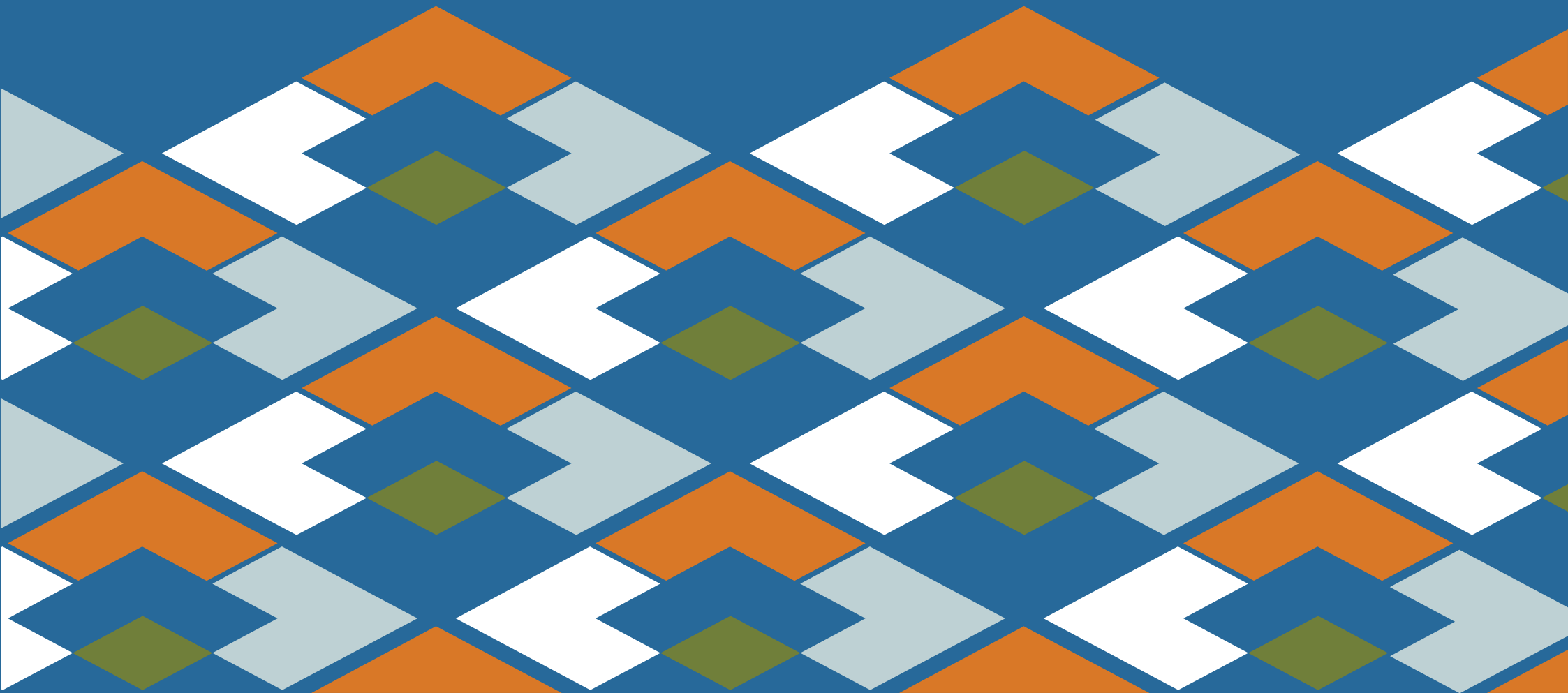# Midlothian Council
Planning Performance Framework
Annual Report 2021 - 2022

# Contents

1 Introduction

1 - Introduction

1.1.1   The Midlothian Council region lies to the south of Edinburgh, bordered by the Pentland Hills to the northwest and the Moorfoot Hills to the south. It is one of Scotland's smaller local authorities by area, ranking 21st out of 32 in this respect, but it is an area of contrast. The southern portion comprises upland countryside, while the region's towns are found in the north, the largest of which are Bonnyrigg (18,500 residents) and Penicuik (17,000 residents). These and other owns have grown substantially in recent years and will also do so in the future, leading to a large population increase across the region. Latest estimates put Midlothian's population at 96,000, an increase of 1,800 in a year, making the area amongst the fastest growing in Scotland in percentage terms.
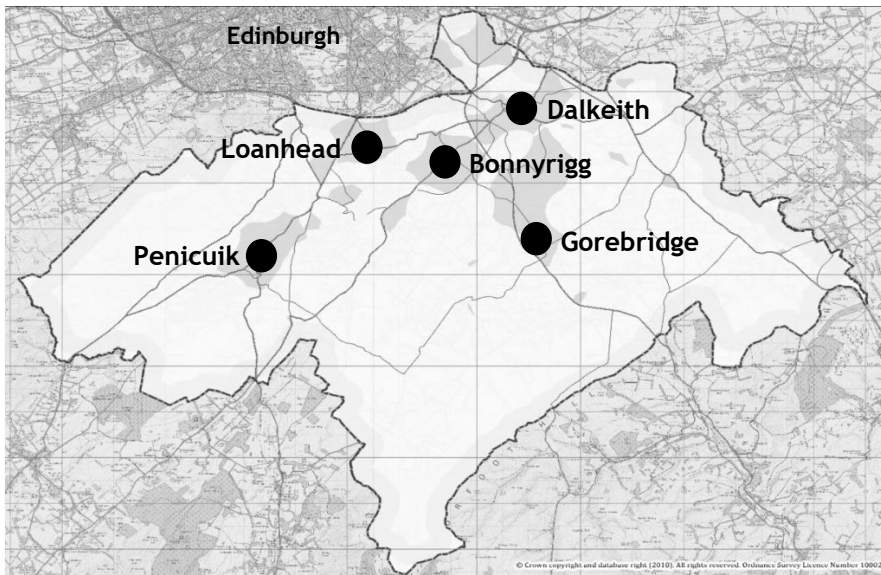
Midlothian and its main towns.

