

# Sheriffhall South East Pre-Application Report





# **Pre-Application Consultation Report**

**Hybrid Planning Application:**

**Employment Development (Class 4 & Class 6) with ancillary Drive-Thru Coffee Shop and associated works**

**Land at Sheriffhall South East, Gilmerton Road / Melville Gate, Dalkeith, Midlothian**

On behalf of



December 2021

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## 1. Introduction

- 1.1 This Pre-Application Consultation (PAC) Report has been prepared on behalf of Buccleuch Property ('the Applicant') in support of a Hybrid Planning Application to Midlothian Council ('the Council') for the construction of an Employment development (Class 4 & 6) with ancillary Drive-Thru Coffee Shop on land at Sheriffhall South East, Gilmerton Road / Melville Gate, Dalkeith, Midlothian. ('the Site').
- 1.2 The hybrid planning application seeks planning permission for the following proposed development:
- (i) **Full Planning Permission for the erection of Business (Class 4) development and ancillary Drive Thru Coffee Shop, with associated car parking, access, infrastructure, and landscaping proposals; and**
  - (ii) **Planning Permission in Principle for Business (Class 4), Storage & Distribution (Class 6) development with ancillary offices (detailed matters of appearance, landscaping, layout and scale are reserved for subsequent approval).**
- 1.3 The proposals represent the culmination of an assessment of the applicant's aims and objectives for Sheriffhall South taking into account the Site's function and role within Midlothian. The resultant vision seeks to deliver a viable and vibrant Class 4 Office led development based around a bespoke, multi-let business park that will be designed to respond to modern office requirements and accommodate complimentary ancillary uses in the form of small-scale Class 6 uses and Drive-Thru Coffee Shop.
- 1.4 The Site offers an exciting opportunity to deliver a new active business campus with improved amenities, public realm and upgraded accessibility that will generate additional employment opportunities for the wider community. The vision is to create a sense of place using a design toolkit for the buildings and a landscape framework that will integrate the development with the surrounding Green Belt and landscape infrastructure.

### The Site

- 1.5 The Site (approx. 8.5ha) is situated close the junction of Gilmerton Road (B6392) and the A7 and forms part of an open area of land currently in agricultural use (see Site Location Plan Ref. 11658-HFM-ZZ-ZZ-DR-A-P(00)-001 in **Appendix 1**). The Site lies within the Green Belt but forms part of Site e32 allocated for business (Class 4) employment use under Policy STRAT1 of the Midlothian Local Development Plan 2017 (MLDP). Part of the site (the north-eastern corner) is also allocated within the green belt and for prime agricultural Land.
- 1.6 The site currently comprises agricultural fields and extensive woodland planting around the south-eastern and eastern site boundaries. A high-voltage electricity pylon and overhead cables also bisect the site. Existing vehicular access is via a field access off Gilmerton Road. The site is bounded to the south by Gilmerton Road and to the east by Melville Gate Road. An

agricultural field is located to the north, with Sheriffhall Roundabout beyond. To the east lies an office building with another agricultural field, a public house/restaurant and (Dobbies) garden centre located to the west.

- 1.7 The full details of the proposals are set out within the **Planning Statement** and **Design & Access Statement**, which accompany the application, however in summary, the proposed development comprises of the following built form:

#### **Phase 1 (Full Planning)**

- 24 Class 4 Business Multi-let speculative units – total floorspace 4,257 sq.m (45,822 sq.ft) GEA;
- Ancillary Drive-Thru Coffee Shop – total floorspace 197 sq.m (2,121 sq.ft) GEA.
- Associated access, parking, infrastructure and landscape proposals.

#### **Later Phases (Planning Permission in Principle)**

- Up to 6,077 sq.m (65,413 sq.ft) GEA of Class 4 Business floorspace;
- Up to 1,560 sq.m (16,792 sq.ft) GEA of Class 6 Storage & Distribution floorspace (approx. 13% of total floorspace) with ancillary office space;
- Detailed matters of appearance, landscaping, layout and scale are reserved for subsequent approval.

### **Major Development Threshold & Legislative Requirements**

- 1.8 Due to the size of the Site and scale of the proposals the planning application is classified as a 'Major Development', as per the provisions of the Hierarchy of Development (Scotland) Regulations 2009. These Regulations specify that development proposals on sites of 2 hectares or more are 'Major'. This classification introduces the requirement for the Applicant to follow certain procedures prior to the submission of a planning application, as detailed in Section 2 of this report.
- 1.9 This PAC Report sets out the pre-application consultation that has been carried out in accordance with the statutory requirements of the Planning etc. (Scotland) Act 2006, the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 and the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020.
- 1.10 This report details the consultation undertaken in relation to this application and provides a summary of the information obtained and how the findings of the consultation activities have influenced the detailed planning application.

## 2. Statutory Consultation Requirements

### COVID-19 new PAC measures

2.1 The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 set out the various requirements that need to be followed when submitting planning applications. For all 'Major Development' proposals, an Applicant must first submit a Proposal of Application Notice (PAN) to the relevant planning authority, advising of the proposed planning application and seeking agreement on the scope of pre-application consultation proposed.

2.2 Planning Advice Note 3/2010 details the pre-application consultation requirements placed on prospective applicants at Paragraph 40. It states:

*"Where pre-application consultation is required, the prospective applicant must send a proposal of application notice to the planning authority at least 12 weeks before submitting an application for planning permission. They must also send a copy of this notice to relevant community councils. The notice will contain:*

- i) A general description of the proposed development;*
- ii) the address of the site (if it has one);*
- iii) a plan showing the outline of the site;*
- iv) contact information for the developer; and*
- v) a description of what consultation the developer is going to undertake, when it will take place, with whom and what form it will take."*

2.3 Circular 3/2013 states that the purpose of the PAC report is to confirm that pre-application consultation has taken place in line with statutory minimum requirements and any further requirements set by the planning authority in its response to the PAN. Circular 3/2013 confirms that in considering any subsequent application, the report is not likely to have a significant role, unless it identified issues or contains information which could be considered a material consideration in terms of the 2006 Act and to which the planning authority should give weight in determining the application. Table 2-1 below sets out the minimum content of a PAC report as suggested by Circular 3/2013 and identifies the sections of this report which address the minimum suggested content of a PAC report.

#### **Table 2-1: Suggested Minimum content of a PAC report and reference to the relevant PAC Report Section**

Circular 3/2013 Suggested Minimum Content of a PAC Report	Relevant PAC Report Section
Specify who has been consulted	Sections 2 & 3
Set out what steps were taken to comply with the statutory requirements and those of the planning authority	Sections 2 & 3
Set out how the applicant has responded to the comments made, including whether and the extent to which the proposals have changed as a result of PAC	Section 5
Provide appropriate evidence that the various prescribed steps have been undertaken – e.g. copies of advertisements of the public events and reference to material made available at the events	Appendices (as listed)
Demonstrate that steps were taken to explain the nature of PAC, in particular that it does not replace the application process whereby representations can be made to the planning authority	Section 2 & Appendices 3 (PAN Report) and 7 (Press Notice)

### Proposal of Application Notice (PAN)

- 2.4 The formal pre-application process began following the submission of a PAN, Site Location Plan, and associated PAN Report to the Council on 19 May 2021. A copy of the submitted PAN is provided in **Appendix 2** and associated PAN Report in **Appendix 3**.
- 2.5 A copy of the PAN, Site Location Plan and associated PAN Report was also sent by email (see **Appendix 4**) to the relevant Ward Councillors and the Community Councils as well as both the local MP and MSPs and other relevant stakeholders as listed in Table 2-2 below.

**Table 2-2: PAN Consultee and Stakeholder List**

MPs & MSPs	
Owen Thompson	MP for Midlothian
Colin Beattie	MSP for Midlothian North & Musselburgh
Local Councillors	
Cllr Derek Milligan	Leader of Midlothian Council (also Councillor for Bonnyrigg)
Cllr Jim Muirhead	Deputy Leader of Midlothian Council

Cllr Diane Alexander	Councillor for Bonnyrigg
Cllr Janet Lay-Douglas	Councillor for Bonnyrigg
Cllr Colin Cassidy	Councillor for Dalkeith
Cllr Stephen Curran	Councillor for Dalkeith
Cllr Margot Russel	Councillor for Dalkeith
<b>Community Councils</b>	
Brian Wailes (Chair)	Eskbank & Newbattle Community Council
Jan Irvine (Chair)	Bonnyrigg & Lasswade Community Council
Ann Stewart-Kimcha (Chair)	Dalkeith & District Community Council
<b>Local Stakeholders</b>	
Dita Macfarlane (Chamber Manager)	Midlothian & East Lothian Chamber of Commerce
Tom Donaldson (Secretary)	One Dalkeith Development Trust
Albert Jaster (Secretary)	The Rotary Club of Dalkeith

2.6 The Council confirmed that the PAN met the legislative requirements on 10 June 2020 (**Appendix 5**) and was registered as 21/00416/PAC. The Midlothian Council Planning Committee was subsequently advised of the PAN submission on 15 June 2021 (see MLC Planning Committee Report in **Appendix 6**) and were invited to express a ‘without prejudice’ view and to raise any material considerations which they wish the applicant and/or officers to consider. The Minute of the Meeting (published and agreed as part of the August Planning Committee meeting) confirms that the following views were raised:

- Councillor Curran while acknowledging that this may bring job opportunities to the area raised his concern with regards to the ongoing issue with grade separation at Sheriffhall and that this will result in more pressure and congestion at this roundabout.
- Councillor Hackett also commented that if this application does go ahead in the future it should not limit any changes which might happen to Sheriffhall in the future.

2.7 The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 came into force on the 24th April 2020, at which point The Scottish Government issued a Guidance Note entitled ‘COVID 19 Emergency and Pre-



Application Consultation and Requirements for a Public Event' (The Guidance Note'). The Guidance Note explains the effect of the Coronavirus Regulations and provides further guidance on alternative online consultation.

- 2.8 The Guidance Note confirmed the suspension of the need to hold a face-to-face public event for new PAN's submitted within the 'emergency period', subsequently extended to 01 October 2021.
- 2.9 The Scottish Government have amended the 2020 Regulations with the revised regulations coming into force on 29th September 2021. These amendments extended the 'emergency period' further will until 31st March 2022, with the extended period (6 months from the emergency period), running to 30th September 2022.
- 2.10 The effect of 'the amended 2021' regulations continue the suspension of the need for public events in pre-application consultation and extend the presumption for online / alternative consultation as per the guidance issued in April 2020. As such the temporary relaxation of pre-application consultation requirements will apply during the emergency period (to 31st March 2022).
- 2.11 Furthermore, the proposed changes to PAC process previously due to commence on 1st October 2021, which require a two staged PAC consultation process (2 separate events with the second clearly setting out and responding to issues raised at the first event) and provided guidance on the time limits to making an application post PAC, have been postponed and will not come into force until 1st April 2022.
- 2.12 The Guidance Note (April 2020) contains no statutorily specified alternative to the 'public event' instead stating that reasonable alternatives should be proposed and discussed with the LPA. However, it is identified as being important that alternatives are not set up to facilitate only 'one-way traffic' and as such, the Government's Guidance supports events that include:
- A central, free, publicly accessible web location which sets out clearly the pre-application consultation steps being undertaken, the location of information and the time period for engagement and how do to that; and
  - A Live and interactive web-based consultation – comprising at least one event of 2-3 hour duration with live question and answer session and links to other online opportunities to make comment, ask questions and receive responses, and that these live events are scheduled to enable public participation.
- 2.13 Consequently the PAN submission proposed the following methods for engagement with stakeholders and interested parties, including the general public:
- A project website <http://sheriffhallsouth.com/> will be launched that will include a dedicated Pre-Application Consultation page providing details of the proposed development along with plans of that will be available to view and download. The Consultation page will also outline the proposed consultation process and timeline

and include an interactive form to encourage online consultation and feedback on the information provided.

- A dedicated project telephone number 0131 202 3259 that will operate during normal office hours and will allow interested parties to leave messages and enquiries which will be directed to and responded to by the relevant member of the consultant team.
- Two 'virtual town hall' events will be organised via digital channels to allow stakeholders and interested parties to receive information about the project, question the developer and consultant team and provide feedback. The date for first of these events is proposed to be Tuesday 22 June 2021 between 15.00 and 19.00, with the second event to be held 2-4 weeks after to allow sufficient time for comments to be received and amendments to the proposals if required.
- An animation/presentation of exhibition materials and project details will be shared at the 'virtual town hall' event.
- A transcript of the 'virtual town hall' events will be made available on the project website following each event.
- Printed materials will also be available upon request.

2.14 It is worth noting that, in consultation with the Council, the proposed consultation strategy adopted approach a set out the proposed changes to PAC process to include two 'virtual town hall' events. The date of the second event was confirmed after submission of the PAN and was held on Tuesday 20 July 2021.

### Press Notice

2.15 In line with the regulations, two press notices were published in the Midlothian Advertiser to individually promote the online public consultation events. The adverts were published on the following dates:

- 10 June 2021; and
- 01 July 2021

2.16 The press notices were prepared in line with the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020. A copy of the press notices published in the Midlothian Advertiser is set out in **Appendix 7**.

2.12 Each set out details about the proposed development, the Applicant, the time and website address of the pre-application consultation event and confirmed the dates by which anyone who wished to make representations to the Applicant on the proposed development should do so, with responses to be sent to the specified email address (hello@sheriffhallsouth.com). The notices also specified that written representations at this stage were not representations to the Council, and an opportunity to make formal representations to the Council would exist when a formal planning application was made.

### 3. Consultation Undertaken

- 3.1 This section sets out the engagement that was carried out at the pre-application consultation phase and during the preparation of the application for detailed planning permission.

#### Pre-Application Consultation with the Council

- 3.2 In conjunction with the Applicant, Progress have organised and undertaken pre-application discussions with representatives of Midlothian Council on various occasions through meetings and correspondence, including a formal pre-application enquiry meeting on 13 July 2021 (MLC Representative present: Stephen Iannarelli (Planning), James Gilfillan (Highways), Bee Muskens-Aretos (Ecology & Landscape), Hugh Shepherd (Planning)).
- 3.3 The purpose of the enquiry was to inform the Council of the proposed development and to provide the opportunity for the Council to raise any matters considered relevant to the proposals that would need to be addressed through the application process. The Council provided a formal pre-application enquiry response on 31/08/21 (**Appendix 8**).

#### Project Website

- 3.4 The project website (<http://sheriffhallsouth.com/>) was launched on the date of the first online public consultation event (22 June 2021) and has remained 'live' ever since.
- 3.5 The website provided details of the Applicant and their background and provided a summary of the Site and prospective application proposals
- 3.6 The website also outlined the proposed consultation process and timeline and provided an interactive feedback form to encourage online consultation and feedback on the information provided. Through the website members of the public were also able to download copies of exhibition boards prior to each online public consultation event.
- 3.7 A contact telephone number and email address was also provided on the website to allow members of the public to make comments, raise queries and request printed materials as required.

#### Virtual Public Event

- 3.8 As outlined previously Orbit Communications, on behalf of the Applicant, organised the online public consultation events at <http://sheriffhallsouth.com/> on 22 June 2021 and 20 July 2021. The project team were available to engage with members of the public and answer any questions between 15.00 and 19.00 via a live chat function. This enabled visitors to communicate directly with the design and advisory team and for them to answer any questions.

- 3.9 The online public event provided an opportunity for the local community and all other interested parties and stakeholders to view further information on the proposed application; discuss matters of interest/concern; and communicate support for and/or raise any issues they may have with the proposed development.
- 3.10 Online feedback forms were available for completion by website visitors. The feedback forms offered the attendees the opportunity to provide formal comments.
- 3.11 The online feedback forms clearly state that views submitted would form part of the pre-planning application public consultation report which will accompany the planning application. The forms also clearly stated that a further opportunity to make representations to the Council would be available when the planning application is formally submitted for consideration.

## 4. Feedback from the Consultation Process

### Virtual Public Event

- 4.1 Two online public consultation events were hosted at <http://sheriffhallsouth.com/> on 22 June 2021 and 20 July 2021. The project team were available to engage with members of the public and answer any questions between 15.00 and 19.00 via a live chat function.
- 4.2. The events were publicised in the Midlothian Advertiser on 10 June 2021 and 01 July 2021 (Appendix 7) and an additional press article was also published in the Edinburgh Evening News on 18 June 2021 providing further detail about the proposals and information of how to access the online public consultation event. Furthermore, on 15 June 2021, over 450 flyers were delivered to residential properties and commercial premises in the surrounding area to notify the local community of the proposals and proposed consultation events. Consequently, this maximised the coverage of the online public consultation process to ensure a wider audience could be reached.
- 4.3. The project website provided an opportunity for members of the public and community representatives to view display boards showing information about the proposed development. A copy of the exhibition boards, which were updated between events, are included in **Appendix 9**. The online event provided an opportunity for attendees to discuss the development proposal in detail with the project team, via the live chat function, prior to the application being submitted.
- 4.4. The following exhibition boards were displayed which offered explanation of the proposal:
- Welcome & Applicant Background
  - Site Description
  - Site Context & Constraints
  - The Proposal
  - Next Steps
- 4.5 Six attendees visited the website on 22 June 2021 for the first online public consultation event, with a further two visitors attending the second event on 20 July 2021. Overall, the website has had a total of 539 visitors up until 10 Aug 2020.
- 4.6 Feedback from the consultation events was collated using the transcripts taken from the live chat system or via the online feedback forms either submitted on the day or completed following the event. Feedback forms could be completed up until the 10 August 2021. In total, five feedback forms were returned from the online consultation events.

### Summary of Feedback

- 4.7 An unattributed summary of feedback responses received through all forms of the consultation process can be found in **Appendix 10**.

- 4.8 The feedback gathered from the first online public consultation event allowed the Applicant to prepare a list of Frequently Asked Questions (FAQs) which were published, with a response to each matter raised, on the project website in advance of the second consultation event. A copy of the FAQs can be found at **Appendix 11**.
- 4.9 The matters raised in the FAQ's were a summary of the comments recorded in the transcripts from the consultation events and were as follows:
1. The site is Green Belt land which should be retained, what justification is there for developing this site?
  2. Given the greenfield nature of the site, what will the ecological impact of the development be on protected habitats and wildlife species present on site.
  3. The site is allocated for Class 4 Employment uses, why do the proposals also include Class 5 & 6 uses and what justification is there for this?
  4. The proposals also include a Drive-Thru Coffee Shop, do you have any more details on this?
  5. Midlothian Council have announced a 'Climate Crisis' within their Local Authority area, how do these proposals respond and contribute to addressing this?
  6. What sustainable travel links will be created to encourage alternative modes of transport from the surrounding area?
  7. The surrounding road network and Sheriffhall Roundabout in particular are already severely congested at peak times, which will be exacerbated by these proposals. How is this being addressed?
  8. What will the proposed buildings look like in terms of height, materials etc?
  9. What are the timescales for the proposals in terms of a planning application, construction and completion?
- 4.10 In terms of comments received via the online feedback forms, three respondents were either neutral or positive about the proposed development, whilst two were negative. The negative comments related to concerns regarding the loss of Green Belt land and important natural habitat, traffic congestion / impact and associated pollution and potential adverse visual impact. Those who responded positively welcomed the proposed mix of uses, the design and landscape concept for the site and the measures being put in place to retain existing landscaping and habitat around the boundary of the site.

