housing site, H12, is allocated for 170 units, which will be required to incorporate at least 42 affordable units. The economic site, E6, is a 10 hectare site allocated for classes 4 and 5 (business and industry). Both allocations are based on the prior provision of the relief road (09/00353/FUL), and the costs of this will be met by the developers of these sites. The design, layout and landscaping of these sites is required to respect the setting of Ashgrove House and Straiton Pond Local Nature Reserve.

7.3 The layout presented on the applicant’s revised Concept Masterplan generally accords with the terms of the allocation specified in the local plan. The housing and economic land supply areas coincide with their allocation, and the relief road is correctly shown. The main feature of the development proposals which was not originally envisaged is the provision of a second new road into the housing site from Loanhead Road. This has been done to segregate the residential traffic from the industrial traffic. The applicant advises in paragraph 7.1.2 of the Design Statement that the first priority will be to construct the “Edgefield Relief Road”. This will be required by condition. Some concern has been noted that the separate access could allow the residential areas to be built without the need for the relief road. This would not accord with the local plan which states in paragraph 3.2.27 that “The development of sites H12 and E6 will require the prior construction of a relief road for the Edgefield Industrial Estate”. A suspensive condition will ensure that this cannot take place, and that the overriding requirement for the provision of the relief road will take place first.

7.4 The economic uses element of the application is for Classes 4, 5, and 6. The Structure Plan states that such releases from the Green Belt are not available for Class 6 Storage and Distribution uses. The Structure Plan’s position is that Class 6 uses would not be the most efficient use of such land and would result in very low employment density. Notwithstanding that provision of the Structure Plan, there is the prospect that a case could be made for some Class 6 uses which have higher than normal employment rates. Accordingly, in assessing any application for detailed planning permission for Class 6 uses, due consideration will need to be given to the level of employment being proposed. It would also be desirable, in the interest of residential amenity principally for existing neighbours, but also for occupants of the H12 housing allocation site, to seek to locate class 5 uses away from the existing and proposed residential areas, on the land generally to the east of the relief road. This would not preclude the development of Class 5 uses on land to the west of the relief road; only that the matter of impact on residential amenity would be particularly material in the assessment of any such planning applications.

7.5 The masterplan layout is generally acceptable for the outline application. The residential accesses from Loanhead Road are acceptable in principle, though access from the relief road for the majority of the housing site would have the advantage of (a) retaining a better edge to the west side of the site by allowing tree planting and landscaping, (b) by reducing the number of junctions and the general clutter that the extra junction would introduce in terms of lights,
signage and road markings, and (c) reducing extra interruptions to the flow of traffic along Loanhead Road that a further traffic light controlled junction would create. The access to the residential area will therefore be reserved for consideration at the detailed stage, and the applicant should provide strong evidence to support this as the preferred option.

7.6 The access to the housing in close proximity to Ashgrove House (called Special Character Housing on the indicative plan) may be acceptable, though further details would be required. If a major access is permitted in close proximity for the main residential area, the provision of a third junction here would not be viewed so favourably, and an alternative means of accessing this part of the site may have to be considered.

7.7 The internal road layout shown is indicative only and cannot be binding in the assessment of subsequent detailed applications. The main concern with the indicative layout is the proliferation of large hammerheads adjacent to the areas of open space which create an unnecessary intrusion, and which would need to be avoided or mitigated in the detailed scheme.

7.8 The areas of open space and landscaping are generally acceptable in principle. However, the SUDS area is shown indicatively and may impact on the future level of open space provision, and this will need to be resolved for the detailed application.

7.9 The setting of Ashgrove House has been retained by maintaining the garden boundaries and associated trees. The driveway will also be retained along with all healthy substantial trees along its length. The indicative layout and the applicant’s intention to retain the house as a single dwelling with its own garden is sufficient guarantee at this stage that the setting will be protected. Details will be required for any alterations to the building or curtilage. Any new housing around the Ashgrove House will be carefully considered to respect the setting of the house and its approach.

7.10 The landscape buffers/tree belts require to be improved in certain areas. In particular, the area between the proposed housing site and proposed business site requires to be enhanced, and possibly needs to incorporate some acoustic screening, the details of which will need to be discussed prior to the submission of any detailed application. The relief road has already been amended to ensure that there is scope for tree planting to either side, and that this along with existing trees and vegetation along the disused railway path to Straiton Pond, will allow satisfactory screening to the countryside to the north.

7.11 With regards to ecology and in particular habitat surveys, there is further work that has to be carried out prior to any detailed consent being granted. However, as this current outline application accords with the local plan and for which a Strategic Environmental Assessment has been carried out, it is appropriate to leave the further survey work to be carried out prior to the granting of any detailed planning permission.
With regards to pedestrian access through the site, there is an existing core path running along the north boundary, following a disused railway line, from Loanhead Road to Straiton Pond, and linking to the former Edinburgh to Peebles railway line. This latter former railway is also an aspirational core path and it forms the eastern boundary to the site (planning permission to convert to a footpath/cycleway was granted in 2009). There is also another path crossing the site linking Edgefield Road to Straiton Pond and beyond to Langloan. It will be important to maintain and enhance the cross site link and make links into the surrounding path network.