1.1.2   An increasing population presents opportunities and challenges for Midlothian Council. In the coming years we will work to maintain and support communities whilst promoting economic growth, the delivery of good quality housing and the provision of infrastructure and facilities to meet the needs of residents.

Loanhead town centre.

1.1.3   The Council's Planning Team and the Midlothian Local Development Plan (MLDP) have key roles in achieving these aims. The Plan sets out a development strategy and a detailed policy framework to guide land use in the area. It is the basis against which Planning Officers consider development proposals. The MLDP manages future change in the area by:

- Setting out a clear vision for the future of Midlothian's communities and countryside;
- Promoting sustainable growth and travel;
- Ensuring the availability of infrastructure to support such growth;
- Protecting environmental and cultural assets; and
- Giving confidence to investors and communities with respect to the location of future development and investment.

1 Introduction

1.1.4   This document shows how the Planning Team is working to achieve these aims. Covering the 2021/22 financial year, the Planning Performance Framework (PPF) report highlights notable developments, gives background details on how the department operates, including Covid-related adaptations, and provides data on performance.

1.1.5   This report is used by the Scottish Government to score the department against 15 performance markers[1]. These include the time taken to process planning applications, the use of effective working practices and engagement with applicants. This eleventh PPF report shows how positive results for these markers can be achieved in future and how the Team is equipped to meet the expectations of Midlothian's communities and businesses.

Looking over Newtongrange towards the Pentland Hills.

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[1] Markers 9 and 10 have been merged for 2021/22.

2 Development in Midlothian

2 – Development in Midlothian

2.1 - Introduction

2.1.1 High quality development is the primary goal of the planning system and the Planning Team at Midlothian Council places a priority on negotiating with applicants and agents prior to and during the application process to achieve the best possible results.

2.1.2 The developments and activities here in section 2 show the Council's commitment to high quality projects of different scales. They are split into an initial overview which takes a quick glance at some smaller-scale work, followed by more detailed case studies.

2.2 – Overview of Selected Projects from 2021/22

2.2.1 In early 2022, the Council signed contracts for the delivery of a further 71 affordable homes. This meant that it was on track to meet its five year target of having 1,000 council homes either built or under construction by the end of the 2021/22 financial year, in one of the biggest investments in housing by a Scottish local authority in a generation.

2.2.2 This year alone has seen three social housing sites completed, in Bilston, Mayfield and Pathhead, which have made 38 more units available for Midlothian residents. Work is underway elsewhere too, including the redevelopment of the former Dalkeith High School site, the final phase of the Hopefield development in Bonnyrigg which will incorporate a convenience retail unit to serve the area, and the redevelopment of the St. Mary's school site in Bonnyrigg to include a 40-bedroom care complex and 46 extra care flats alongside a day-care unit. Some of these sites and all those taken forward in future will meet 'Passivhaus' standards, so they will offer exceptionally high levels of energy efficiency and low utility bills for residents.

Cllr. Stephen Curran (left) and Donald MacDonald from Ogilvie Construction at the former Dalkeith High School housing site.

Newly completed affordable homes at Castlelaw Terrace, Bilston.

2 Development in Midlothian

2.2.3 It has required co-ordinated action since 2017 from various Council departments to reach this position. Officers have successfully attracted grant funding from the Scottish Government to deliver the programme while additional funding for the new build programme is provided by the Housing Revenue Capital Account, funded by council house rents. The Council's Estates and Environmental Health staff have been involved in identifying, assessing and preparing land for development while Planning staff have liaised with both these internal and other external parties such as builders and agents to enable the projects to come to fruition.

Visualisation of the St. Mary's social housing site in Bonnyrigg.

2.2.4 Work continued on the Penicuik Heritage and Regeneration Scheme in 2021/22. This is part of a five-year project that helps to regenerate historic towns that are conservation areas but has also involved activities beyond improvements to the town's built environment.