#### Consultation with Community Councils

- 4.11 The Community Councils of Eskbank & Newbattle, Bonnyrigg & Lasswade and Dalkeith & District were sent a full copy of the PAN submission and were invited to attend the virtual public event.
- 4.12 As a consequence, the applicant and their representatives held a virtual meeting with members of the Eskbank & Newbattle Community Council (ENCC) on 01 July 2021 to discuss the proposals. These discussions were based around the proposals set out in the PAN i.e. Class 4, 5 & 6 development with ancillary Drive-Thru Coffee Shop. The ENCC raised concerns

regarding the possible nature and impact of Class 5 & 6 development on the site and in their email of 18 Aug 2021 (**Appendix 12**) confirmed that they “...could not support any non-compliance with what is stipulated in the local development plan on this sensitive site within the green belt...”.

4.13 Bonnyrigg & Lasswade Community Council (BLCC) provide a written consultation response to the PAN submission on 27 July 2021 (**Appendix 13**). In their response BLCC raised questions regarding the need for the Drive-Thru Coffee Shop given existing services in the area and the rationale for Class 5 & 6 employment proposals on a site designated to encourage employment uses within a Green Belt setting. The BLCC also raised concerns regarding traffic impact and highways capacity, particularly at the Sheriffhall and Dobbies roundabouts and identified the need for adequate landscape / screening, limited building heights and protection of existing wildlife corridors.

4.14 Representatives of Dalkeith & District Community Council attended the second online public event, they requested a copy of the exhibition boards and raised the following queries:

- What impact will the proposals have on traffic flows in the surrounding area.
- Why the proposed redline boundary included areas of highway on Melville Gate Road and Gilmerton Road and whether there were any proposals for the land at Kings Gate.
- Whether the “toolkit” approach to building design would allow for disassembly and re-use in the future.
- Whether there was any further information available about the dimensions of the Phase 1 units or any idea of type of use for them and what level of demand there was for this type of development.

## 5. Responding to the Feedback

5.1 Upon a comprehensive review of the comments received during the consultation process and as reflected in the FAQs above, the following key themes emerged:

- Loss of Green Belt Land and impact on protected species and wildlife habitats;
- Proposed mix of uses;
- Highways Impact & Traffic Congestion; and
- Design and appearance of the Development.

5.2 Each of the topics have been considered by the project team. These points are addressed in sequence below and, where possible, the project team has sought to provide further clarity.

### Loss of Green Belt Land and impact on protected species and wildlife habitats

5.3 Whilst situated within the Green Belt, the site forms part of the wider Sheriffhall South allocation (e32) in the Midlothian Local Development Plan (the LDP) which provides for the development of the site for Class 4 Business uses. Consequently, the principle of employment development on this site has been established, subject to satisfaction of other relevant policies contained within the Development Plan.

5.4 It is also worth noting that the Site will retain its Green Belt allocation in the LDP until the site is fully developed for employment uses specifically set out in the LDP (i.e. Class 4) and requires proposals to respect Green Belt objectives and the character of the surrounding area.

5.5 It is acknowledged that the Class 6 (Storage or Distribution) and the Drive-Thru Coffee Shop uses fall outside the site-specific LDP allocation, however these are considered to ancillary to main Class 4 Business use and are capable of being controlled through planning conditions to ensure that the Green Belt objectives and the character of the surrounding area are protected.

5.6 Equally, whilst the applicant is willing to adopt a proactive and innovative approach to employment development on the site to stimulate inward investment and economic growth in Midlothian, the speculative nature of the proposals means that the applicant will be proceeding at significant financial risk should planning permission be granted. This risk is offset to a degree by the non-Class 4 elements, which are required to provide an element of flexibility to respond to alternative employment use demand (in the case of the Class 6 as summarised above) and, in the case drive-thru coffee shop a committed operator deal that will assist in the funding of the infrastructure required to 'open-up' the site and provide the necessary infrastructure and up-front amenity that will make the wider employment site a viable and attractive location for businesses.

5.7 With respect to the existing ecological value of the site, the applicant undertook an Environmental Impact Assessment Screening Opinion with the Council, who confirmed that EIA would not be required. However, as part of the application a series of Non-Statutory Environmental Assessment reports have been submitted to cover the following topics:



- Noise & Vibration
- Air Quality
- Ecology, Biodiversity and Nature Conservation
- Tree Survey and Arboricultural impact

- 5.8 A Noise Impact Assessment (NIA) has been undertaken by ITP Energised and submitted with this application. The NIA provides a Prediction of operational noise levels from the proposed development and an assessment of the potential impacts associated with the Proposed Development upon existing residential receptors in accordance with BS 4142:201 that then informs the identification of any mitigation measures that may be required.
- 5.9 Overall the NIA found that Operational noise levels resulting from the proposed development meet the derived significance criteria during the night-time period and are below the target background noise level at all identified representative NSRs. This predicted compliance during the night-time period means that the proposals would also demonstrate compliance during the daytime period, as traffic levels on the surrounding road network and therefore background noise levels will be higher. The NIA therefore identified that noise from the proposed development will be below the target background noise levels, resulting in a low likelihood of significant noise impacts and no requirement for specific noise mitigation measures.
- 5.10 With regards to Air Quality, The Proposed Development site is not located within an air quality management area (AQMA) however the proposals will bring with them an increase in traffic on the local road network which has the potential to impact air quality within the area. An Air Quality Impact Assessment (AQIA) has therefore been undertaken to assess potential impacts associated with the proposed development upon existing receptors and determine the suitability of the site for future occupancy.
- 5.11 The predicted change in NO<sub>2</sub>, PM<sub>10</sub> and PM<sub>2.5</sub> (human receptors) annual mean concentrations between the future without Proposed Development and future with Proposed Development scenarios shows that the Proposed Development is predicted to have a negligible impact at all human receptors within the study area. The predicted short-term mean concentrations for NO<sub>2</sub> and PM<sub>10</sub> (human receptors) which are relevant for the short-term exposure of members of public, comply with the relevant AQSs for NO<sub>2</sub> and PM<sub>10</sub> at all human receptors. The predicted change in concentration associated with the Proposed Development at the AWI designations adjacent to the A772 (E11) and the A7 (E12) will reduce rapidly with distance and will fall below the screening criteria of 1% of the critical level within the first 10 and 20 m of the AWI designation boundaries respectively.
- 5.12 An Ecology Report has been undertaken for the site (Black Hill Ecology), which describes the works undertaken to assess the potential impacts of the development on ecological receptors and on ecological features present on site, specifically through completion of a Desktop Survey, Habitat Survey and Protected and Notable Species Surveys.

5.13 An assessment of the impact of the proposed development has been made with reference to: the findings of this survey work and the following general recommendations have been made

- Environmental Management Plan, incorporating a Pollution Plan, included as part of the Construction Method Statement should be prepared and adhered to protect the water quality of the burn.
- The proposed Landscape Strategy should target new woodland, wetland and grassland habitat creation, as compensation for the loss of habitats and increase net site biodiversity, at different tree densities and groupings. Sowing of native grass seed mixes and native tree and hedging should be of locally sourced provenance.
- All scrub must be inspected for nesting birds immediately prior to removal by a suitable qualified ecologist.
- Where mesh security fencing such as Heras panels are erected within the site they should be covered in plastic fine mesh sheeting so as to avoid birds and bats colliding with metal structures when foraging. Or non-mesh panels used.
- All surface rocks to be lifted by hand.
- Escape routes must be in place out of deep trenches left uncovered overnight
- All drainage pipes to be capped on site and inspected prior to installation to ensure no vertebrates are entombed while using as refuge
- Refuelling machinery of any kind must not take place within 10m of boundary watercourses, including field drains and bund placed around specific refuelling areas to avoid contamination of soil, ground water and watercours

5.14 An Arboricultural Impact Assessment (AIA) has been prepared to inform the proposed development and is submitted with this application. A detailed tree survey was carried out for all individual trees and woodland within and adjacent to the areas proposed for development in September 2021. The supporting Tree Survey has also been submitted and should be read in conjunction with the AIA Report. The survey provides a comprehensive and detailed pre-development inventory carried out in line with British Standard 5837:2012 *'Trees in Relation to Design, Demolition and Construction - Recommendations'*.

5.15 The AIA assesses the impact of the proposals on the tree cover and sets out recommendations regarding tree removal, retention and protection, consistent with the recommendations contained within BS 5837:2012. Overall, the proposed development will result in the removal of a small woodland plantation and a further 33 individual trees in various locations across the site.

5.16 The small woodland plantation is identified in the Tree Survey as Area C and is in a very poor and deteriorating condition, with limited future life expectancy. It is not included in the Ancient Woodland Inventory.

5.17 The 33 individual trees have been because they fall directly within the footprint of proposed development or are located so close that their safe retention would not be practicable or feasible. It is acknowledged that these trees form part of the wider Ancient Woodland Inventor, however it is considered that their loss should be viewed in the context of the heavily

wooded nature of the site. Woodland Areas A and B (Tree Survey) contain several hundred individual trees and the comparative tree loss represents a small proportion of the overall provision.

- 5.18 It is considered that this loss can be mitigated through new tree planting as part of the wider, landscaping strategy and the adoption of Woodland Management Plan that would an enhanced woodland environment within the retained woodland areas.
- 5.19 The application is supported by a series of landscape plans, which have been prepared following identification of the Landscape Strategy Framework for the site (Drawing Ref. 64000-IFL-ZZ-XX-DR-L-00-005-P01), which confirms that the Landscape Strategy has been guided by existing constraints on site including the overhead powerlines and other existing / proposed services together with wetness at key locations and the relationship to the wider landscape context.
- 5.20 The proposed site layout therefore includes areas of extensive planting both around the site boundaries and internally within the site that will create a high-quality landscape environment.

### Proposed mix of Uses

- 5.21 When the original PAN was submitted, the proposals comprised a mix of Class 4 (Business), Class 5 (General Industrial), Class 6 (Storage or Distribution) and Class 3 (Food and Drink) / sui generis (Drive through) uses. This mix of uses reflected the fact that despite the LDP site allocation and a full marketing programme, the applicant has been unable to bring forward the site for Class 4 uses alone, due primarily to the decline in the out-of-town office market. The intention was that the proposed mix of uses would offer maximum flexibility for the site to respond to whatever demand comes forward, which will in turn maximise the opportunities for investment and job creation in the local area and ensure the successful delivery of this site, delivering on the Council's spatial strategy for employment development.
- 5.22 However, due to widespread concerns raised during the PAC process, in respect of the proposed Class 5 & 6 uses in particular, the Applicant has amended the proposals now subject to this application, to remove Class 5 uses altogether and limit Class 6 uses to no more than 1,560 sq.m (16,792 sq.ft), equivalent to 13% of the total floorspace of the proposed development. This scale of Class 6 development is considered to be ancillary to the wider Class 4 use and to ensure that no inappropriate Class 6 uses are brought forward on the site the Applicant has proposed a restriction on any Class 6 uses to units with a maximum ridge height of 12m. These restrictions on scale and height have been identified through pre-application discussions with the Council and are considered sufficient to ensure that, should planning permission be granted, the Class 6 floorspace will not comprise large floorplate logistics warehouses.
- 5.23 The site has been actively marketed since 2009 through a combination of property agents and local and national marketing campaigns. To date, the majority of interest has been from non-

Class 4 users attracted by the site's roadside location, which offers high traffic flow past the site and strong links to the main arterial transport routes. Large-scale Class 4 interest in the site has been exceptionally limited, which reflects the wider low demand at a regional and national level for this type of development in out-of-town locations such as the Sheriffhall, a situation reinforced by the applicant's experience at its adjacent business park at Shawfair.

- 5.24 Unlike Shawfair (also owned by the applicant), the application site is currently completely unserved and therefore any development proposals require to be of a scale where it is financially viable to install the necessary infrastructure. To date, there have been no single, large-scale Class 4 requirements which have fulfilled this criterion. However, the applicant remains committed to delivery of employment uses on the site and following close liaison with the Economic Development team within Midlothian Council, it is believed that demand does exist from the smaller business market. This demand is believed to come from more local business users who are looking to enter business premises for the first time or, alternatively, are looking to expand or downsize. The nature of these businesses means that unless the product is readily available or being delivered, it is exceedingly difficult to identify and clearly evidence this demand. What is clear however, is that due to rising build costs and smaller, older commercial estates being redeveloped for higher value uses, there is a lack of stock to accommodate this kind of small business demand. The applicant has therefore taken the proactive decision to promote the development of Sheriffhall South to meet this need and the Council's Economic Development team has committed to marketing the units to the local business community through the Business Gateway service.
- 5.25 The relatively small percentage of Class 6 use (13% of total floorspace) that is sought as part of these application proposals, is therefore to compliment rather than compete with the Class 4 demand and ensure that the development can accommodate what the market, and the Council, are saying is currently required. As previously indicated, the applicant is willing to limit the size and height of any Class 6 development to ensure there is absolutely no ability to deliver large-scale logistics warehousing on the site, should planning permission be granted.
- 5.26 For the reasons outlined above and following ongoing discussions with the Council it is considered that there is sufficient demand to justify the type of Class 4-led employment development proposed by this application. In addition, the proposals are predicted to result in 801 FTE jobs generating c. £32.4m in GVA year on year and will be compatible with neighbouring uses.
- 5.27 It is also worth noting that the employment floorspace proposed through the Phase 1 (Full Planning) element of the Hybrid application is dedicated to Class 4 uses only, demonstrating the applicant's commitment to bringing forward the site in accordance with the LDP allocation as much as possible. Whilst the applicant is willing to adopt a proactive and innovative approach to employment development on the site to stimulate inward investment and economic growth in Midlothian, the speculative nature of the proposals means that the applicant will be proceeding at significant financial risk should planning permission be granted. This risk is off-set to a degree by the non-Class 4 elements, which are required to provide an element of flexibility to respond to alternative employment use demand (in the

case of the Class 6 as summarised above) and, in the case of the Drive-Thru Coffee Shop a committed operator deal that will assist in the funding of the infrastructure required to ‘open-up’ the site and provide the necessary infrastructure and up-front amenity that will make the wider employment site a viable and attractive location for businesses.

5.28 As shown in Table 5-1 below the alternate Class 6 and Drive-Thru uses represent approximately 15% of the total floorspace proposed as part of the application and are therefore considered to be ancillary in the context of the wider Class 4 Business use that is proposed.

Table 5-1 – Floorspace Split (GEA)

Use Class	Units	Floorspace sq.m (GEA)	Floorspace sq.ft (GEA)
Class 4 (Business) Multi-lets	44	7,942	85,488
Class 4 (Business) Main Building	1	2,392	25,747
Class 6 (Storage & Distribution)	2	1,560	16,792
Drive-Thru Coffee Shop	1	197	2,121
<b>Totals</b>			
Total Class 4	45	10,334	111,235
Total Class 6	2	1,560	16,792
Total Drive-Thru Coffee Shop	1	197	2,121
Total Development	48	12,091	130,148
<b>% Split</b>			
% Class 4	94	85	85
% Class 6	4	13	13
% Drive-Thru Coffee Shop	2	2	2

Note: Units and Floorspace figures based on Indicative Masterplan (Ref. 11658-HFM-ZZ-ZZ-A-P(00)-008).

5.29 As can be seen from the table above, the combined non-conforming uses account for approximately 1,653 sq.m of the overall 11,315 sq.m of employment floorspace proposed as part of this application. It is considered that this scale of alternative uses does not represent a significant dilution of the Class 4 offer and therefore does not have a significant adverse impact on the wider strategic role that this committed development site is expected to provide at both a regional and local level. In fact, it is held that these ancillary alternative uses are key to ensuring the viability and success of this long-standing, previously undelivered, allocation site.

5.30 The Midlothian Local Development Plan seeks to ensure a readily available supply of land for economic development and offer a range and choice of sites and locations to support economic growth over the plan period and beyond. SESPlan also allows consideration of mixed-use development on economic sites, if supported by the MLDP, which does not result in a net loss to the overall strategic land supply. The Midlothian Employment Land Audit specifies that Midlothian has 20 sites immediately available for employment with a combined total of 110.97ha of net vacant land and 353,787sqft of vacant floorspace. The application site

measures approximately 8.5ha, of which the Drive-Thru Coffee Shop and Class 6 proposals total approximately 0.92ha. The non-Class 4 elements of the application proposals (which remain employment generating uses) therefore only represent a small part of the wider scheme that will have a negligible impact on Midlothian's overall employment land supply.

- 5.31 The Phase 1 element of the applicant does include the Drive-Thru Coffee Shop and whilst it acknowledged that this use does not accord with the LDP allocation, this element of the proposals is seen as an ancillary and complementary use that will provide a crucial on-site amenity asset that will benefit wider employment site. A full sequential site assessment has been undertaken and submitted with the application, which demonstrates that there are no sites within or on the edge of Dalkeith / Eskbank and Bonnyrigg / Lasswade town centres that are suitable, available or viable for the proposed Drive-Thru Coffee Shop development. As such, sequential assessment demonstrates that there are no sequentially preferable sites that are suitable or available for the development proposed.
- 5.32 The proposed Drive-Thru Coffee Shop is supported by a named-operator – Costa Coffee, who regard the subject site as being ideally placed to meet their requirement for a new Drive-Thru Coffee Shop in Midlothian. As shown on the accompanying plans, the new Drive-Thru Coffee Shop will be at the south-western corner of the application site, close to the Gilmerton Road roundabout junction. It will have a GEA floor area of 197 sq.m (2,121 sq.ft) and will be accessed by a new drive-thru lane which will wrap around the building with a serving hatch located on the rear.
- 5.33 As set out in the accompanying Design & Access Statement, the proposed Drive-Thru Coffee Shop will be constructed to a high standard and incorporates a cafe seating area, serving and back of house areas, as well as an outdoor seating area. Full details of the layout and external appearance of the Drive-Thru Coffee Shop are provided in the submitted planning drawings.
- 5.34 It is anticipated that the proposed Drive-Thru Coffee Shop will provide up to 15 full/part time jobs with flexible shifts, the equivalent of 11 full time jobs (FTE). In terms of the operator themselves it also worth noting that:
- Costa Limited do not use zero hours contracts;
  - They are in full compliance with the European Working Time Directive;
  - There is a bonus scheme for all employees;
  - They have a high internal promotion rate; and
  - All employees are paid at least the minimum wage for 25 + year olds regardless of age.

### Highways Impact & Traffic Congestion

- 5.35 The concerns raised during the PAC process regarding traffic impact and congestion have been fully taken on board by the Applicant and a full Transport Assessment examining all modes of travel has been prepared and accompanies the application. It considers travel by those on foot, on cycle, on public transport and by private car or goods vehicle and provides an

assessment of traffic impacts on the road network. The Transport Assessment (TA) will be available for public comment as part of the application submission and will be fully considered by the Council and Transport Scotland.