8 RECOMMENDATION

8.1 It is recommended that planning permission is granted for the following reason;

The development accords with the adopted Midlothian Local Plan allocations and subject to agreement of layout, landscaping and design at the detailed application stage, will integrate well with the adjacent housing, economic land, and wildlife site, and it will allow the construction of the relief road which will greatly benefit the local area in terms of relieving residential roads of the existing heavy industrial traffic to the benefit of residential amenity.

subject to the following conditions:

1. The development hereby permitted shall be begun within three years from the date of this permission. Prior to the development commencing the planning authority shall be notified in writing of the expected commencement of work date and once development on site has been completed the planning authority shall be notified of the completion of works date in writing.

Reason: To accord with Section 59 and 27A of the Town and Country Planning (Scotland) Act 1997 (as amended by Planning etc (Scotland) Act 2006).

2. Prior to the submission of any further applications for matters specified in condition, a development master plan, incorporating a design statement, shall be submitted to and agreed in writing with the Planning Authority. The master plan shall include the following:

a. the areas of the site to be laid out for housing (including affordable housing), any specific housing character zones including areas of improved quality (local plan policy DP2), parkland and open space for formal and informal recreation, and sites for business/industry;

b. an indication and illustration of the physical form of the housing for each character zone;

c. the density of development;

d. heights of all buildings (residential and commercial) and type of materials to be used;

e. all areas of open space including specifically proposals for play and physical recreation;
f. all roads, including pedestrian routes and cycle paths and showing links to local schools facilities and core paths (both existing and aspirational);
g. all tree belts and other proposed landscape features;
h. SUDS proposals including all surface water features;
i. the proposed phasing of the development.
j. a transport assessment evaluating the traffic implications of the proposed development on the local road network including the Straiton Road (A701)/Loanhead Road (B702) junction, the traffic assessment shall include mitigation measures to address the impact of the proposed development;
k. flood risk assessment; and
l. ecological report incorporating a Phase 1 Habitat Survey, a survey of invasive non-native plant species, badger survey and bat survey.

**Reason:** In order to show the manner in which it is intended to develop the whole site and to ensure a high quality of development in terms of layout, design, landscaping and the movement of people and vehicles.

3. Development shall not begin until an application for approval of matters specified in conditions for a scheme of hard and soft landscaping works 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 and roads in relation to a fixed datum and garden gradients not exceeding 1 in 8;
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 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 on adjoining plots are occupied;
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);
x. proposed play areas and equipment;
xi. proposed cycle parking facilities; and
xii. proposed area of improved quality:
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.

4. Development shall not begin until an application for approval of matters specified in conditions for the siting, design and external appearance of all residential units, industrial buildings and other structures has been submitted to and approved in writing by the planning authority. The application shall include samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures. These materials will also include those proposed in the area of improved quality. 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 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 an application for approval of matters specified in conditions for 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. proposed construction traffic access and haulage routes;
   vi. 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;
   vii. proposed car parking arrangements;
   viii. an internal road layout which facilitates buses entering and leaving the site in a forward facing direction;
   ix. a programme for completion for the construction of access, roads, footpaths and cycle paths; and
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.

6. The development hereby permitted shall be served by zero and/or low carbon equipment to achieve a reduction of 15% carbon dioxide emission below the 2007 building regulations carbon dioxide emissions standard, in accordance with Policy NRG3 of the adopted Midlothian Local Plan, unless otherwise agreed in writing by the Planning Authority following submission of appropriate SAP/SBEM calculations and a written justification of any alternative approach taken. The low and zero carbon equipment and/or other measures approved in terms of this condition shall be implemented at the site in full and an appropriate person approved by the Scottish Government’s Building Standards Division regarding Design (Energy) shall certify that the zero and/or low carbon equipment and/or other measures approved in terms of this condition have been installed, prior to the host house being occupied. Evidence shall also be submitted to demonstrate that the proposal has an ‘Excellent’ BREEAM or bespoke BREEAM rating or its equivalent.

**Reason:** To ensure this development complies with the on-site carbon emission reduction targets and BREEAM requirements of Policy NRG3 in the Adopted Midlothian Local Plan.

7. 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.

and a legal agreement to secure the following:

a. the opening of the relief road to an adoptable standard prior to the completion of any buildings within the site;

b. the provision of all developer contributions required for compliance with local plan policies IMP1, IMP2 and IMP3, in particular the extension of Paradykes Primary School, denominational secondary school capacity, the Edgefield relief road, improved public transport connections, any specific improvements to the local road network, and additional fitness facilities in Loanhead; and
c. the provision of the required quantity and standard of affordable housing;

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