

Midlothian Council Consultation 08/04162/MLC
at
Calderstone
Biggar Road
Silverburn
Penicuik
Midlothian

**Development Management Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider planning consultation submitted by Midlothian Council. The application is for: **Outline application for the demolition of an existing dwelling house, erection of a hotel, incorporating conference facilities and leisure club, erection of fourteen hotel apartment units, erection of twenty two holiday lodges, erection of country club, formation of vehicular access from A702 (T), formation of associated car parks, associated roads and associated works, at Calderstone, Biggar Road, Silverburn, Penicuik, Midlothian, EH10 7DX**

It is recommended that the council **RAISE OBJECTIONS** on this consultation, for the reasons in Appendix B.

2 The Site and the Proposal

Site description

The site lies within the administrative boundary of Midlothian Council to the south of the Lothianburn junction where the City Bypass (A720) and the A702 intersect. It is within the Pentland Hills Regional Park. Midlothian (formerly Hillend) Ski centre is located to the west of the site. It is on gently sloping land at the foot of the Pentland Hills, adjacent to the A702 which is also quite heavily wooded. There is an existing house (known as Calderstones) on the northern part of the site.

Site History

08/00993/MLC - Land adjacent to Biggar Road (construction of park and ride) Raise no objections (10/4/08)

06/00950/MLC- Land between Auchnacree/Hillend Farm Cottage, Seafield Moor Road (erection of 10 bedroom guesthouse) Raise objections (13/4/06)

05/01560/MLC- Biggar Road (change of use to short-term gypsy traveller's site and erection of associated service block) Raise objections (30/6/05)

99/03324/MLC - Inn on Hill, Midlothian Ski Centre (change of use from restaurant to office) Raise no comment (19/11/99)

97/00017/MLC - Biggar Road (outline planning permission for erection of a ski lodge) Raise objections (23/4/97)

95/00001/MLC - Hillend Steading, Hillend (convert and extend farm steading to form 6 dwellings) Raise objections (1/2/95)

92/00010/MLC - Hillend Farm (erect a farmhouse in outline) Raise objections (19/3/92)

Description of the Proposal

This planning application which is being determined by Midlothian Council is an outline proposal for the demolition of an existing dwellinghouse, the erection of a hotel, incorporating conference facilities and leisure club, fourteen hotel apartment units, twenty-two holiday lodges, a country club and the formation of vehicular access from the A702 (T) and associated car parks.

3 Officer's Assessment and Recommendations

Determining Issues

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether:

This outline proposal for a hotel and associated leisure uses is in the Edinburgh Green Belt. The site is clearly shown as such in the Midlothian Local Plan 2008 which was adopted on 23 December 2008.

The proposal conflicts with Policy ENV2 (A) of the Edinburgh and the Lothian's Structure Plan 2015 which identifies one of the purposes of the green belt as being to maintain the landscape setting of the city (bullet point c). The application is only in outline and there is limited information concerning some elements of the proposal e.g. the design and heights of the holiday lodges. However, it does include some detailed drawings of the proposed hotel, one of which shows it in the existing landscape context. This highlights the fact that the site is extremely visible, in particular from the north, and that all or part of the development could potentially be seen from a number of key locations within the City of Edinburgh Council area, including conservation areas, elevated viewpoints, main and secondary roads, multi-user paths and areas of recreational open space. Policy ENV2 (A) also states that, where appropriate, the green belt should protect the setting of any neighbouring towns. However, as those settlements most likely to be adversely affected by this proposal in landscape terms are in the Midlothian Council area e.g. Loanhead, this is likely to be more an issue for concern for that authority in terms of assessing its potential impact.

The proposal is also contrary to Policy ENV2 (B) (Green Belt) of the structure plan which states that there is a presumption against development in the green belt unless this is necessary for the purposes of agriculture, horticulture, forestry or countryside recreation. None of the elements of the proposal fall within any of these categories.

The proposal also raises a number of other environmental issues. It may be contrary to Policy ENV1 (D) (Regional and Local Natural and Built Environment Interests) of the structure plan as it falls within an Area of Great

Landscape Value (AGLV), the Pentland Hills Regional Park and the Hillend Country Park. There may also be some conflict with Policy ENV1 (E) (Features of Local Importance) and or (F) (Environmental or Biodiversity Assessments) of the structure plan if the proposals are likely to adversely affect any protected species.

The proposal may also be contrary to Policy TRAN 5 in the Edinburgh and the Lothian's Structure Plan (Transport Implications of New Development) mainly because of the potential increase in traffic it is likely to generate. The site is adjacent to a busy main road (A702 Biggar Road) which is also close to a major road junction i.e where the A702 meets the City of Edinburgh Bypass (A720) at Lothianburn Junction

It should be noted that there are no policies in the Edinburgh and the Lothian's Structure Plan which refer specifically to hotels/leisure related development.

No justification has been put forward as to why this proposal should be treated as an exception to planning policy.

This proposal involves the inappropriate use of a site in the Green Belt close to the boundary with the City of Edinburgh Council. It is of a significant scale and will be extremely visible in landscape terms on what is a major gateway route to the city.

It is, therefore, recommended that the Committee advises Midlothian Council that it raises an objection to this proposal. As it is a significant departure from the structure plan it should be referred to the Edinburgh and the Lothian's Structure Plan Joint Liaison Committee.