- 5.36 The TA has found that the Site is well-situated in relation to the existing transport network, whilst existing footways and cycle routes around the application site provide links to the wider pedestrian and cycle network and key local facilities.
- 5.37 The proposals contain provision of a non-motorised user path which will connect the Gilmerton Road access with the Melville Gate Road access. It is proposed that the path will emerge onto Melville Gate Road on the northern side of the newly proposed access and that a crossing facility will be provided between the new access and the existing Royal Bank of Scotland access opposite (and to the north).
- 5.38 The application site is also well-located for access to public transport services with bus routes passing along the B6392 Gilmerton Road and Melville Gate Road, with additional bus services available of the A772 Gilmerton Road to the west of the A7 and on the A60106 Old Dalkeith Road at the eastern end of Melville Gate Road. The available bus services provide frequent and regular access to the surrounding population areas.
- 5.39 In respect of traffic impact the analysis carried out in the TA predicts that the existing highways junctions will operate satisfactorily for the design year (2023) with the exception of the A7 Gilmerton Road roundabout. Therefore, improvements to the junction layout at the Gilmerton Road roundabout have been investigated and package of improvements have been identified and proposed through this application. An assessment of the proposed improvements has been shown to achieve no net detriment during both the weekday AM and PM peak hours in terms of junction operation/ capacity.

### Design and appearance of the Development

- 5.40 The Site is affected by several physical constraints which have inform the design and layout of the proposed development of the site. The site is bounded by three main roadways, the A7, Gilmerton Road and Melville Gate Road. These have a further constraint by the requirement to have land reserved by Transport Scotland along the site bounded by A7. The site contains an element of established woodland to the southeast boundary, while there is another strategic belt to the north east of the proposed development area. The last major constraint to be considered is the existing overhead power cables (along with the necessary easement), essentially dissecting the site diagonally from the northern boundary to the southern edge on Gilmerton Road.
- 5.41 The established woodland determines the extent of potential built form, while the overhead cables essentially determine their setting out within the development. Whilst the overhead cables are a major constraint, the proposals have responded to the challenge they present in a positive manner by using them to set the building lines and through the incorporation of a large area of public open space being retained as a major frontage to the development. The

diagonal line of the power cables has then been used to set the buildings out at varying angles opposing each other, creating views into the area's public open spaces / new planting while screening the internal courtyards which will essentially service the units. The resulting built form then informs which elevations become key to addressing the site access and the wider public highways.

5.42 In terms of accessibility, the development has been designed to make provision for the access of people with disabilities including the provision of barrier free access throughout.

- The landscaped areas provide predominantly level and accessible pedestrian routes that run through the site. All external areas will be designed using the principals of accessibility and inclusive design. All pedestrian access routes within the site will be appropriately graded or level. The landscaping provides easily identified, legible wayfinding for all.
- Car parking within the development will be located adjacent to individual units within the larger parades. Accessible bays will be clearly designated with ground line marking and signage provided. These are also located adjacent to each individual unit providing access to the main entrances. A level access route from the accessible spaces to the main access will be provided.
- The main building entrance will be level and of an adequate width to allow wheelchair access. it will have an unobstructed space to the opening face of the door, and an unobstructed entrance platform with a door leaf giving a clear opening width of at least 800 mm.

5.43 The final site layout provides a solution to the considerations placed on the development by its existing constraints. The layout shows how the proposed development respects the key areas of established woodland that occupies the site, while enhancing the landscape and biodiversity value of the site through a carefully considered landscape strategy that reflects the Green Belt status of the site and will contribute to the wider Green Belt setting.

5.44 The layout's form is influenced by the route of the overhead cables, allow an interesting landscape with footpaths to allow pedestrians to enjoy the public open space. Parking has been provided within service spaces, with both disabled and EV charging spaces distributed throughout the development, all neatly 'screened' by the orientation of the parades of units and subtle landscaping. One cycle storage space will be incorporated within each unit to provide secure spaces for staff and this provision will be bolstered by pockets of communal spaces spread within the public open space areas to cater for additional demand from staff and visitors.

5.45 The Phase 1 proposals relates to the creation of small starter units for local businesses, but rather than adopt the standard design format of units created on a rigid formula to suit a single type of occupier the development at Sheriffhall South East has been envisaged with more flexibility in mind. While the overall modular approach of providing standard units is retained, a 'toolkit' concept has been developed that will create a shell which can be adapted over the life span of the building to suit the requirements of many different occupiers. This



approach sees a standard modular unit being able to accommodate several different components for the access, natural daylight, external canopies and even internal modifications such as mezzanine floors (subject to separate planning approval).

- 5.46 The Design & Access Statement outlines how the 'toolkit' concept could work in practice. With the 'toolkit' concept, the proposals can be developed to create more interesting elevations than those historically associated with starter units, which will lead to a high-quality built environment that is appropriate for the wider Green Belt setting of the site.
- 5.47 In addition to the external elevations, the 'toolkit' concept has been designed so that its simple modular approach could allow the main structure to be a timber solution rather than the industry standard steel design, further enhancing the developments flexibility and sustainability credentials.
- 5.48 The scale and form of the proposed development is sympathetic to the Site's Green Belt setting and directly relates to the desire to provide units for small start-up businesses with a variety of potential uses, in response to market demand within Midlothian for this type of development. Equally, importantly the proposals would provide the flexibility to accommodate a variety of business size and type over the lifespan of the buildings, and therefore avoid the current culture of disposable architecture.
- 5.49 While a consistent approach has been adopted to the initial shell of the buildings, to establish a sense of place within a consistent, high-quality environment, it is envisaged that each terrace will take on its own unique character, reflected with differing elevational treatments according to the occupiers. The parades are proposed with a simple metal clad exterior, but with a subtle horizontal break introduced at door head height, breaking up the overall elevation at a human scale, and introducing a datum for some of the elevation options. The external elevations are proposed to be formed with a parapet to create a constant level to the wall head. This provides a consistent elevation to allow the future user driven options to be incorporated to any individual unit, while screening any PV installation from pedestrians.

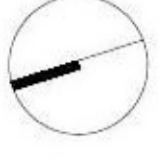
## 6. Summary & Conclusions

- 6.1 The Applicant has carried out the statutory pre-application consultation associated with the Proposed Development in accordance with the relevant Regulations and in agreement with Midlothian Council. The PAN was submitted and agreed with the Council in advance of the online public event and the required newspaper advert was published at the appropriate juncture in the process.
- 6.2 A total of 8 visitors engaged in the two online public consultation event held on 22 June and 20 July 2021, with participants queries addressed directly on the day via the live chat function provided. A further five feedback forms were received, in addition to direct correspondence from both Eskbank & Newbattle and Bonnyrigg & Lasswade Community Council's
- 6.3 The comments received have been analysed and given due consideration by the Applicant in finalising the development proposals. The comments focused predominantly on the following key issues:
- Loss of Green Belt Land and impact on protected species and wildlife habitats;
  - Proposed mix of uses;
  - Highways Impact & Traffic Congestion; and
  - Design and appearance of the Development.
- 6.4 Through this PAC Report and the other supporting documents submitted with this application the Applicant has provide a response to these comments and where necessary incorporated suitable mitigation measures to limit the impact of the proposed development.
- 6.5 Most notably, in direct response to the concerns raised by members of the public and the local Community Council's the Applicant has also revised the proposals submitted at the PAN stage by removing the previously proposed Class 5 uses altogether and by limiting the extent and nature of the proposed Class 6 uses both in terms of maximum floorspace and building height and scale. These measures will ensure that any Class 6 uses that are brought forward will be limited in size and scale and will remain ancillary to the main use of the site for Class 4 Business development, in accordance with the LDP allocation.
- 6.6 In summary, whilst a range of issues have been identified during the PAC process, each consideration has been identified and addressed within the application submission to ensure that the comments within this PAC have been adequately identified, considered and addressed and, where required, mitigation measures have been identified to reduce the potential effects of the proposed development to an acceptable level.
- 6.7 This report has been prepared in accordance with the Planning etc. (Scotland) Act 2006, Circular 3/2013, Development Management Procedure (Scotland) Regulations 2013 and PAN 3/2010 ensuring that a detailed consultation approach has been provided and that all stakeholders and members of the public have been afforded every opportunity to view and comment on the proposed development at Sheriffhall South (East).

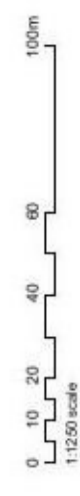
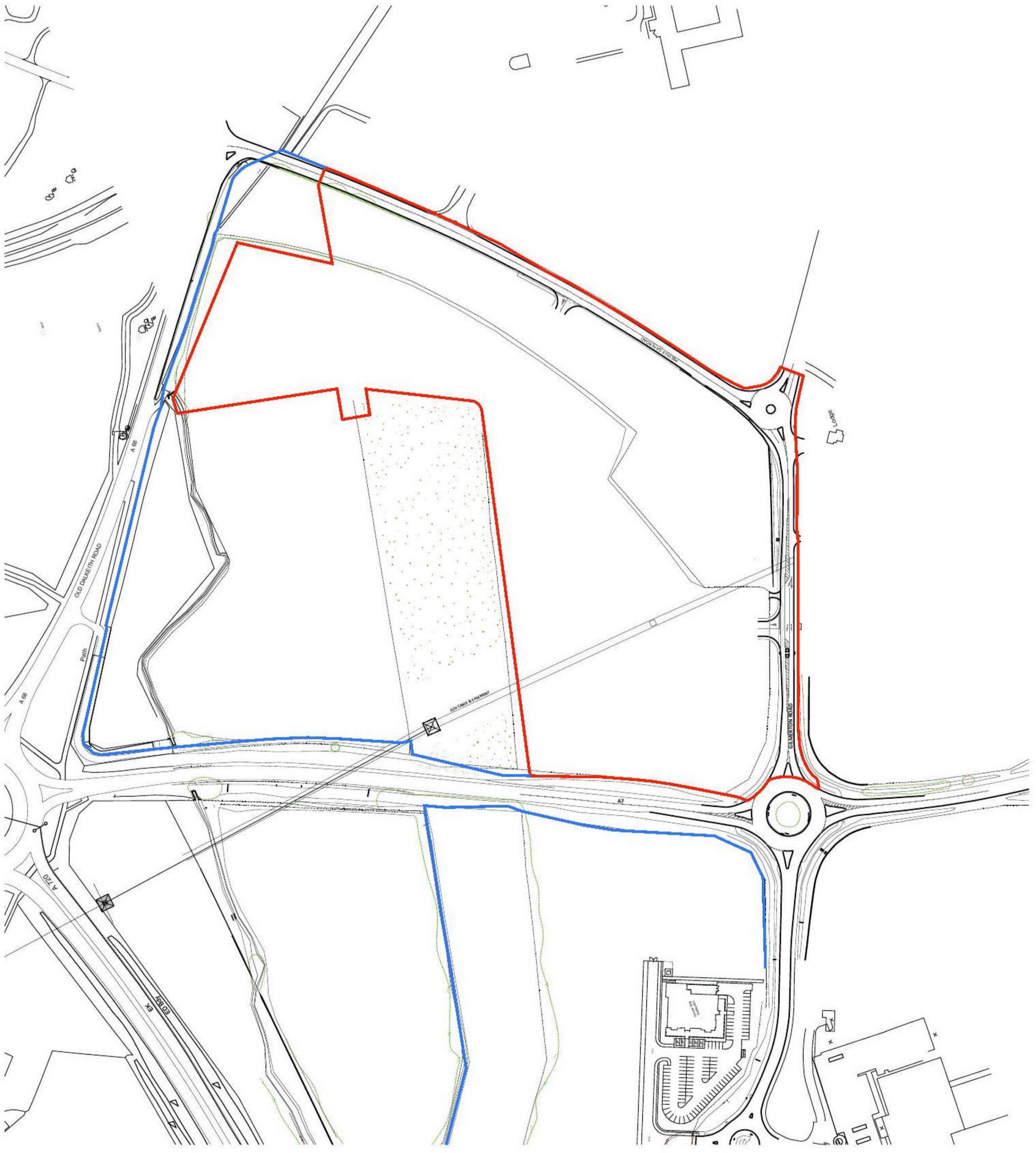
- 6.8 It is evident that the Applicant has fulfilled its statutory obligation in terms of the level of pre-application consultation required, with regard particular regard to the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 (as amended) and it is considered that the process has provided sufficient opportunities for members of the public and the local community and other stakeholders to engage positively in the process and provide comments on the proposed development.
- 6.9 All comments received during this PAC process have been considered and have ensured that the supporting application documentation (including ES, Planning Statement, TA and Design & Access Statement) provide sufficient information and/or variations to the proposal (i.e. proposed mitigation measures) to respond to the aforementioned comments/concerns.
- 6.10 It is considered that the consultation measures undertaken have provided the local community with sufficient opportunity to engage in the pre-application process and allow for appropriate information to be available to parties to objectively assess and comment on the proposed development.

**APPENDIX 1**

**Site Location Plan (Ref. 11658-HFM-ZZ-ZZ-DR-A-P(00)-001)**



Application Boundary  
Area = 8.51 ha / 21 acres (or thereby)



**HALLIDAY FRASER MUNRO**  
CHARTERED ARCHITECTS & PLANNING CONSULTANTS

Project:  
Proposed Mixed Use Development  
Sheriffhall South East

Client:  
Buccleuch Property  
Title:  
Location Plan

Document Reference:  
11658 - HFM - ZZ - DR - A - P100 - 001

Drawing Status:  
Planning  
Scale:  
1:1250 @ A1  
Revision:  
Date:  
Oct 2021

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Aberdeen, AB10 1XB

## **APPENDIX 2**

### **Submitted Proposal of Application Notice (19 May 2021)**

## PROPOSAL OF APPLICATION NOTICE

Town and Country Planning (Scotland) Act 1997 (Section 35B)  
The Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013 (Regulations 4 -7)

### To be completed for all developments within the national or major categories of development

Name of Council	Midlothian Council
Address	Development Management, Fairfield House
	8 Lothian Road
	Dalkeith
	EHH22 3AA

Proposed development at [Note 1]	Land at Sheriffhall South
	Gilmerton Road / Melville Gate
	Dalkeith

Description of proposal [Note 2]	Hybrid Planning Application for Class 4, 5 & 6
	Employment Development with ancillary Class 3 / Sui
	Generis Drive Thru and associated works

Notice is hereby given that an application is being made to

[Note 3] Midlothian Council Council by [Note 4] Buccleuch Property

Of [Note 5]

C/O Progress Planning Ltd.

In respect of [Note 6] 2 virtual events & other online consultation (as detailed in PAN Report)

To take place on [Note 7] 22 June 2021 (first event)

[Note 8] The following parties have received a copy of this Proposal of Application Notice

Refer to supporting PAN Report Section 3.2.2 for list of key consultees and stakeholders.

[Note 9] For further details contact Chris Gardner

on telephone number 07850 655937

And/or at the following address 16 Norwood, Newport-on-Tay, Fife DD6 8DW

[Note 10] I certify that I have attached a plan outlining the site

Signed [REDACTED]

On behalf of Progress Planning Consultancy Ltd for Buccleuch Property

Date 19 May 2021

## **PROPOSAL OF APPLICATION NOTICE**

Town and Country Planning (Scotland) Act 1997  
Regulation 6 of the Town and Country Planning (Development Management Procedure) (Scotland)  
Regulations 2013

### **NOTES FOR GUIDANCE**

- [Note 1] – Insert postal address or location of proposed development
- [Note 2] – Insert description in general terms of the development to be carried out.
- [Note 3] – Insert Council name.
- [Note 4] – Insert name of applicant and/or agent
- [Note 5] – Insert applicant's and/or agent's postal address
- [Note 6] - Insert form of consultation the prospective applicant proposes to undertake e.g. public meeting
- [Note 7] – Insert date and venue of consultation
- [Note 8] – Insert list of those groups who have been invited to attend
- [Note 9] – Insert details as to how the prospective applicant/agent can be contacted (incl. name, address and tel. no)
- [Note 10] - Attach plan that outlines the location of the proposed development and is sufficient to identify the site

### **Pre-application Consultation (PAC)**

Where PAC is required, the prospective applicant must, under sections 35B(1) and (2) (of the Act), provide to the planning authority a 'Proposal of Application Notice' at least 12 weeks (section 35B(3)) prior to the submission of an application for planning permission. The Proposal of Application Notice must include the information set out in section 35B(4) and in regulation 6, namely:

- i) a description in general terms of the development to be carried out;\*
- ii) the postal address of the site at which the development is to be carried out, if available
- iii) a plan showing the outline of the site at which the development is to be carried out and sufficient to identify the site;
- iv) detail as to how the prospective applicant may be contacted and corresponded with; and
- v) an account of what consultation the prospective applicant proposes to undertake, when such consultation is to take place, with whom and what form it will take.

\* You should provide an outline of the proposal's characteristics, and the identification of its category (e.g. Major development). Any subsequent application needs to be recognisably linked to what was described in the proposal of application notice.

### **Submission of an Application after Pre-application Consultation Notice**

The submission of the proposal of application notice starts the PAC processing clock. After a minimum of 12 weeks, having carried out the statutory requirements and any additional requirements specified by the planning authority, an applicant can submit the application along with the required written Pre-application Consultation Report. Information in relation to the proposal of application notice must also be placed by the planning authority on the list of applications required under section 36A and regulation 21.

### **Additional consultation activity (responding to the Proposal of Application Notice)**

The applicant is required to indicate in the proposal of application notice what consultation will be undertaken in addition to the statutory minimum. The planning authority must respond within 21 days of receiving the Notice to advise the applicant whether the proposed PAC is satisfactory or if additional notification and consultation above the statutory minimum is required in order to make it binding on the applicant. In doing so, planning authorities are to have regard to the nature, extent and location of the proposed development and to the likely effects, both at and in the vicinity of that location, of its being carried out (section 35B(8)). Additional consultation requirements should be proportionate, specific and reasonable in the circumstances. If there is no response to the proposal of application notice by the planning authority within 21 days, only the statutory minimum PAC activities will be required.



Scottish Ministers expect planning authorities to develop and maintain up to date lists of bodies and interests with whom applicants should consult in particular types of case. These lists should be available to applicants, who can draft proposal of application notices in light of that information. Further advice on planning community engagement activity can be found in Planning Advice Note 81: Community Engagement – Planning With People.

### **Minimum consultation activity**

*Consultation with community councils* - Under regulation 7 an applicant must consult every community council any part of whose area is within or adjoins the land where the proposed development is situated. This includes community councils in a neighbouring planning authority.

*The public event* - Regulation 7 also requires the holding of at least one public event for members of the public where they can make comments to the prospective applicant on their proposals. This 'public event' must be advertised at least 7 days in advance in a newspaper circulating in the locality of the proposed development. The advertisement for the public event must include:

- a description of, and the location of, the proposed development;
- details as to where further information may be obtained concerning the proposed development; the date and place of the public event;
- a statement explaining how, and by when, persons wishing to make comments to the prospective applicant relating to the proposal may do so; and
- a statement that comments made to the prospective applicant are not representations to the planning authority. If the applicant submits an application there will be an opportunity to make representations on that application to the planning authority.

Applicants will gain less from poorly attended or unrepresentative PAC events and should ensure that processes are put in place that will allow members of the community to participate meaningfully in any public event. The public event should be reasonably accessible to the public at large, including disabled people. It may be appropriate for the public event to take place over a number of dates, times and places. Applicants should ensure that individuals and community groups can submit written comments in response to the newspaper advertisement.

There is a need to emphasise to communities that the plans presented to them for a proposed planning application may alter in some way before the final proposal is submitted as a planning application to the planning authority. Even after PAC, and once a planning application has been submitted to the planning authority, communities should ensure that any representations they wish to make on the proposal are submitted to that authority as part of the process of considering the planning application.

**Any personal data that you may be asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.**

### **APPENDIX 3**

#### **Submitted PAN Report**

# **Proposal of Application Notice**

**Hybrid Planning Application:**

**Class 4, 5 & 6 Employment Development with ancillary**

**Class 3 / Sui Generis Drive Thru and associated works**

**Land at Sheriffhall South, Gilmerton Road / Melville Gate,**

**Dalkeith, Midlothian**

On behalf of



May 2021



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# 1 Introduction

## 1.1 Purpose of Report

- 1.1.1 This report provides the detail to support a Proposal of Application Notice (PAN) for a proposal by Bucleuch Property for the construction of Class 4, 5 & 6 Employment development with ancillary Class 3 / Sui generis Drive-thru Coffee Shop on land at Sheriffhall South, Gilmerton Road / Melville Gate, Dalkeith, Midlothian.
- 1.1.2 The purpose of the PAN is to set out the proposed approach to consultation during the pre-application stage in order to comply with the requirements of planning legislation and guidance, and to meaningfully engage with local community interests.

## 1.2 COVID-19 new measures

- 1.2.1 On 24<sup>th</sup> April 2020 The Scottish Government issued a Guidance Note entitled 'COVID 19 Emergency and Pre-Application Consultation and Requirements for a Public Event' (The Guidance Note'). The Guidance Note explains the effect of the Coronavirus Regulations and provides further guidance on alternative online consultation.
- 1.2.2 The Guidance Note confirms the suspension of face-to-face public events for new PAN's submitted within the emergency period. The replacement of this requirement with alternative consultation measures is required and the note provides more detailed guidance on what will be acceptable, and confirms the changes required for both related newspaper adverts and the PAN itself.
- 1.2.3 The key change for the newspaper adverts is the need to include details of where the online location of further information on the proposed development is to be found. In addition, instead of details on the public event, the notice must give an indication of the alternative consultation arrangements to be progressed, and confirm how and when these will operate, how parties can find out more information on this.
- 1.2.4 With regard to access to information and timescales for making comments by a specified date, the guidance note confirms that these avenues should remain open, in addition to the alternative online 'event'.
- 1.2.5 The Guidance Note urges Applicants to enable an extended period for submission of comments which should, as a minimum, run from the date of the newspaper notice – in order to compensate for the limited accessibility to interact with the Applicant in real terms - and not from the date of the replacement 'event', as would be the practice out-with the Regulations.
- 1.2.6 Applicants are guided to consult with the LPA and Community Councils on mechanisms to raise awareness off the alternative consultation measures proposed, and to agree the proposed approach to conveying information on this to ensure the consultation is as effective as possible within the local area and draws upon local knowledge and known channels of information sharing.
- 1.2.7 The Guidance Note confirms that there is no statutorily specified alternative to the 'public event' and that reasonable alternatives should be proposed and discussed with the LPA. The importance of ensuring that alternatives are not set up to facilitate only 'one-way traffic' is also stated in the Note. As such, the Government is seeking, as a minimum temporary substitute, an event that is:
- Hosted at a central, free, publicly accessible web location which sets out clearly the pre-application consultation steps being undertaken, the location of information and the time period for engagement and how do to that. It should:
    - Identify the location of the development site;

- Present the proposal for the site; and
- Be as user friendly as possible.
- Live and interactive web-based consultation – suggesting at least one event of 2-3 hour duration with live question and answer session and links to other online opportunities to make comment, as questions and receive responses, and that these live events are scheduled to enable public participation.

1.2.8 The public must be able to access information and engage through one route and rather than being scattered across platforms with disseminated information sources. The Government explicitly states that the public should not have to ‘join or sign-up’ to websites, forums or social media platforms to access information, and that the information provided should be available to access at whatever pace the person accessing it requires. Responses to questions and queries / clarifications must be made either during the specified consultation period, or by a later date as set by the Applicant. A minimum period of 7 days should be set for the public to be allowed to submit questions or views on the information provided online.

1.2.9 It is explicitly stated that a longer period than the recommended minimum for the alternative public event as noted above is set, during which the public can access the provided information and submit comments, albeit without the benefit of live responses. This period should be at least 21 days from the placing of the newspaper notice. The 7 days for the public event, and the 21 days overall (minimum) can run in parallel or consecutively.

1.2.10 A range of suggestions on ways in which Applicants can build on the minimum event are suggested and include online video presentations, FAQs provided online, additional telephone access opportunities for those without internet access, etc.

1.2.11 The team working on the engagement and PAN strategy for the Sheriffhall South proposals have been implementing electronic engagement for some time and techniques such as virtual ‘town hall exhibitions’, e-meetings and video conferencing are all tried and tested means, which aid inclusive public engagement and are well suited to the current crisis.

1.2.12 The amended wording on Applicant obligations introduced by the recent Regulations is utilised within the formal PAN notice completed for the proposed development, which is contained in **Appendix A**.

### 1.3 Background to the Proposal

1.3.1 Sheriffhall South is a strategic development site controlled by Buccleuch Property which, given its excellent location and access to the strategic highway network, represents a great opportunity for employment generating uses across a range of sectors.

1.3.2 The Site has been subject to previous development proposal submissions to Midlothian Council as set out below:

Application Ref.	Proposal	Status
17/00587/DPP	Erection of residential care home with associated access, car parking, landscaping and works	Refused at LRB – 20/06/2018

<b>17/00537/DPP</b>	Erection of petrol filling station and shop; restaurant, cafe and drive thru and associated works	Refused – 17/05/2018
<b>17/00508/DPP</b>	Formation of access road, SUDS infrastructure, drainage and utilities connections; and associated enabling works	Approved – 29/06/2018

1.3.3 A Hybrid planning application (Full & PPIp) for the site is now being progressed and as the proposed development has a site area of more than 2 hectares the proposal is defined as ‘Major’ Development under the provisions of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. This PAN submission commences the ‘Major’ application process.

#### 1.4 Project Description

1.4.1 The Site (approx. 8.5ha) comprises part of the wider Local Development Plan allocation e32 (Sheriffhall South) which provides for Business (Class 4), located to the north of Dalkeith and south of Sheriffhall Roundabout. The Site lies within the Green Belt, close the junction of Gilmerton Road (B6392) and the A7 and forms part of an open area of land currently in agricultural use (see Site Location Plan (Ref. 11658-PoAN-001) in **Appendix B**).

1.4.2 Subject to further discussions with the Local Planning Authority, it is envisaged that the proposed Description of Development would be as follows:

*Hybrid Planning Application for the following development (major development);*

*(i) Full Planning Permission for the erection of Business (Class 4), Industrial (Class 5) and Storage & Distribution (Class 6) development and Class 3 / Sui Generis Drive Thru Coffee Shop, with associated car parking, access, infrastructure and landscaping proposals; and*

*(ii) Planning Permission in Principle for Business (Class 4), Industrial (Class 5) and Storage & Distribution (Class 6) development with ancillary offices and associated access infrastructure works (detailed matters of appearance, landscaping, layout and scale are reserved for subsequent approval).*

1.4.3 The proposals, due to the application site exceeding 0.5 Ha, would constitute Schedule 2 EIA development (Part 10(a) – Industrial estate development projects). Consequently, it is anticipated that an EIA Screening Opinion Request will be submitted in due course, to establish with the Council whether the proposals would constitute EIA development.

#### 1.5 Format of Report

1.5.1 This Report is divided into two further Chapters as follows:

- Chapter 2 – sets out the proposed Engagement approach covering:
  - what is required; and
  - the impact of COVID-19.
- Chapter 3 – Proposed Consultation Process, covering:
  - who we will engage with;
  - how will we engage; and
  - what is the process and how will it be reported?
- Appendices.



## 2 Engagement Approach

### 2.1 Introduction

- 2.1.1 As outlined previously, the proposed development constitutes a Major Development due to the size of the proposed application site (approx. 8.5 Ha) The Applicant is therefore required to carry out Pre-Application Consultation (PAC) with the local community and submit a PAC report with the planning application.
- 2.1.2 As a pre-requisite, the applicant must provide a PAN setting out how it intends to carry out consultation and engage with the community. The PAN notice (**Appendix A**) and the following chapters fulfil this requirement to set out how it is proposed that consultation will be carried out.
- 2.1.3 The Scottish Government Best Practise Guidance on Community Engagement is provided in Planning Advice Note (PAN) 81 – ‘Community Engagement, Planning with People’. Critically it is noted that each development is unique and requires a bespoke approach. Notwithstanding this, PAN 81 sets 10 National Standards for Community Engagement to help plan, monitor and evaluate the engagement proposed for each development. This approach underpins the site-specific approach to be adopted by Buccleuch Property, as set out in detail in Chapter 3.
- 2.1.4 In light of the changed position to consultation which has emerged due to the ongoing COVID-19 restrictions, Buccleuch Property and their advisors have considered a range of e-consultation options to identify a suitable approach which best reaches the community and stakeholders involved in the project.
- 2.1.5 Chapter 3 below sets out the engagement proposed to support the new full planning application approach and reflects the modified regulations.

### 2.2 COVID-19 impact

- 2.2.1 As explained, the Scottish Government has put in place emergency measures which require Applicants for planning applications to put in place e-solutions to replace face-to-face / public gathering consultations.
- 2.2.2 Orbit Communications advise Buccleuch Property on their stakeholder and public engagement strategies and are highly experienced in e-consultation practices and software. As a result, Buccleuch Property are well placed to proceed with the formal engagement required as part of the PAC process, with systems for hosting and analysing virtual events already in place, tested and verified.
- 2.2.3 The approaches proposed are considered commensurate for the scale and nature of the proposed development and sufficient to reach to all sectors of the community, in light of the current circumstances.

## 3 Proposed Consultation Process

### 3.1 The Legislative Requirement

- 3.1.1 As set out in the Planning etc (Scotland) Act 2006, Regulation 7A, (amended by The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020), an Applicant must consult with Community Councils and hold an online public event, during the emergency period. The modified Regulations also provide clarification of what these actions are, and by what means they must be stated within the PAN.
- 3.1.2 The overall objectives of these actions are *“to encourage improved trust and more open, positive working relationships from the earliest stages in the planning process and to provide, where possible, an early opportunity for community views to be reflected”*.
- 3.1.3 The aims of the proposed consultation strategy are:
- to facilitate a constructive and accessible consultation process to inform the project evolution and satisfy current legislative and guidance requirements;
  - to assist the public’s understanding of the benefits and impacts of the proposed development; and
  - to add value and improve the presentation and approach to presenting the changes and application through meaningful and productive consultation and to ensure interested parties are informed, engaged, listened to and able to express their opinions freely and openly.

### 3.2 Who will be consulted?

- 3.2.1 As per the Regulations 2008 (as amended) *“The prospective application is to consult ...every community council any part of whose area is within or adjoins the land where the proposed development is situated and in doing so is to give a copy of the proposal of application notice to such community council”*. (including by electronic means).
- 3.2.2 In addition, it is good practise to consult with all elected Members at all levels with an interest in the local area and as such the proposed engagement list therefore comprises the following:

MPs & MSPs	
Owen Thompson	MP for Midlothian
Colin Beattie	MSP for Midlothian North and Musselburgh
Local Councillors	
Cllr Derek Milligan	Leader of Midlothian Council (also Councillor for Bonnyrigg)
Cllr Jim Muirhead	Deputy Leader of Midlothian Council
Cllr Diane Alexander	Councillor for Bonnyrigg
Cllr Janet Lay-Douglas	Councillor for Bonnyrigg

Cllr Colin Cassidy	Councillor for Dalkeith
Cllr Stephen Curran	Councillor for Dalkeith
Cllr Margot Russel	Councillor for Dalkeith
<b>Community Councils</b>	
Brian Wailes (Chair)	Eskbank & Newbattle Community Council
Jan Irvine (Chair)	Bonnyrigg & Lasswade Community Council
Ann Stewart-Kimcha (Chair)	Dalkeith & District Community Council
<b>Local Stakeholders</b>	
Dita Macfarlane (Chamber Manager)	Midlothian & East Lothian Chamber of Commerce
Tom Donaldson (Secretary)	One Dalkeith Development Trust
Albert Jaster (Secretary)	The Rotary Club of Dalkeith

### 3.3 How will Engagement take place?

3.3.1 The following methods will be used to engage with stakeholders and interested parties, including the general public.

- A project website <http://sheriffhallsouth.com/> will be launched that will include a dedicated Pre-Application Consultation page providing details of the proposed development along with plans of that will be available to view and download. The Consultation page will also outline the proposed consultation process and timeline and include an interactive form to encourage online consultation and feedback on the information provided.
- A dedicated project telephone number **0131 202 3259** that will operate during normal office hours and will allow interested parties to leave messages and enquiries which will be directed to and responded to by the relevant member of the consultant team.
- Two ‘virtual town hall’ events will be organised via digital channels to allow stakeholders and interested parties to receive information about the project, question the developer and consultant team and provide feedback. **The date for first of these events is proposed to be Tuesday 22 June 2021 between 15.00 and 19.00, with the second event to be held 2-4 weeks after** to allow sufficient time for comments to be received and amendments to the proposals if required.
- An animation/presentation of exhibition materials and project details will be shared at the ‘virtual town hall’ event.

- A transcript of the 'virtual town hall' events will be made available on the project website following each event.
- Printed materials will also be available upon request.

3.3.2 Upon submission of the PAN, the website will initially be launched as a holding page and will summarise the information provided in the PAN submission. This will subsequently be updated with key dates and information including the virtual event presentation materials that will be available to download.

3.3.3 As set out above and in line with the Scottish Government Guidance on virtual events there will be an opportunity for a two-way interaction function between the community and the applicant's team through the project website and the dedicated project telephone number, which will allow for queries to be raised and answered before, during and after the virtual events. This function will be launched at the same time as the publication of the newspaper advert and will run for a period that will extend until 7 days after the final virtual event, after which the applicant will have a further 7 days to respond to any outstanding comments received.

3.3.4 The newspaper advert will be placed in the Midlothian Advertiser a minimum of 14 days prior to each online event providing full details of how to participate in the event. In addition, the event will be promoted via social media platforms and the Community Council and Local Stakeholders will also be notified by flyer in advance of the event.

#### **APPENDIX 4**

##### **Email to Community Councils, Councillors and other stakeholders (19 May 2021)**

**Subject:** PROPOSAL OF APPLICATION NOTICE - Land at Sheriffhall South, Gilmerton Road / Melville Gate, Dalkeith, Midlothian  
**Date:** Wednesday, 19 May 2021 at 14:32:58 British Summer Time  
**From:** [REDACTED]  
**To:** [REDACTED]  
**CC:** [REDACTED]  
**BCC:** Alastair Stewart, Neil Finnie, Gavin Robb  
**Attachments:** image001.jpg, PAN Sheriffhall South MDL Covering Letter 19052021.pdf, PAN Notice Sheriffhall South 19052021.pdf, 11658 PoAN-001.pdf, PAN Report Sheriffhall South 19052021.pdf

Dear Sirs

On behalf of our client, Buccleuch Property, I am pleased to enclose a Proposal of Application Notice (PAN) and associated PAN Report and Site Location Plan. The proposals relate to a Hybrid planning application for Class 4, 5 & 6 Employment Development with ancillary Class 3 / Sui Generis Drive Thru on land at Sheriffhall South, Gilmerton Road / Melville Gate, Dalkeith, Midlothian.

The proposed development has a total site area of more than 2 hectares and therefore the proposals are defined as 'Major' Development under the provisions of the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009. This PAN submission commences the major application process.

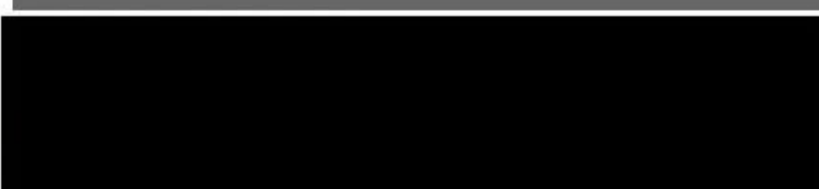
The proposed consultation approach reflects the published COVID-19 Regulations and allows for full public engagement via a range of virtual and non-public facing means including two 'Virtual Town Hall' meetings, a dedicated telephone hotline and availability of presentations and project information on a dedicated project website.

As detailed in the PAN Report (Section 3.2), the PAN Notice and associated supporting information has also been sent to the relevant key stakeholders for the site, which includes local politicians, Council members, Bonnyrigg & Lasswade and, Dalkeith & District Community Councils and any other relevant local stakeholders.

We trust that the enclosed is sufficient to enable registration and the commencement of the 12-week period. We look forward to receiving approval of the proposed consultation strategy within the statutory 21-day response period, however, should you have any queries or require further information please do not hesitate to contact me directly on 07850 655937 or using the email address below.

Kind Regards

**Chris Gardner**  
Director



**APPENDIX 5**

**Midlothian Council PAN Registration Letter (08 June 2021)**

Midlothian Council  
Midlothian House  
Buccleuch Street  
Dalkeith  
EH22 1DN

Place Directorate  
Kevin Anderson  
Executive Director - Place

Midlothian

08 June 2021

Chris Gardner  
Progress Planning Consultancy Ltd  
16 Norwood  
Newport-on-Tay  
Fife  
DD6 8DW

Dear Sir

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997 (as amended by Planning etc (Scotland) Act 2006)  
Mixed use of Class 4, 5 and 6 Employment Uses with associated Class 3 (Food & Drink) / Sui Generis Drive Thru: At Land At Sheriffhall South, Gilmerton Road, Dalkeith**

I refer to the above-mentioned Proposal of Application Notice ('PAN'), which was received and registered on 19 May 2020.

The Planning Authority has 21 days to respond to the PAN under the terms of the Town and Country Planning (Scotland) Act 1997 (as amended) ('The Act') or an extension to this period as agreed with the applicant.

**Updated Pre-Application Consultation Requirements**

The Planning Authority must be content that the prospective applicant intends to carry out an acceptable level of pre-application consultation. Planning Advice Note 81: 'Community Engagement - Planning for People' provides useful advice in this regard. In addition, the Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 ('the Regulations') recently enacted temporary suspensions and amendments to pre-application consultation requirements. In this regard, there is no longer any requirement to hold a public exhibition whilst public gatherings are prohibited in Scotland. Instead, various amended pre-application requirements are sought, supported by updated guidance prepared by the Scottish Government 'COVID 19 Emergency - Pre-Application Consultation and Requirements for a Public Event' (in particular, section 17-25).

To this extent, I can advise that **the Planning Authority is satisfied with the level of consultation being proposed with respect to the updated Regulations/Guidance and hereby approve this application.** This includes: sending the PAN documentation to various interested parties; holding two virtual web consultation events (Event 1 – 22<sup>nd</sup> June 2021, 15:00 – 19:00 and Event 2 2-4 weeks subsequent)(date tbc); setting up a designated website (<http://sheriffhallsouth.com/>) to provide public access to information and allow for the submission of consultations; placing an advert in the local newspaper at least 7 days before the event; deliver an animation/presentation of exhibition materials and project details will be shared at a 'virtual town hall' event providing opportunities for 'two-way' interactive liaison

Please ask for: Hugh Shepherd  
Our Reference: 21/00416/PAC

Direct Dial: 0131 271 3313  
Fax No: 0131 271 3537



(live-chat) with the developer and consultant team during/after virtual events; and providing opportunities to comment on the pre-application proposal after the event.

### **Existing Pre-Application Consultation Requirements**

The above Regulations/Guidance do not remove any pre-application consultation requirements unrelated to holding public events. This includes the publication of the newspaper advert, advert content, and serving PAN notices to Community Councils etc. (which I note from your submission that have either been undertaken or proposed in accordance with the Act).