28/1/09

David A. Bury
 Mr. John Bury
 Head of Planning

Contact/tel	Sarah Hartop on 0131 469 3934
Ward affected	MLC - Midlothian Council
Local Plan	MLC – Midlothian Council
Statutory Development Plan Provision	Green Belt
Date registered	5 December 2008
Drawing numbers/ Scheme	

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Ken Tippen on 0131 469 3613.
 Email: ken.tippen@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail david.emerson@edinburgh.gov.uk or henry.scullion@edinburgh.gov.uk

Application Type Midlothian Council Consultation
Application Address: Calderstone
 Biggar Road
 Silverburn
 Penicuik
 Midlothian

Proposal: Outline application for the demolition of an existing dwelling house, erection of a hotel, incorporating conference facilities and leisure club, erection of fourteen hotel apartment units, erection of twenty two holiday lodges, erection of country club, formation of vehicular access from A702 (T), formation of associated car parks, associated roads and associated works, at Calderstone, Biggar Road, Silverburn, Penicuik, Midlothian, EH10 7DX

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Consultations, Representations and Planning Policy

Consultations

No consultations were undertaken for this consultation.

Representations

4 letters of objection sent to Midlothian Council were copied to the Council as follows. These were from Currie Community Council, Edinburgh and Lothian's Green Belt network, Friends of the Pentlands, and John Sutherland. Issues raised are.

- Contrary to Midlothian Council and Structure Plan policies.
- Contrary to Greenbelt policy and SPP21.
- Traffic - additional movements generated by the proposal would be excessive on a section of road which is already considered to be overloaded. Also little attention given to public transport.
- Undesirable Precedent.
- NO evidence provided of economic need.

- Woodland, animal and bird habitat preservation adversely affected.
- Landscape value diminished.
- Environmental impact unacceptable.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

Edinburgh and the Lothian's Structure Plan 2015

Policy ENV2: Green Belt

- A) A continuous Green Belt will be maintained around Edinburgh for the following main purposes:
- a to maintain the identity of the City by clearly establishing its physical boundaries and preventing coalescence;
 - b to provide countryside for recreation; and
 - c to maintain the landscape setting of the City.

Local plans should define Green Belt boundaries to conform to these purposes and, where appropriate, to protect the setting of neighbouring towns.

B) There is a presumption against development or changes of use in the Green Belt unless necessary for the purposes of agriculture, horticulture, forestry, countryside recreation, other uses appropriate to the rural character of the area, or operations covered by paragraph 4.13 and policies ECON3 and ECON4. Local plans may specify and justify any exceptions to national planning policy.

Policy ENV1D: Regional and Local Natural And Built Environment Interests

Development affecting the following regional or local areas of natural heritage and built environmental interest, or their settings, will only be permitted where it can be demonstrated that:

- a The objectives and overall integrity of the designated area will not be compromised; or
- b The social or economic benefits to be gained from the proposed development outweigh the conservation or other interest of the site.

- Conservation Areas
- Areas of Great Landscape Value or other local landscape designations defined in local plans
- Pentland Hills Regional Park
- Country Parks
- Defined core and local path networks
- Local Nature Reserves
- Regionally Important Geological and Geomorphological Features
- Sites of archaeological interest
- Designated Wildlife Sites
- Peatland
- Prime agricultural land
- Water supply catchment areas
- Areas of significant open space within urban areas

Local plans should define the extent of these interests and include policies and, where appropriate, proposals for their protection and enhancement.

Policy ENV1 E: Features of Local Importance

Local plans should define the features of local importance for wild flora and fauna as identified in a Local Biodiversity Action Plan, and include policies and, where appropriate, proposals for their protection and enhancement.

Policy ENV 1 F: Environmental or Biodiversity Assessments

Development proposals that would affect any designated natural heritage site, protected priority habitat or species or other important non-statutory locations will require an appropriate level of environmental or biodiversity assessment. Where development is permitted, proposals must include measures for mitigation and, where appropriate, enhancement to reduce any adverse impact and/or to provide for sustainable habitat replacement.

Policy TRAN 5: Transport Implications of New Development

Local plans should include policies to ensure that new development:

- a which is likely to generate significant amounts of travel, or to have a material effect on travel on the road or public transport network, is required to be the subject of a transport assessment covering access by all modes of travel and enabling items b ÷ f below to be addressed;
- b encourages travel to, from, and, where appropriate, within it by public transport, foot and cycle. For large developments this may involve:
 - the production of a travel plan, including, where appropriate, the setting of mode share targets;
 - the development of new routes and services;
- c contributes to the cost of related transport improvements;
- d addresses highway capacity issues that remain after criteria b and c have been met;
- e ensures adequate accessibility for people with disabilities;
- f gives particular attention to ensuring that it is accessible by public transport, foot and cycle from disadvantaged areas.

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that the Council **RAISE OBJECTIONS**

Reasons

1. The proposal conflicts with Policy ENV2 (Green Belt) of the Edinburgh and the Lothian's Structure Plan 2015.
2. The proposal may be contrary to Policy ENV1 (D), (E) and (F) of the Edinburgh and the Lothian's Structure Plan 2015.
3. The proposal may be contrary to Policy TRAN5 of the Edinburgh and the Lothian's Structure Plan 2015.

INFORMATIVES

It should be noted that:

1. This Council advises that, in accordance with the Edinburgh and the Lothian's Structure Plan Joint Liaison Committee Code of Practice on Planning Applications and Local Plan Referrals that if minded to grant consent, the application should be referred to the Edinburgh and Lothian's Structure Plan Joint Liaison Committee.

End