In addition to the above requirements, please can you also circulate copies of any adverts placed in newspapers regarding the above proposal for the Council's planning file.

### **Pre-Application Consultation Report**

As you will be aware, it is also important that the information gathered during the consultation process is compiled into a Pre-Application Consultation ('PAC') Report and submitted to the Planning Authority along with any forthcoming application. Failure to submit this report will result in a delay in registering the application.

### **Pre-Application Advice**

Agreement of this consultation process does not prejudice the Planning Authority's position regarding pre-application advice. This will be an important stage in the pre-application process to ensure that the proposal does not significantly change from what the public see at consultation stage(s).

I would remind you that the subsequent application needs to be recognisably linked to what has been described in the proposal of application notice, and you will want to satisfy yourself in this regard. Para. 2.13 of Planning Series Circular 3/2013 provides further advice.

If you require anything further please contact the undersigned using the contact details below.

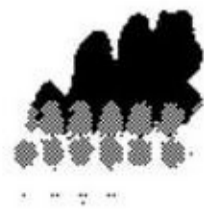
Yours sincerely

**Hugh Shepherd**

Planning Officer

**APPENDIX 6**

**Midlothian Council Committee Report (15 June 2021**



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**PRE-APPLICATION CONSULTATION REPORT REGARDING FOR MIXED USE DEVELOPMENT COMPRISING CLASS 4 (BUSINESS), CLASS 5 (GENERAL INDUSTRIAL), CLASS 6 (STORAGE OR DISTRIBUTION) WITH ASSOCIATED CLASS 3 /SUI GENERIS DRIVE THROUGH AT LAND AT SHERIFFHALL SOUTH, GILMERTON ROAD, DALKEITH (21/00416/PAC)**

Report by Chief Officer Place

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## **1 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to advise the Committee of the submission of a Proposal of Application Notice (PAN) and corresponding pre-application consultation for a mixed use development comprising Class 4 (Business), Class 5 (General Industrial), Class 6 (Storage or Distribution) with associated Class 3 (Food and Drink)/Sui Generis drive through at land at Sheriffhall South, Dalkeith (21/00416/PAC).
- 1.2 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 The pre-application consultation for mixed use development (21/00344/PAC) was submitted on 19 May 2021.
- 2.3 As part of the pre-application consultation process, a public event would have been arranged in 'normal' times, however, this is no longer an option as a consequence of the ongoing Covid-19 public health emergency. Legislative requirements for pre-application consultations have been amended for a temporary period under the Town and

Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020. The changes remove the requirement for a public event, but as an alternative require prospective developers to advertise where relevant consultation material can be viewed online. The legislation does not prescribe the method of consultation but the guidance does set out the Scottish Government's expectations - which includes giving interested parties the opportunity to make comment. On the conclusion of the online event the applicant could submit a planning application for the proposal.

- 2.4 In terms of submission timescales, the applicant could submit a planning application for the proposal from 12 August 2021 if they have undertaken appropriate pre application consultation.
- 2.5 Copies of the Proposal of Application Notice have been sent by the prospective applicant to the Leader of the Council, Deputy Leader of the Council, local elected members for Dalkeith, Dalkeith & District Community Council, Eskbank & Newbattle Community Council, Bonnyrigg & Lasswade Community Council, the local Member of Parliament (MP), and the local Member of Scottish Parliament (MSP).
- 2.6 There are to be two virtual public events - the first nominated for 22 June 2021 and the second for 2-4 weeks later, around mid-July 2021. It is reasonable for an Elected Member to attend such a virtual 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.

### **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 8.5 hectare site is located on land to the south of Sheriffhall Roundabout and east of the A7 to the northwest of Dalkeith. The site forms part of Site e32 allocated for business (Class 4) employment use under Policy STRAT1 of the Midlothian Local Development Plan 2017 (MLDP). This employment allocation also retains its green belt status until the entire e32 site is developed. Part of the site (the north-eastern corner) is also allocated within the green belt and for prime agricultural Land.
- 3.4 The site currently comprises agricultural fields and extensive woodland planting around the south-eastern and eastern site boundaries. A high

voltage electricity pylon and overhead cables also bisect the site. Existing vehicular access is via a field access off Gilmerton Road. The site is bounded to the south by Gilmerton Road and to the east by Melville Gate Road. An agricultural field is located to the north, with Sheriffhall Roundabout beyond. To the east lies an office building with another agricultural field, a public house/restaurant and (Dobbies) garden centre located to the west. As outlined above, the site is subject to the following allocations within the MLDP:

1. Policy STRAT 1 - Committed Development (Site e32 - Sheriffhall South): Forming part of the established economic land supply solely for 'Business' (Class 4) use within Appendix 1B); and
2. Policy ENV 1 - Protection of the Green Belt - This includes Site e32 and land outwith Site e32 within the site's north-eastern corner.

- 3.5 Site Specific issues for Site e32 require solely business (Class 4) uses, given the site's 'high profile and sensitive location'. A pub-restaurant has been provided on part of the wider Site e32 allocation with the intention of providing an 'impetus to attract acceptable business uses within the remainder of the site'. These business uses have not yet materialised since the pub-restaurant's development. Moreover, and crucially, the site specific requirements note that 'loss of further land to other ancillary uses will be discouraged'. The applicant is currently assessing the possibility of delivering some start up units speculatively in modern modular units which will enable a wide range of businesses to use the site as the units can be adapted to meet evolving business need – to enable this approach Class 5 and 6 uses are proposed in addition to the allocated Class 4 uses. An onsite café/drive through will also support the development of the business park.
- 3.6 Provision of non-business (Class 4) uses within this part of the site would unlikely be supported, particularly any storage and distribution (Class 6) uses given that they include substantially lower employment densities and job creation figures, unless there are material considerations which support taking a more open approach to the commercial uses on the business park. In addition, such outcomes would result in the loss of business (Class 4) employment land which forms part of the Council's established economic land supply for such uses. Loss of such employment areas to non-class 4 business uses is not justified within the Council's latest Employment Land Audit nor would it comply with Policy STRAT1 and Policy ECON1 which seek to protect such areas from competing non-business (Class 4) uses in this instance.
- 3.7 Land within Site e32 is allocated within the Green Belt under Policy ENV1. This allocation is retained within the MLDP to avoid pressure from alternative land uses until employment uses within the entire e32 site are delivered. As such, any non-business (Class 4) uses proposed within the site would not accord with the green belt objectives which does not permit uses that are not related to agriculture, horticulture and outdoor recreation nor any related uses that do not complement the rural character of the green belt.

- 3.8 Irrespective of the green belt priorities for Site e32, the green belt allocation within the remainder of the site forms an important function and retains the continuity of the green belt in this location and is not proposed to be removed. As such, any future development on this land would fail to comply with respective green belt priorities and would be contrary to the development plan objectives for this part of the site.
- 3.9 Consideration of potential impacts to established trees within the site will also be critical to any future decision-making in line with Policy ENV11. It is noted that a series of large tree groupings are located within and around the perimeter of the site. Any future design will be required to take cognisance of these existing features and complement their retention in order to minimise any potential tree loss.
- 3.10 Any future application would be required to be accompanied by a coal mining risk assessment given that the site is located within an area of 'High Risk'. In addition, a drainage strategy and concise flood risk assessment will also be required to accompany any future application to mitigate any potential flood risk within the site and the immediate area. A preliminary ecological appraisal would also be required to consider the existing habitats for protected species and a transport assessment considering potential traffic impacts associated with the proposed development on the local road network will also be required.
- 3.11 In addition to the above principle of development, consideration will also have to be given to design matters such as layout, siting, design, appearance, materials, landscaping and parking in order to accord with the policies in the Sustainable Place-making section of the MLDP.
- 3.12 If an application is submitted there is a presumption in favour of business (Class 4) development but not for the remaining general industrial (Class 5), storage or distribution (Class 6) employment use nor any drive through component - which are all contrary to the MLDP. However, any assessment of a planning application would evaluate any material considerations in support of the application, in particular economic and employment arguments, which may outweigh the restrictive policy position and support the Council's economic aspirations in response to the COVID-19 pandemic. If any non-employment (i.e. drive through) component is retained, and suitable justification is accepted, restrictions on its delivery would be required to limit its operation until employment uses are constructed/operational to maintain its function as a use associated to any future employment uses.
- 3.13 Any potential support would be also subject to technical and design requirements, conditions and securing developer contributions towards infrastructure including strategic transport infrastructure.

## **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.

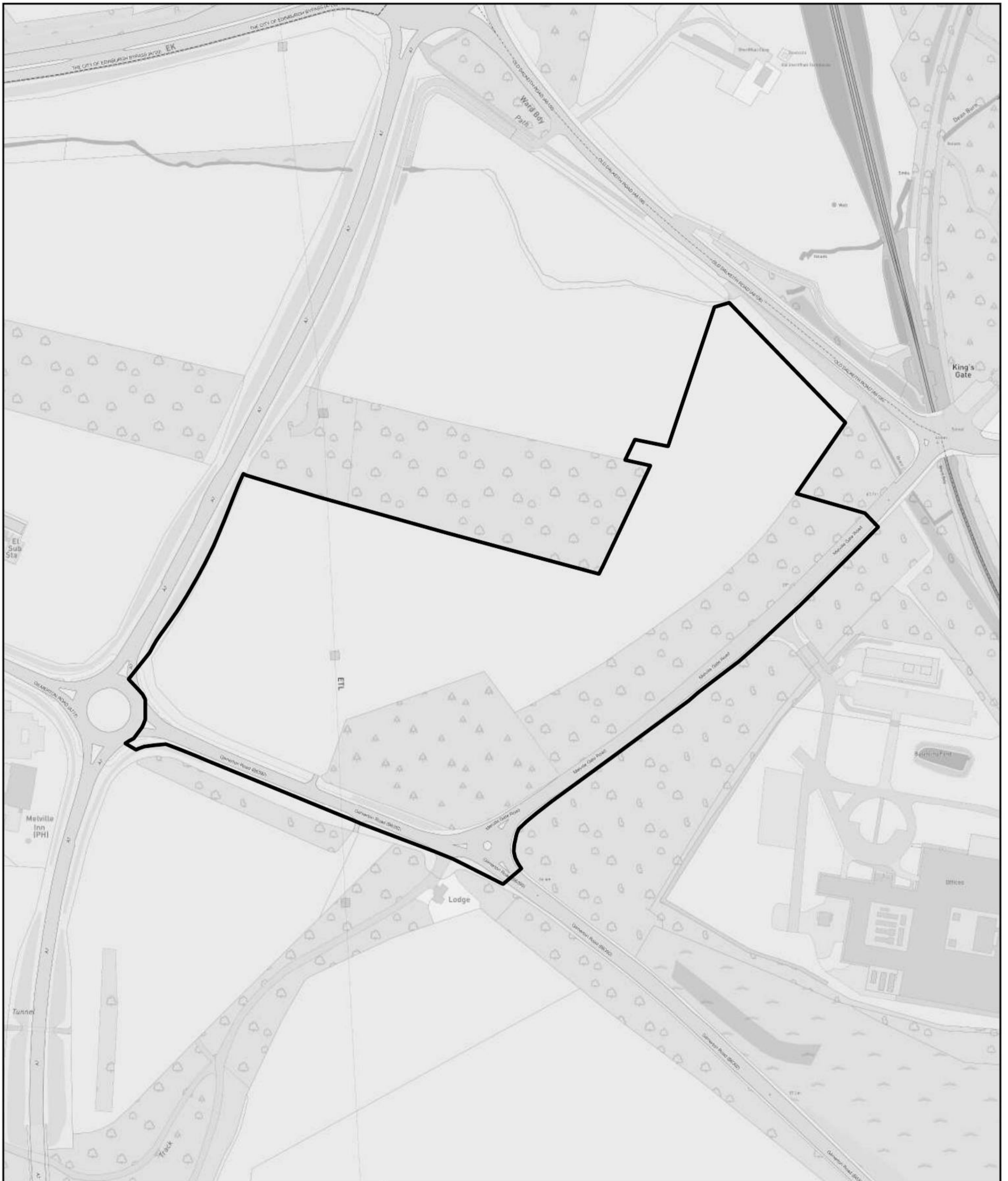
- 4.2 The Committee is invited to express a 'without prejudice' view and to raise any material considerations which they wish the applicant and/or officers to consider. Views and comments expressed by the Committee will be entered into the minutes of the meeting and relayed to the applicant for consideration.
- 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.

**Peter Arnsdorf**  
**Planning Manager**

**Date:** 4 June 2021  
**Application No.** 21/00344/PAC  
**Applicant:** Online Mayfield Scotland LLP  
**Validation Date:** 26 April 2021  
**Contact Person:** Steve Iannarelli



**Planning Service  
Place Directorate**  
Midlothian Council  
Fairfield House  
8 Lothian Road  
Dalkeith  
EH22 3AA

Mixed use of Class 4, 5 and 6 Employment Uses with associated Class 3 (Food & Drink) / Sui Generis Drive Thru | Land At Sheriffhall South Gilmerton Road Dalkeith

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File No: 21/00416/PAC

Scale:1:3,500

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## **APPENDIX 7**

### **Copies of press notices in Midlothian Advertiser**

## **PRE-PLANNING APPLICATION COMMUNITY ENGAGEMENT EVENT**

Town and Country Planning (Scotland) Act 1997  
(as amended)

Regulation 7 of the Town and Country Planning  
(Development Management Procedure)  
(Scotland) Regulations 2013

Town and Country Planning (Miscellaneous  
Temporary Modifications)(Coronavirus) (Scotland)  
Regulations 2020

Proposed development at **Sheriffhall South,  
Gilmerton Road / Melville Gate, Dalkeith,  
Midlothian.**

For a **Hybrid Planning Application for  
Employment Development and ancillary Drive  
Thru.**

Notice is hereby given that a pre-planning  
application community engagement event is to be  
held on behalf of Buccleuch Property in respect of  
an online consultation event will take place **on 22  
June 2021 between 15.00 and 19.00** and can be  
accessed via the project website.

Exhibition material, detailing the proposed  
development, will be made available to the public  
at **9 am on Tuesday 22 June 2021 on the  
project website: [www.sheriffhallsouth.com](http://www.sheriffhallsouth.com).**

Any persons wishing to make comments to the  
prospective applicant prior to the formal  
submission of the planning application to  
Midlothian Council may do so by either:

- (1) visiting the project website; or
- (2) emailing the applicant at

**[hello@sheriffhallsouth.com](mailto:hello@sheriffhallsouth.com)**

All comments and questions should be submitted  
no later than Tuesday 6<sup>th</sup> July 2021 in order that  
such comments can be considered by the  
prospective applicant in advance of a follow up  
second online public consultation event scheduled  
for late July 2021.

Please note, comments made to the prospective  
applicant do not constitute representations to the  
Planning Authority. A further opportunity to make  
representations to Midlothian Council will be  
available following formal submission of the  
planning application.

## **PRE-PLANNING APPLICATION COMMUNITY ENGAGEMENT EVENT**

Town and Country Planning (Scotland) Act 1997  
(as amended)

Regulation 7 of the Town and Country Planning  
(Development Management Procedure)  
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Proposed development at **Sheriffhall South,  
Gilmerton Road / Melville Gate, Dalkeith,  
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For a **Hybrid Planning Application for  
Employment Development and ancillary  
Drive Thru.**

Notice is hereby given that a pre-planning  
application community engagement event is to be  
held on behalf of Buccleuch Property in respect  
of an online consultation event will take place **on  
20 July 2021 between 15.00 and 19.00** and  
can be accessed via the project website.

Exhibition material, detailing the proposed  
development, will be made available to  
the public at **9 am on Tuesday 20 July 2021 on  
the project website:**

**[www.sheriffhallsouth.com](http://www.sheriffhallsouth.com)**

Any persons wishing to make comments to the  
prospective applicant prior to the formal  
submission of the planning application to  
Midlothian Council may  
do so by either:

- (1) visiting the project website; or
- (2) emailing the applicant's representatives at  
**[hello@sheriffhallsouth.com](mailto:hello@sheriffhallsouth.com)**

All comments and questions should be submitted  
no later than Tuesday 10<sup>th</sup> August 2021 in order  
that such comments can be considered by the  
prospective applicant.

Please note, comments made to the prospective  
applicant do not constitute representations to the  
Planning Authority. A further opportunity to make  
representations to Midlothian Council will be  
available following formal submission of the  
planning application.

## **APPENDIX 8**

### **Midlothian Council Pre-Application Meeting Note (13 July 2021)**

## **SHERIFFHALL SOUTH: PRE-APPLICATION MEETING: 13 JULY 2021**

### **1. ATTENDEES**

#### *Consultant Team:*

Kim McLaren (Ironsides Farrah)  
Chris Gardener (Progress Planning)  
Neil Finnie (Buccleuch Estates)  
Stephen Diack (HMF)  
Iain Lamb  
James Lee (Axiom - PM)  
Alex Sneddon (Transport Planning)

#### *Midlothian Council:*

Stephen Iannarelli  
James Gilfillan  
Bee Muskens-Aretos  
Hugh Shepherd

### **2. MEETING NOTES**

#### *Consultations:*

- Public consultations has been ongoing. Event in June had few attendees (6) but the website has a 480 hits.

#### *Scheme introduced by architect:*

- Proposals to include Classes 4, 5 and 6 and Class 3/sui-generis drive thru.
- Hybrid planning application proposed – including approx. 40,000sqft floorspace in detail (Phase 1) with the other uses via planning permission in principle.
- Small business units sought, to provide flexibility to future occupiers to be able to response to demand.
- Units proposed to be controlled by a design tool kit that would allow a degree of customisation/interchangeability – providing flexibility to elevational treatments (windows, doors, entrance features etc).
- Mezzanines likely to be proposed but these will need to be included within the overall proposed floor space calculations. Any introduction of mezzanines at a later date would require planning permission.

### **3. COMMENTS / DISCUSSION**

#### *Principle of Development:*

- It was noted that the site is allocated in the LDP solely for Class 4 (Business) use. The proposed Class 5 (General Industrial), Class 6 (Storage or Distribution) and Class 3 (Food and Drink) / sui generis (Drive through) uses fall outside the site-specific LDP allocation and site-specific requirements. The site also retains its green belt allocation in the LDP until the site is fully developed for employment uses specifically set out in the LDP (i.e. Class 4) and requires proposals to respect Green Belt objectives and the character of the surrounding area.
- As such, Officers outlined concern with the proposed inclusion of Classes 5 and 6 and the Class 3/sui generis drive through component within any future application. These uses would be contrary to both the LDP employment allocation and the corresponding Green Belt objectives within the site.
- It was outlined a material consideration would be required to be identified, and subsequently accepted, for Officers to be able to warrant any potential support for the proposed development. Comprehensive reports (i.e. economic impact assessment and

planning statement) would be required to justify the merits of such uses over the provision of solely a Class 4 proposal. Consideration on the acceptability of this approach would then be considered by Officers at that stage. It was outlined that job creation and economic activity were key items that the Planning Committee had historically considered in similar instances but that this would be compared against the potential adverse impacts associated with such uses including potential amenity impacts, landscape and visual impacts, ecology and transportation.

#### **TRANSPORTATION & ACCESS:**

- Transportation outlined that a Transport Assessment would be required to be submitted and that the scope, including car parking requirements, could be discussed with Jim Gilfillan.
- A single point of access was noted from Gilmerton Road. The applicant was asked to consider potential impacts from an access on the same road associated with a development site on the south of Gilmerton Road. This was agreed and the applicant suggested this was already being undertaken.
- A potential access to the SUDS pond was highlighted, and noted.
- Land to the west of the site, adjacent to the A7, is likely to be subject to a CPO for road improvements/verge. It is therefore not developable in the short term until any CPO process has ceased. As such, no be developed nor landscaping is proposed in this area.
- It was noted that the new access should consider a slight amendment proposed to the alignment of the A7 - as part of the Council's A7 urbanisation scheme. There will also be a requirement to provide a 3m wide cyclepath from the site to a new A7 cycle path (running north-south).
- Officers suggested that planning application form will be required to stipulate the maximum proposed floorspace for any detailed development components (i.e. up to XXX sqm) and an indicative floorspace for any PPP elements to allow for a potential 'worst-case' scenario to be considered. This floorspace breakdown should also be included within the Site Plan and a Schedule of accommodation.
- It was queried whether a new substation was included within the A7 CPO land and this should be investigated to consider any potential impacts.

#### **ECOLOGY**

- It was noted that an Extended 'Phase 1' Habitat Survey would be prepared alongside a Preliminary Ecological Appraisal to consider potential impacts on protected species. Following that, it was noted that surveys, including bat surveys, would likely be undertaken.
- Officer's noted that should the PEA identify any protected species, surveys would be required to be undertaken (in season) to allow for a decision to be made.

#### **ARCHAEOLOGY**

- The applicant outlined that a WSI would be provided to accompany any future application, seeking to reduce the scope of any pre-commencement archaeology conditions on any issued permission.

#### **NOISE & AIR QUALITY**

The applicant confirmed that noise and air quality issues would be covered by corresponding assessments. The Planning Service is still awaiting receipt of comments on the previously submitted informal environmental assessment scope for such matters. Once received, these will be circulated with the applicant and design team.

- Of particular importance will be understanding what design measures (setbacks) and/or attenuation would be introduced to control road traffic noise to future Class 4 uses. Details of any bunds/mitigation would also be required to be identified as part of any future application submission.

## **LANDSCAPE**

Landscape comments were provided at the meeting but the following provides a more comprehensive review of such issues to assist with the evolving design/layout for any future application.

### **Existing Vegetation**

Existing woodland and other vegetation on the site has the potential to be adversely affected by the proposed development and should be safeguarded and enhanced with woodland and woodland edge planting in order to maintain its role in the local green network, provide visual containment, safeguard the setting of nearby designed landscapes of Melville Castle and contribute to climate change mitigation.

- A tree survey for the site was previously carried out (Donald Rodger, April 2017). An updated **Tree Survey and Arboricultural Impact Assessment** should be submitted, taking account of current development proposals.
- Proposals for woodland removals and replacement planting should be clearly indicated on a Site Plan, so that the proposals can be suitably considered.
- Tree/Woodland Protection measures should also be provided on a Tree Protection drawing.
- A Woodland Management Plan should be produced and the woodland brought into active management (if not currently) in the interest of public safety, prior to the release of plots for development and potential use of the woodland for amenity/ access.

### **Green Network Requirements**

The Midlothian Green Network Supplementary Guidance sets out the following requirements for the allocated site (e32) at Sheriffhall South:

- Retain and enhance existing woodland on the site, integrating it into the wider green network;
- Ensure the green network within the site protects and enhances connectivity with the Melville Castle and Melville Castle Estate Local Biodiversity Site (LBS) and provides opportunities for habitat connectivity and movement of wildlife;
- Create a multi-user path through the site, to enable a connection between the A7 Gilmerton Road roundabout and Core Path 4-34 near the King's Gate entrance to Dalkeith Country Park.

These objectives will be required to be introduced within the site.

### **Boundary Treatments**

Based on sketch site layouts 11658-SK-14 and 11658-SK-15 by Halliday Fraser Munro:

- The existing stone wall alongside the B6392 should be retained and restored (in part outwith this application);
- Any fragmented vegetation on the site boundaries is to be retained and protected;
- Mixed native hedgerows and hedgerow tree planting is required to define site boundaries, and allow the development to sit more comfortably within the landscape setting; and
- Additional screen planting will be required alongside the southern boundary with the B6392, to minimise the impact of the development on the designed landscape at Melville Castle.

- Additional landscaping introduced along the western boundary, between the proposed office block and the road verge noting this may require this building to be relocated to the east or reconfigured to avoid planting in the A7 CPO area to the west.

**MIDLOTHIAN COUNCIL – PLANNING SERVICE**

**AUGUST 2021**



## **APPENDIX 9**

### **Consultation event exhibition boards**

## Welcome



Buccleuch Property welcomes you to this online exhibition which sets out the initial proposals for an innovative development of starter units at Sheriffhall South, Midlothian. This consultation will offer the opportunity to gain an insight and views of the local people at this early stage and inform our proposals for moving forward.

We would therefore invite you to look at the content of the following boards, consider the proposed development and submit any feedback on our website.

### About Buccleuch Property

Buccleuch Property is the commercial development arm of the Duke of Buccleuch who owns 217,000 acres across the UK and is recognised as one of the UK's most innovative private property investment and development companies.

- Buccleuch Property has extensive experience in identifying, progressing and delivering complex largescale development masterplans including the development of Shawfair New Town which consists of over 4,000 residential units, 1m sq ft of commercial space, 3 schools and associated arts, community and sporting facilities. Its anticipated end value is in excess of £1.2bn.
- In the last 3 years Buccleuch Property has also been responsible for submitting planning, building, letting and selling just under 1m sq ft of industrial development across the UK.
- Due to the ongoing development of Shawfair and their wider land holdings, Buccleuch Property have played a significant role in the economic prosperity of Midlothian with Capital Investment through construction in the Local Authority area expected to reach £420m by 2024, leading to the creation of over 1,140 jobs.



Figure 1: Shawfair (Source: Buccleuch Property)



Figure 2: SQA Headquarters (Source: Buccleuch Property)

#### Buccleuch Impact in Midlothian:

- 473 jobs in construction created during involvement in Midlothian for last 8 years.
- Previous Buccleuch Projects have benefitted the local area such as the renovation of Dalkeith Country Park - which now brings in over 300,000 visitors annually.



Figure 3: Dalkeith Country Park (Source: Buccleuch Property)

Your views are important.

Feedback can be submitted at our website: <http://sheriffhallsouth.com/>

### The Site

Sheriffhall South is a strategic development site controlled by Buccleuch Property which, given its excellent location and access to the strategic highway network, represents a great opportunity for employment generating uses across a range of sectors.

The Site (approx. 8.5ha) lies within the Green Belt but benefits from a wider Local Development Plan employment allocation e32 (Sheriffhall South) which identifies the site as a suitable location for employment development. The Site lies to the north of Dalkeith and south of Sheriffhall Roundabout, close to the junction of Gilmerton Road (B6392) and the A7 and forms part of an open area of land currently in agricultural use.

Previous Development proposal submissions issued to the Midlothian Council include the following:

- Erection of residential care with associated access, car parking, landscaping and works (Refused)
- Erection of Petrol filling station and shop; restaurant, café with drive thru and associated works (Refused)
- Formation of Access roads, SUDS infrastructure, drainage and utilities connections; and associated enabling works (Approved)



Figure 4: Midlothian Local Development Plan with site location (Source - Midlothian Local Plan)



Figure 5: View of site from Gilmerton Road Roundabout (Source-Google Maps)



Figure 6: Existing entrance to site (Source-Google Maps)

### Site Context

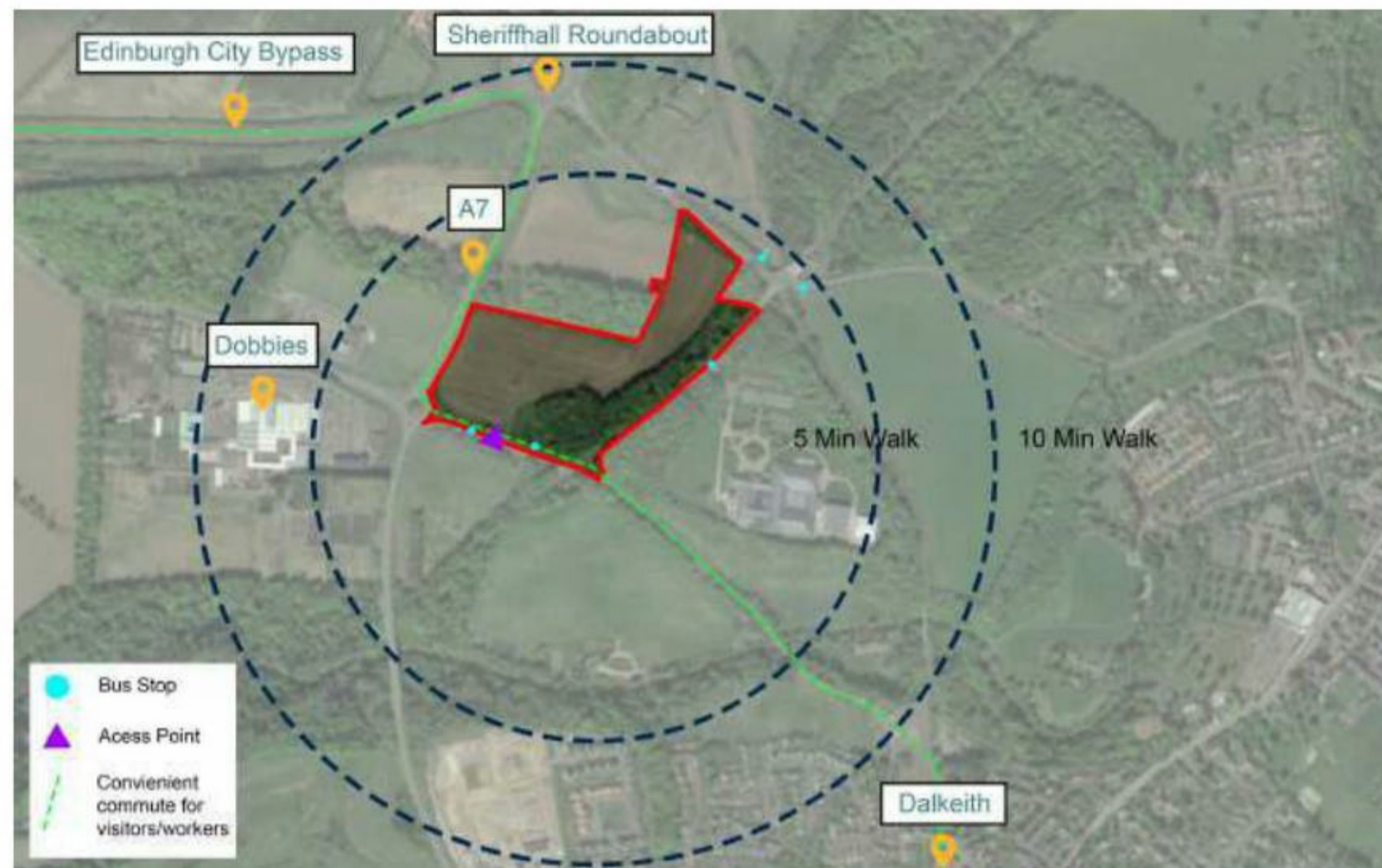


Figure 7 shows surrounding site context.

#### Site benefits:

- The site is in close proximity to Dalkeith and Bonnyrigg and is well connected by road, public transport and active travel.
- The site provides an opportunity to create new jobs within a walkable living environment for local people, whilst bringing in more visitors into the surrounding area which will also benefit local existing surrounding businesses.

### Site Constraints

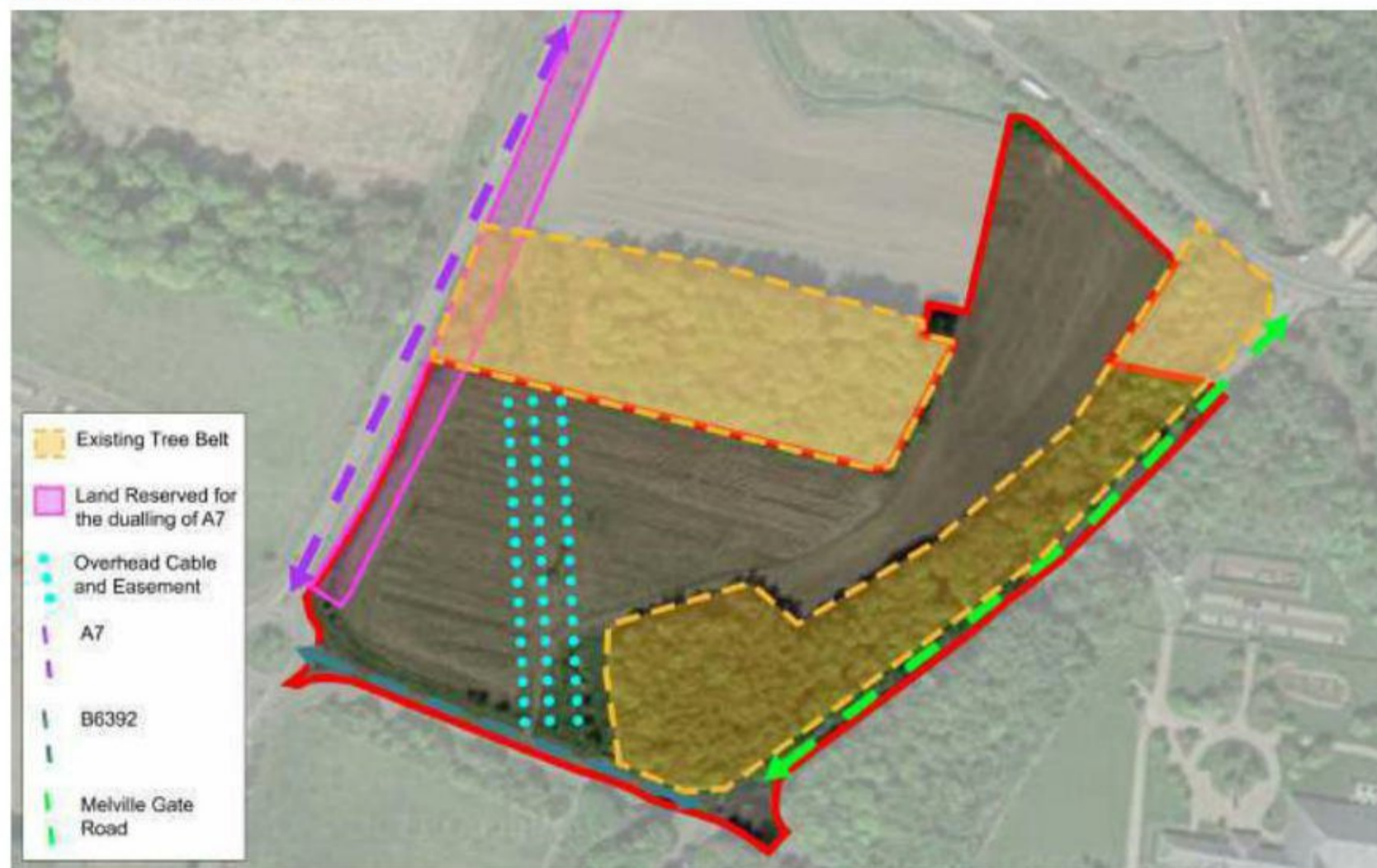


Figure 8 shows surrounding site constraints.

#### Respecting Surrounding Context

It is recognised certain constraints will inform design decisions for the proposed site layout and avoid causing any disruption to the surrounding context.

## The Proposal

A Hybrid planning application (Full & Planning Permission in Principle) for the site is now being proposed for the construction of Class 4, 5 & 6 Employment development with an ancillary Class 3 / Sui generis Drive-thru Coffee Shop. The full element of the application will cover Phase 1 (circa. 43,500 sq.ft of employment uses) whilst future phases will be covered by the Planning Permission in Principle and subsequent detailed planning applications.

## Proposal

The proposals for Sheriffhall South represent Buccleuch's next significant investment within Midlothian and aims to realise the long-held ambitions for employment generating business uses on the site. The proposals relate to the development of a new business park that will adopt an innovative, tool-kit led design approach that will provide high-quality business space offering the flexibility for a wide variety of small and medium enterprises, within a harmonious architectural framework and pedestrian orientated landscape environment.



Figure 9 shows tool kit units that can offer flexible space for a variety of different enterprises.

- The design model of the units will allow dual aspect and flexible configuration within the site layout.
- This design model creates pedestrian friendly amenity zones at its core ideally forming break out spaces and lunch areas.
- The outer edges are allocated for vehicle access and, loading bays and car parking, dividing these clear use of zones.



Figure 10 shows the different zoning areas of the proposed site.

## The Proposal



Figure 11 shows potential sketch layout

### NEXT STEPS

Now you have seen the proposals, what are your thoughts?

Feedback can be submitted at our website: <http://sheriffhallsouth.com/>

#### Online Engagement Event

On **Tuesday 22nd June** between 3pm and 7pm, the development team will be available to answer your questions through a dedicated **chat system** as part of our digital consultation on the **website**.

Exhibition material, detailing the proposed development, will be uploaded to this **website**. If you do not have online access hard copies of exhibition materials can be accessed by contacting the details below.

#### Contact

If you are unable to access the exhibition boards on the day of the event, please contact **Orbit Communications** on **0131 202 3259** or at **4 Queen Street, Edinburgh EH2 1JE** and we can arrange for them to reach you by an alternative manner.

For any press or technical enquiries, please contact: [hello@sheriffhallsouth.com](mailto:hello@sheriffhallsouth.com)

Feedback received during this public consultation will be used to inform the development proposal and Planning Application that will be submitted to Midlothian Council for consideration.

Please note: Comments made at this stage are not representations to the Planning Authority in respect of a Planning Application. On submission of a Planning Application there will be an opportunity to make formal representations to the Planning Authority at that time.

## Thank You

# Sheriffhall South

# 1

## Midlothian

### Consultation 2

## Welcome



Buccleuch Property welcomes you to this second online exhibition which develops our proposals for an innovative development of starter units at Sheriffhall South, Midlothian. Your feedback has informed our emerging proposals as we move towards submitting a planning application by the end of August, Autumn 2021.

This second online consultation will offer the opportunity to gain an insight and views of the local people at this stage and inform our proposals for going forward.

We would therefore invite you to look at the content of the following boards, consider the proposed development and submit any feedback on our website.



Figure 1: Location Plan



Figure 2: View of site from Gilmerton Road Roundabout (Source-Google Maps)



Figure 3: View of site from B6392 showing existing overhead cables (Source-Google Maps)



Figure 4: Existing entrance to site from B6392 showing existing overhead cables (Source-Google Maps)



Figure 5: Existing entrance to site off Melville Gate Road (Source-Google Maps)

Your views are important.

Feedback can be submitted at our website: <http://sheriffhallsouth.com/>

## Proposal

### Site

As a reprise from the first online exhibition, the proposals are for a development of starter units at Sheriffhall South, a strategic development site controlled by Buccleuch Property. The Site (approx. 8.5ha) lies within the Green Belt but benefits from a wider Local Development Plan employment allocation e32 (Sheriffhall South) which identifies the site as a suitable location for employment development.

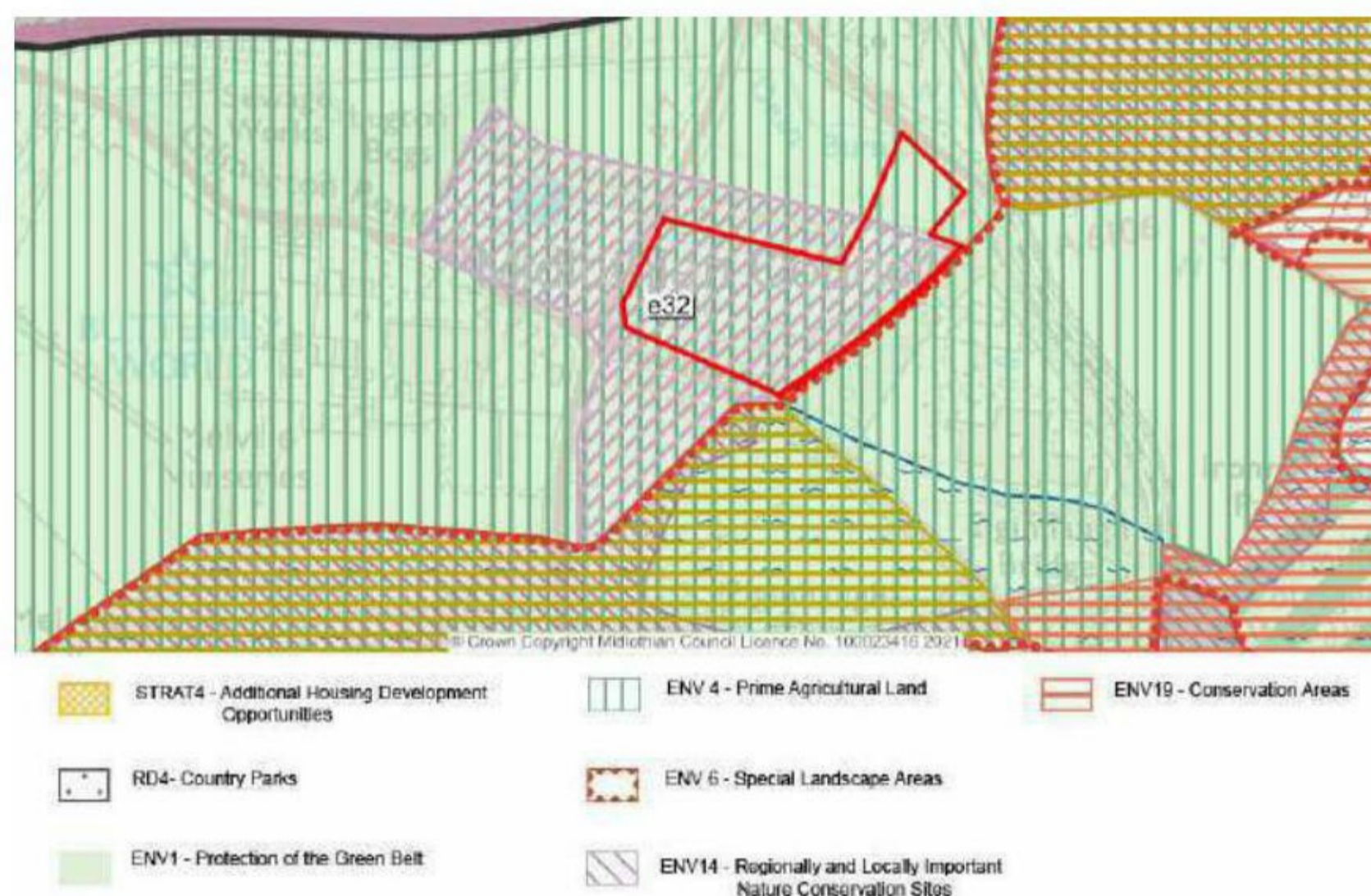


Figure 6: Midlothian Local Development Plan with site location (Source - Midlothian Local Plan)

The proposals relate to the development of a new business park that will provide high-quality business spaces of different types within a harmonious architectural framework and pedestrian orientated landscape environment.

- The design model of the units will allow dual aspect and flexible configuration within the site layout.
- This design model creates pedestrian friendly public open zones forming break out spaces and informal lunch areas.
- The inner zones are allocated for service areas, located to benefit from natural screening provided from the units.

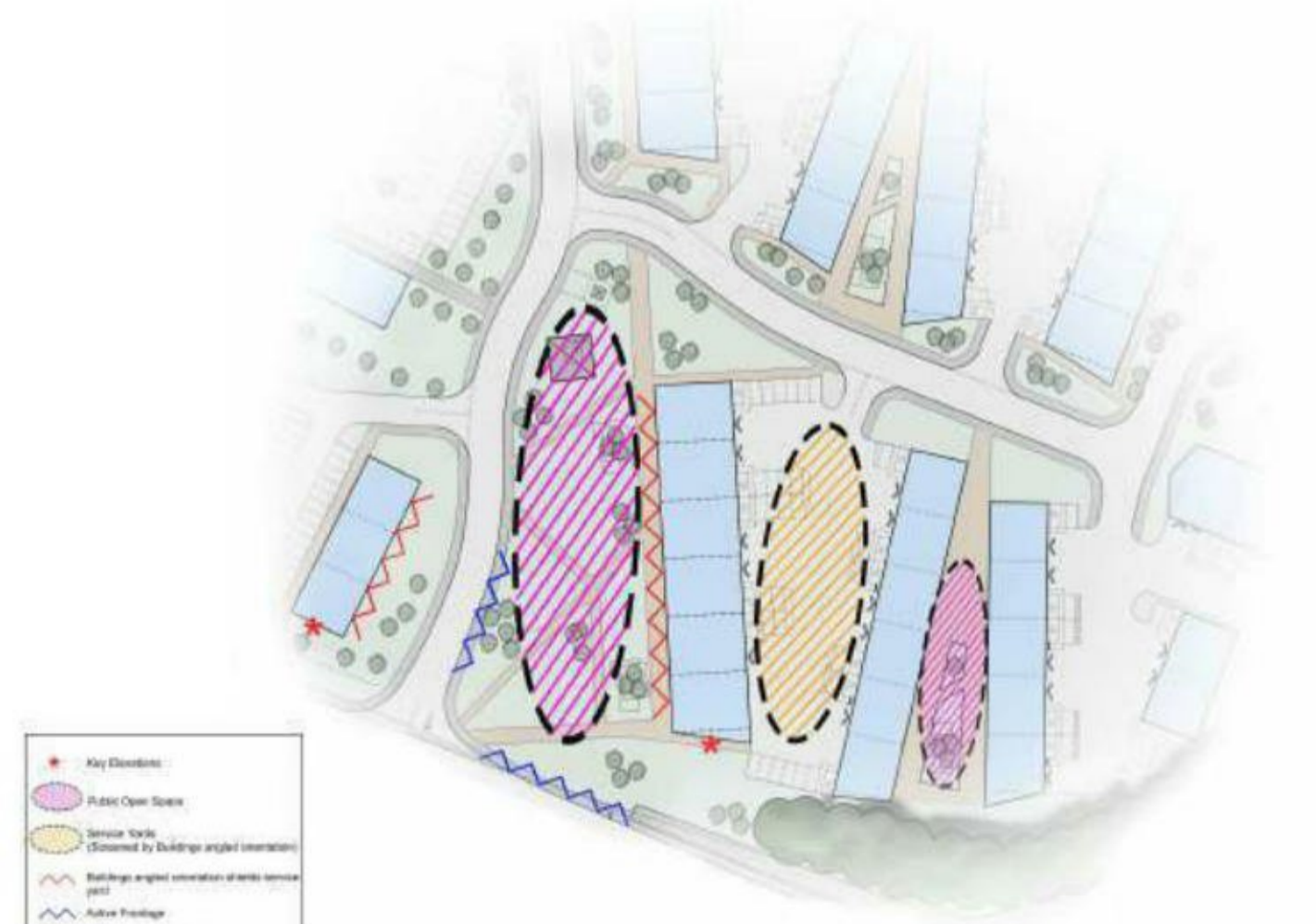


Figure 7 shows the different zoning areas of the proposed site.

Your views are important.

Feedback can be submitted at our website: <http://sheriffhallsouth.com/>



## The Proposal

A Hybrid planning application (Full & Planning Permission in Principle) for the site is now being proposed for the construction of a business park that will provide high-quality business space offering the flexibility for a wide variety of small and medium enterprises, ranging from different scale. This vision has led to proposal of multi-use units.



Figure 8: Images show potential precedent studies of elevational treatment.

## Tool-Kit Units

The proposed multi-use units will adopt a tool-kit led design due to its flexible ability to suit multiple businesses of multiple types and scale.

- The tool-kit allows the site and units to be flexible to meet the tenants specific requirements and can be adjusted over time to satisfy any future changes required by the tenant. This provides the flexibility to grow within the same site.
- Units can be changed between different employment classes, prolonging a longer life span of the units, providing a sustainable solution.

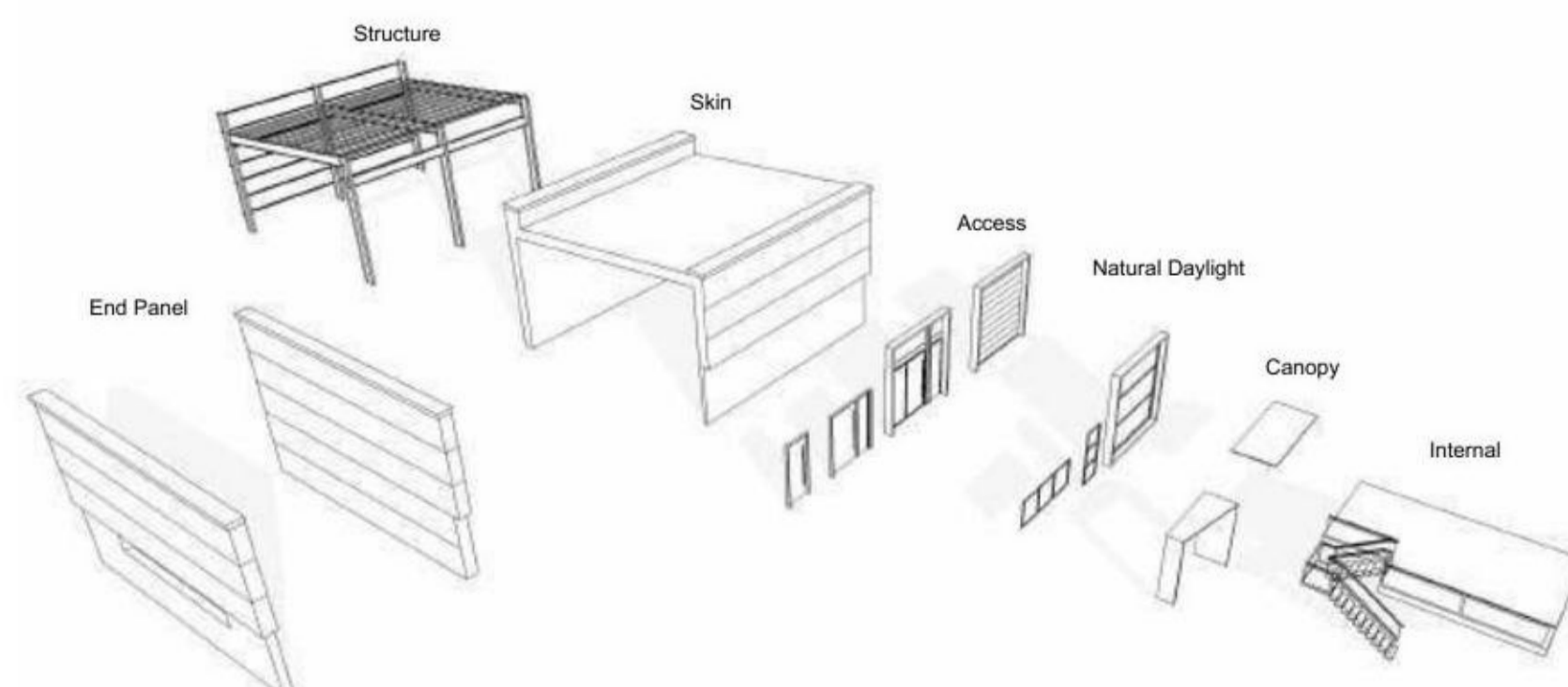


Figure 9 shows a set key of parts that can be mixed and match by client

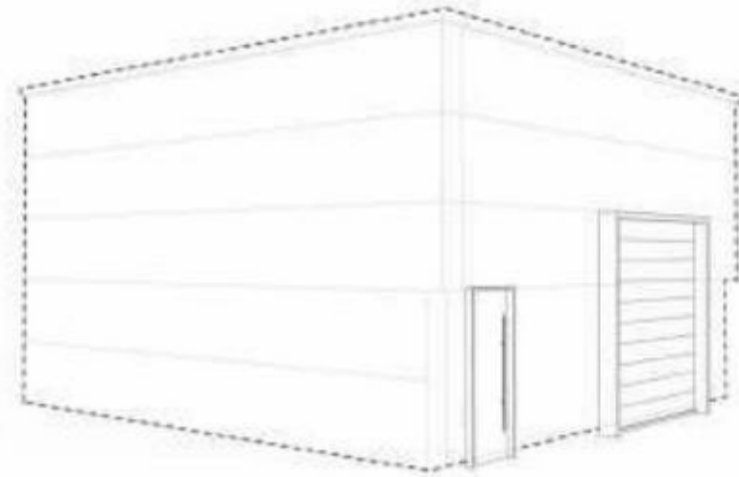
Your views are important.

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## The Proposal

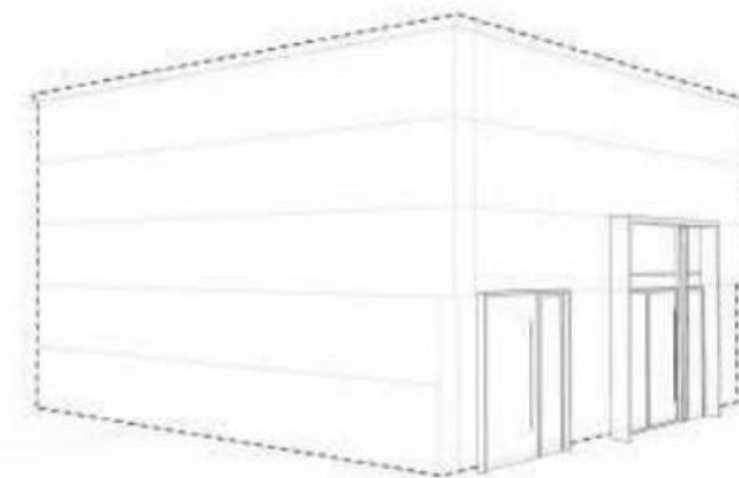
### Tool-Kit

With set of key parts, the client can mix and match in various combinations to suit business needs, altering the unit to suit specific needs or future changes, or alter the employment class of the unit. This emphasizes the units sustainability due to its flexibility to be adjusted over time, extending the lifespan of the units.



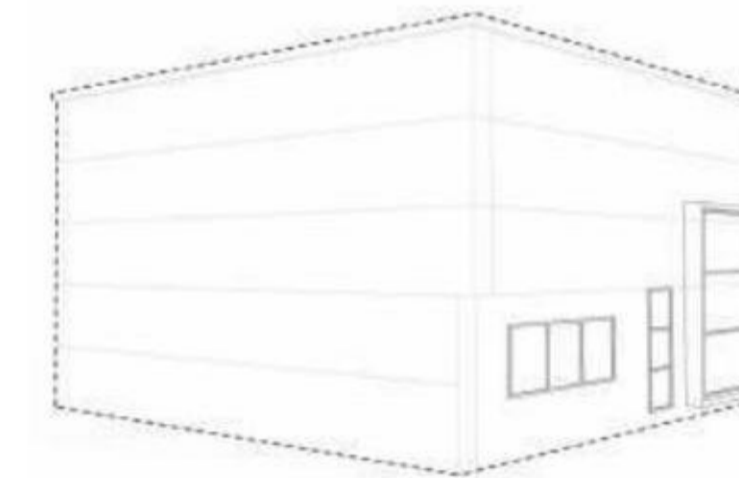
#### Access

A selection of access options can be chosen from, dependant of the unit type. For a industrial use, a standard door and roller shutter may be required.



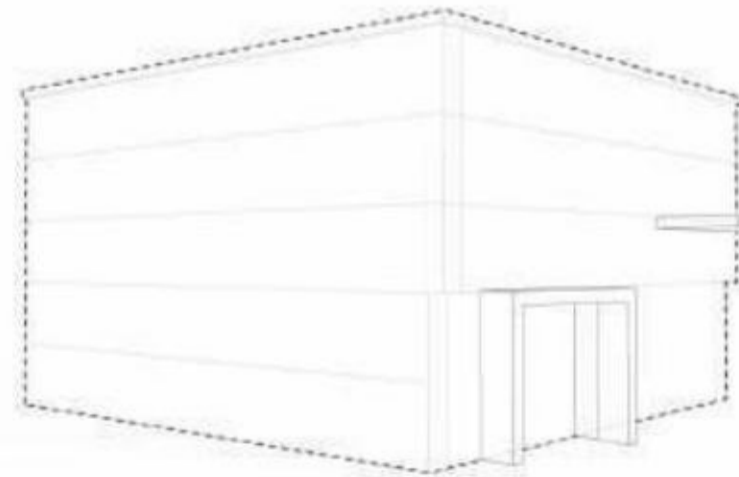
#### Access

Alternatively, for an office space, large glazed entrances can be used to create well lit space for high visibility.



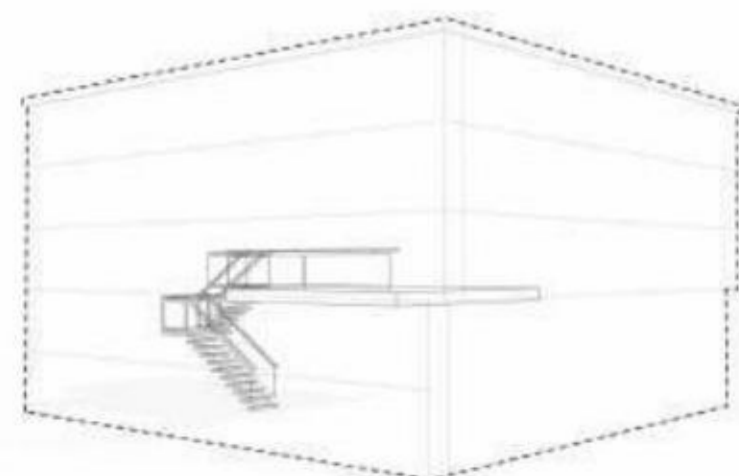
#### Natural Daylight

The use of the unit will influence the volumes of daylight required. These can be applied in a variety of ways, shapes and form.



#### Canopy

Additional embellishment can act as a focal point of each unit, whilst being utilised as shelters or canopies.



#### Volume Massing

External Volume are designed in such a way, a mezzanine space can be adjusted over the units life span.

Figure 10 shows Tool Kit Units can be adjusted to suit the need of the client/business requirements.

## The Proposal



Figure 11 shows proposed sketch layout



Figure 12 shows proposed sketch designs



## NEXT STEPS

Now you have seen the proposals, what are your thoughts?

Feedback can be submitted at our website: <http://sheriffhallsouth.com/>

### Online Engagement Event

On **Tuesday 20th July** between 3pm and 7pm, the development team will be available to answer your questions through a dedicated **chat system** as part of our digital consultation on the **website**.

Exhibition material, detailing the proposed development, will be uploaded to this **website**. If you do not have online access hard copies of exhibition materials can be accessed by contacting the details below.

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Feedback received during this public consultation will be used to inform the development proposal and Planning Application that will be submitted to Midlothian Council for consideration.

Please note: Comments made at this stage are not representations to the Planning Authority in respect of a Planning Application. On submission of a Planning Application there will be an opportunity to make formal representations to the Planning Authority at that time.

## Thank You

## **APPENDIX 10**

### **Consultation event feedback (unattributed)**

## Stakeholder Feedback - Sheriffhall Community Consultation

- Below are several points raised by stakeholders across:
  - Purechat,
  - The website feedback form.

### PureChat

- Demand for development
- Traffic solution to existing roundabout issues
- Connect the planned development to Dalkeith/bonneyrig as well the (at some point) planned SH round about in view of no carbon (bike, foot or other...) transportation
- A7 has no pavement from the roundabout at the golf course to the Dobbies roundabout. Over the bridge it is very narrow. The bus from Edinburgh or Dalkeith is OK but not so many other options.
- As a Community Council we get quite a bit of feedback on the Green Belt and what is compatible.
- The Council is keen on the A7 urbanization but there has been no progress on this despite the years of talk and all the developer contributions!
- how long will this website be live for?
- when would you begin construction?
- There is an interesting boundary which at times follows the road and at other points seems to go beyond the road verge eg. Melville Gate Road. Also what is proposed for the area by the Kings Gate which is not included in the plan?
- You have chosen the same day of the week for your two events and the same time window, though admittedly that covers late afternoon through to early evening. But there will be people in the local community who have questions and want to engage in your consultation but are unable to do so because of the way that this works.
- Can I also please ask about the boundaries of the site - there are some interesting little parts - and I was wondering why this was the case instead of straight lines

### Feedback form (itemized by field)

#### 1. Which elements of the proposals appeal to you?

- It seems fine - but please please please please figure out a safe way for me to walk there from Shawfair. I CANNOT cross Sherrifhall roundabout with a 1 year old in a buggy is any safe capacity. The current route is to do a massive detour along the cycle path which would be x3 as long a journey.

With the population explosion already happening in the Shawfair area, surely the residents who live here are part of your expected custom to the area - I will always choose to avoid driving over sherrifhall roundabout unless necessary.

- Yet more loss of the Green belt and risks of further congestion to an area with insufficient infrastructure.

- A fresh building and estate format that allows scope to build on the existing mature tree belt to incorporate a very green and environmentally friendly space.
- Given the use of business already existing on two of the adjacent corners of the roundabout I wholly expected other buildings to appear, they buildings proposed look a bit bland and I don't like the black colour, not very appealing looking.
- Negative

This seems to be an unnecessary development on protected and environmentally important green belt land, particularly when the owner already has a similar development immediately adjacent and another 1 mile away at Shawfair Park, both of which have extensive amounts of land available and unused for similar business uses.

## **2. Which elements of the proposals appeal to you?**

- Coffee shop
- 1. Job creation for locals.  
2. Consideration for the existing tree belt within plans.
- The spacing and building format
- If it creates employment then good.
- None of them.

## **3. Are there any elements of the proposals that do not appeal to you?**

- 1. Essentially a big industrial site being build with a drive through coffee store.  
2. The worry of the eyesore it will be  
3. Losing green belt  
4. Proposal says it is in a well connected area with road, public transport and active travel. The roads surrounding this development are packed during rush hour in normal times. Over the past 10 years the congestion has worsened rapidly with new housing developments and a lack of funding in to infrustrature to support these. This development only adds to that issue and worsen the congestion. Public transport is at stress levels during rush hour also along that route on the number 3 in particular.  
5. The added pollution to the area from an industrial site with vans, trucks etc and drive thru.  
6. Disruption to any wildlife habitat
- It would be good to see money invested in good quality landscaping and land shaping to create a mature feeling to the scheme as quickly as possible. Screening between phases may be required.
- I don't like the idea of another drive thru food outlet, this is a busy roundabout, and there are already food outlets close by. I also don't like that more nature conservation areas are being removed without any respect for our wildlife, they were there before us, why should they be driven out of their home? We as humans wouldn't like being treated with that amount of disrespect.
- See answers to questions 1 and 2

**4. Is there anything you would like to see in the proposals that are not already included?**

- More local amenities - ie, bars restaurant, shops, cafes, soft play area. However only if able to walk to these
- Nicer looking buildings
- Green belt land left undisturbed.

**5. How informative have you found the public consultation?**

- Neutral
- Neutral
- very-informative
- very-informative
- very-informative

**6. Please provide any additional comments you would like to make:**

- This should be postponed until infrastructure in the area is enhanced and the effects of the new Dandara residential development can be seen on the immediate local area.
- I am concerned about the increase in traffic that it could generate. There is already severe congestion in the area.

## **APPENDIX 11**

### **Frequently asked questions**



## **Sheriffhall South, Midlothian – Proposed Employment Development**

### **Pre-Application Consultation – Frequently Asked Questions**

**1. The site is Green Belt land which should be retained, what justification is there for developing this site?**

The site forms part of the wider Sheriffhall South allocation (e32) in the Midlothian Local Development Plan which provides for Business (Class 4), located to the north of Dalkeith and south of Sheriffhall Roundabout. Consequently, the principle of employment development on this site has been established, subject to satisfaction of other relevant policies contained within the Development Plan.

**2. Given the greenfield nature of the site, what will the ecological impact of the development be on protected habitats and wildlife species present on site.**

We have already submitted an EIA Screening Request to Midlothian, who have confirmed that full EIA will not be required. However, as part of the application a series of Non-Statutory Environmental Assessment reports will be undertaken to cover the following topics:

- Noise & Vibration
- Air Quality
- Ecology, Biodiversity and Nature Conservation
- Tree Survey and Arboricultural impact

A Preliminary Ecological Survey of the site (including walkover) was undertaken by Black Hill Ecology in May 2021 to assess current conditions on the site. This included a Phase 1 Habitat Survey (using standard methodology as described in the Joint Nature Conservation Committee Handbook) and walkover survey for signs of protected mammal species or other wildlife activity (e.g. birds / bats). The survey identified no UKBAP or EU Habitats Directive priority habitats on site. One nationally protected species has a presence adjacent to the site boundary (Badger).

The majority of the mature, broad-leaved woodland belt at the eastern boundary of the site is recorded in the Scottish Ancient Woodland Inventory (AWI), where it is shown as 'Woodland of Long Established Plantation Origin'. The wooded areas are largely mature, even-aged and in good/fair condition.

However, the woodland area at the south-east corner of the site is of notably lesser quality. This area of woodland appears to have been established on the site sometime after the Second World War, on the site of a former sand pit. As a consequence, the rooting substrate is poor and due to the unstable and poor ground conditions many of the trees have been affected by windblow and there are a number of collapsed trees. This woodland area is heavily disturbed, in poor overall condition and lost much of its value as 'ancient woodland'.

Further protected species surveys will be advanced to inform the Masterplan process to deliver integrated mitigation and enhancement.

The Masterplanning of development of the site has sought to retain high quality woodland areas and limit tree removals. Where tree removal is proposed within the established AWI woodland at the east of the site this would be informed by a Tree Survey and would seek to utilise the pre-existing historic access from Melville Gate Road to minimise impacts.

The proposed Landscape design would seek to integrate an appropriate mix of landscaping, planting and grass areas on the site to encourage biodiversity and provide potential new habitats for local wildlife.

A Woodland Management Plan also would be put in place to provide a long-term strategy for sensitive and sustainable management of the woodland habitats on the site and conserve the woodland as an attractive feature in the local landscape. It is anticipated that the details of a Woodland Management Plan would be agreed with Midlothian Council through planning condition.

A Construction Environmental Management Plan will be produced to incorporate ecological survey findings and recommendations for mitigation during the construction phase (delivered under condition should consent be granted).

**3. The site is allocated for Class 4 Employment uses, why do the proposals also include Class 5 & 6 uses and what justification is there for this?**

Despite the site allocated status the site and a full marketing programme, it has not been possible to bring forward the site for Class 4 uses alone, with the out-of-town office market on the decline. As part of the marketing of the site, Buccleuch use commercial property agents to monitor levels of supply and demand for all employment related uses and floorspace within Midlothian. This monitoring process has identified a gap in the market for the smaller, multi-let units that form part of the proposed development.

Whilst it is anticipated that the majority of the lets will be to smaller Class 4 or Class 6 businesses, there may be also be an element of Class 5 development as well. By proposing a mix of uses across a range of units sizes we are targeting employment uses for which there has typically been little available premises and for which there is currently strong demand.

The mix of uses will offer maximum flexibility for the site to respond to whatever demand comes forward, which will in turn maximise the opportunities for investment and job creation in the local area and ensure the successful delivery of this site, delivering on the Council's spatial strategy for employment development.

**4. The proposals also include a Drive-Thru Coffee Shop, do you have any more details on this?**

Given the early stages these proposals are at we do not have details of what the Drive-thru proposals will look like, however we can confirm that an operator has been identified and it is envisaged that more clarity will be provided on this when the planning application is submitted.

In the meantime, we can confirm that this would be a Drive-Thru Coffee Shop, not a Fast-Food Restaurant and that part of its purpose would be to provide an important amenity offer for employees situated on site, minimising the need to travel off site.

**5. Midlothian Council have announced a 'Climate Crisis' within their Local Authority area, how do these proposals respond and contribute to addressing this?**

We are keen to develop this scheme to encompass a sustainable approach. Part of this will in fact be the flexible concept of the design, which is an attempt to allow the units to have an inbuilt flexibility over the lifespan of the buildings. Key structural components can be included within the initial build which would allow future alterations to be undertaken with minimal work. Such an approach should provide a longer lifespan of the buildings avoiding the need to demolish and re-build.

In addition, the design of the buildings is being considered to include a timber structure rather than a more traditional steel frame, providing a more sustainable design. Other elements which will be considered during the detailed design stage will include PV panels, LED lighting and improvements to the external building fabric.

**6. What sustainable travel links will be created to encourage alternative modes of transport from the surrounding area?**

At present there are walking routes available around the site with good connections to Dalkeith, but less so to other areas such as Bonnyrigg. However, Midlothian Council currently has separate proposals to offer a more urban frontage to the A7 as part of wider transport proposals in the area. Should these come to fruition, then footways on the A7 would be provided at that point, which the proposed development would be expected to tie into. Given the location of the site, any permission would also be subject to developer contributions towards the improvements at Sheriffhall Roundabout.

The Council have identified a requirement to provide a multi-user connection route through the site from Melville Gate to the A7. Whilst the masterplan is still evolving it anticipated that this will be combined with the maintenance access route for the subs proposals for the site providing link from Melville Gate, via the A6106 Old Dalkeith Road. Full details of this link will be provided as part of the application proposals.

**7. The surrounding road network and Sheriffhall Roundabout in particular are already severely congested at peak times, which will be exacerbated by these proposals. How is this being addressed?**

The surrounding road network affords permeability through the wider area, which will facilitate a variety of commuting options, including sustainable travel options.

a full Transport Assessment examining all modes of travel is currently being prepared and will accompany the application. It will consider travel by those on foot, on cycle, on public transport and by private car or goods vehicle and would include assessment of traffic impacts on the road network. The Transport Assessment will be available for public comment and will be fully considered by the Council and Transport Scotland.

Importantly, the site has an allocation in the Midlothian Local Development Plan for Class 4 office economic use, which is typically a high traffic generating use, particularly at peak times. Class 5 & 6 uses have lower levels of traffic generation so by proposing a mix of employment uses the potential traffic impact of the development will be lower.

Given the location of the site, any permission would also be subject to developer contributions towards the improvements at Sheriffhall Roundabout.

**8. What will the proposed buildings look like in terms of height, materials etc?**

Details of the final design and finish of the proposed buildings is still being developed, however we are able to confirm that for the Phase 1 multi-lets we are aiming for a clean cladding treatment to the elevations, and since we are aiming for a more flexible and varied mix of employment uses the objective is to avoid creating an overly industrial environment, maximising glazing and other design features to provide a sense of place and visual interest.

**9. What are the timescales for the proposals in terms of a planning application, construction and completion?**

In terms of timescales for the project, it is anticipated that the earliest date for an application submission would be end September 2021 (with the online consultation closing on 10 August 2021).

Following which, should planning permission be granted, construction on site would be expected to start in Spring 2022, with the first phases of development reaching completion towards the end of 2022 / early 2023.

## **APPENDIX 12**

### **Eskbank and Newbattle Community Council response**



**Cc:** Duty Planning Officer <[dutyplanningofficer@midlothian.gov.uk](mailto:dutyplanningofficer@midlothian.gov.uk)>

**Subject:** Re: Sheriffhall South consultation (21/00416/PAC)

**CAUTION:** This email originated from outside Midlothian Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Ref: 21/00416/PAC | Mixed use of Class 4, 5 and 6 Employment Uses with associated Class 3 (Food & Drink) / Sui Generis Drive Thru | Land At Sheriffhall South Gilmerton Road Dalkeith

Pre Application Consultation

Attention: Rebecca Malcolm, Orbit Communications

cc: Duty Planning Officer, Midlothian Council Planning Dept

Hello Rebecca

Now that the Pre Application Consultation has closed, we note your responses (emails below) on our follow-up questions on the site (landscaping/woodland) management (you state by Buccleugh or their agents) and clarification of lease rather than sale of the units, following our exclusive briefing with you and Chris Gardner (of Progress Planning Consultancy Ltd) on July 1. We note that you have noted our comment on the failure to include the cycle pathway that was stipulated. My colleagues on Eskbank & Newbattle Community Council (within whose ward the development is sited, so we will be statutory consultees on any planning application submitted) wish to reiterate what we clearly stated during your consultation with us, specifically that the site is zoned for class 4 business (offices or similar) only, and the class 5 & 6 uses are industrial and could for example see haulage yards, scaffolding yards and warehousing or similar erected here. The Class 3 Drive-Thru is also not within the zoning from the local development plan. We could not support any non-compliance with what is stipulated in the local development plan on this sensitive site within the green belt, and wish to formally record that at this stage rather than relying only on the verbal exchange at our meeting.

Robin Barclay  
Secretary, ENCC

On 2021-07-05 17:14, Rebecca Malcolm wrote:

Hi Robin,

Thanks for your email. I can confirm that Buccleuch will retain ownership of the site but we are currently checking the full details of how the site will be managed. We will inform you of the management plans once we are able. We also note and appreciate your comments on the pathway link.

Kind regards,

Rebecca

**Rebecca Malcolm**

Account Executive

Delighted to be celebrating



**Orbit Communications**

4 Queen Street, Edinburgh EH2 1JE

**Web:** [orbit.scot](http://orbit.scot)

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**Subject:** Re: Sheriffhall South

Thanks Rebecca, that is useful information. I was going to contact you for information on that. Further, can we then presume that Buccleuch Property will retain ownership of and be responsible for upkeep of the woodland area and green spaces within the sight. Since the site is stipulated to remain as green belt until it is fully developed, the appearance and ambience of the green spaces within the sight will be important now and in the future. We are also concerned that the stipulated (Local Development Plan) pathway through the site from Kings Gate through to the A7, for walkers and cyclists, has not been represented on the plan.

Robin

On 2 Jul 2021, at 11:44, Rebecca Malcolm [redacted] wrote:

Dear Robin,

I would like to extend a thank you to yourself and the other members who attended the meeting yesterday regarding the Sheriffhall development. We found this to be a very valuable session and we very much appreciated your comments on the proposals.

Following our conversation yesterday, I wanted to follow up on your question and confirm that Buccleuch Property has the intention of leasing the units rather than selling them.

If you have any other questions, please do let me know.

Kind regards,  
Rebecca

**Rebecca Malcolm**

Account Executive

<image001.jpg>

**Orbit Communications**

4 Queen Street, Edinburgh EH2 1JF

**Web:** [orbit.scot](http://orbit.scot)

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## **APPENDIX 13**

### **Bonnyrigg and Lasswade Community Council response**

## **BONNYRIGG & LASSWADE COMMUNITY COUNCIL**

### **Pre-Application Consultation for Mixed Use Development at Land at Sheriffhall South, Gilmerton Road, Dalkeith (21/00416/PAC)**

The Community Council recognises that the site e32 has been allocated for business employment use (Class 4) under the Midlothian Local Development Plan 2017 (MLDP) even although it is Green Belt. The whole of Sheriffhall South is scheduled to remain Green Belt until fully developed. The justification for the designation was to encourage employment but within a Green Belt setting. It is therefore difficult to see why Classes 5 (General Industrial) and 6 (Storage or Distribution) should be included in this application. Class 6 development in particular is not likely to give Midlothian the employment opportunities that would compensate for the other issues arising from developing this site. The prominence of a Class 3 Drive Thru would be unacceptable and not necessary as convenience shopping and food are available in Dobbies and the two pubs/restaurants just over the road. Elginhaugh Farm, also in e32 was given planning permission specifically to encourage facilities for employees on the proposed site.

Green Belt protection is well covered in MLDP (ENV1) where allowed developments are expected to be in agriculture, horticulture or outdoor recreation. This development, if permitted, must be well screened to compensate for the loss of open agricultural land.

Perhaps you are unaware how much people in this area value the Green Belt. The separation between Midlothian and Edinburgh is becoming more fragile by the year and with it goes part of our identity. Our quality of life depends on our towns having a good hinterland of countryside around them, both working farmland and the steep river valleys that allow space for recreation and for wildlife. We have seen much development in Midlothian in recent years and the infrastructure including roads has not kept pace. The Green Belt between Bonnyrigg and Eskbank has all but gone and the future of the A7 corridor (N.B. urbanised if these road plans ever come to fruition) is something we find daunting. The A7 is very busy at peak times with the Dobbies roundabout being second only to Sheriffhall in terms of the capacity being inadequate for present demand far less if Sheriffhall South is developed. The upgrade to Sheriffhall roundabout is essential before new sources of traffic for this area are contemplated.

However we do recognise that quality of life is also about not having to travel too far to work and that more employment development closer to our population centres would be beneficial. But we want to see these developments site-appropriate.

- We would like to see the site more screened than is proposed in your illustrations. Keeping much of the existing woodland is welcomed but a strip of trees/bushes all-round the site would reduce the impact on the environment.

- The buildings must be limited in height to keep their visible impact in proportion to the countryside setting and allow their modern industrial look to be softened as the trees grow. The density of the buildings shown in your plans looks too great for the setting.
- The network of woods in this part Midlothian provide useful wildlife corridors between parts of the River North Esk, in particular for this proposal between Melville Gate and Kings Gate along Melville Gate Road. Ensuring these sensitive areas are not damaged is important.
- The proximity of Sheriffhall South to Sheriffhall roundabout and the A720 may be seen as an advantage of this site. However with the roundabout upgrade now delayed, there is no respite in sight for the problems faced by Midlothian residents using this junction. Further development of Sheriffhall South should be delayed until the roundabout upgrade is completed.
- A class 3 Drive Thru, particularly if placed just on the corner of the Dobbies roundabout to attract passing traffic, would not be welcomed.

Marnie Crawford  
BLCC Member for Planning  
27.7.21