2.2.5 As part of the project's education and community engagement activities, the key people and events that helped shape Penicuik's history were highlighted in a set of three new cartoon booklets. They were drawn by project

manager Rod Lugg and written by project volunteers, alongside archivist Sean Watson, with each one exploring a different tale in the rich history of the town.

2.2.6 The booklets, called 'Penny Toons', include 'Valleyfields Napoleonic Prisoners of War', which illustrates the story of French naval prisoners who were held in Penicuik's Valleyfield paper mills, from where they made many escape attempts. Another, 'The Professor and the Penicuik Experiments', tells the story of James Cossar Ewart, who was born in Penicuik in 1851. After qualifying as a doctor and surgeon, he later returned to live in Penicuik to study genetics, famously crossing a horse with a zebra. He wrote about his discoveries in his 1899 book, 'The Penicuik Experiments'.

Napoleonic war prisoners escaping from a Penicuik paper mill.

2.2.7 Councillor Russell Imrie, Midlothian Council's Member for Communities and Place said: 'these superbly illustrated stories provide a fun way of learning about Penicuik's fascinating history and heritage. I am sure they will be very popular with local people and visitors, adults and children alike'.

2 Development in Midlothian

Prof. Ewart contemplating more genetic trait crosses in animals.

2.2.8 The Midlothian LDP supports a new A701 Relief Road to reduce congestion and enable the development proposed within the Plan. This progressed significantly in 2021/22 where enough technical work was done as part of the Scottish Transport Appraisal Guidance (STAG) process to be able to explain the current route options and to get the public's views on those with a view to selecting a preferred choice.

2.2.9 Although no face-to-face events were possible at the time due to COVID restrictions, alternative methods of consultation ensured that the public could have their say on this significant project. These included:
- A dedicated project website linked to the Council's planning homepage;
- A webinar with online chat for questions and the ability to download the webinar presentation if people could not attend;
- Project FAQs; and
- A 'virtual exhibition' which displayed content that would have been shown at an in-person event.

2.2.10 This material contained information on the process of options appraisals done as part of STAG, land purchase matters and the planning process, together with details of the six route options that were being looked at to determine the preferred choice. Detailed information on each was provided, including maps of engineering and environmental constraints to allow the public to come to a preference.
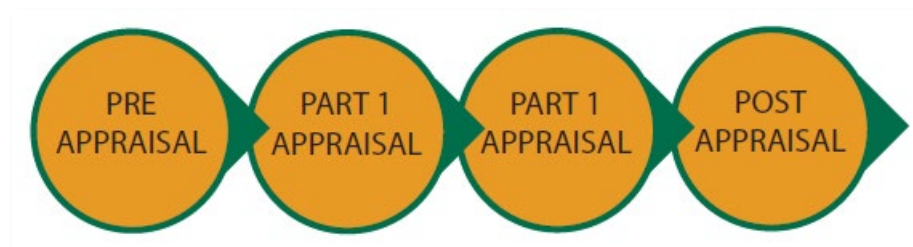
2.2.11 When a choice is made and taken forward, the proposals will support planned development in the A701 corridor, ease congestion and help the City Deal growth project at the Easter Bush Estate promoted by the University of Edinburgh. In tandem, the bypassed section of the A701 will be developed as a sustainable transport corridor, with more walking, cycling and public transport space while keeping local access.

2 Development in Midlothian

The A701 project's 'virtual exhibition'.

The Secret Herb Garden © Secret Garden Distillery.

2.2.12 The Secret Herb Garden is a unique business and attraction off the Edinburgh Bypass by Loanhead. It was established in 2011 on a 7.5 acre plot of derelict land and has grown into a thriving enterprise which as well as the garden itself includes a café, shop and wedding events venue. To further diversify and expand the business, the owners sought permission for a new gin distillery and visitor's centre, which was granted by Midlothian Council's planning Case Officer's in 2021.

2.2.13 The proposals were for removing the barn which housed the existing distillery together with some ancillary structures and erecting a new L-shaped, timber and dark green aluminium clad building. This will contain a gin distillery, lobby, drying room, shop, tasting room and bar, offices, staff welfare area and toilets. The distillery will continue to use plants grown in the surrounding nursery but will expand on the existing facilities, which comprise two stills with a combined capacity of 120 litres, to also include a much larger 500 litre still. The shop meanwhile will fully relate to the distillery and sell Secret Herb Garden branded goods and products made from the materials produced at the site, such as non-alcoholic drinks, hand sanitiser, honey and soap.

2.2.14 The approval of the proposals will help ensure the continued successful trajectory of the business at the site itself (as the number of staff employed there will increase from 34 to 47) as well as at the bottling and distribution plant at the nearby Bilston Glen Industrial Estate, which is also in Midlothian.

2 Development in Midlothian

The Secret Herb Garden © Secret Garden Distillery.
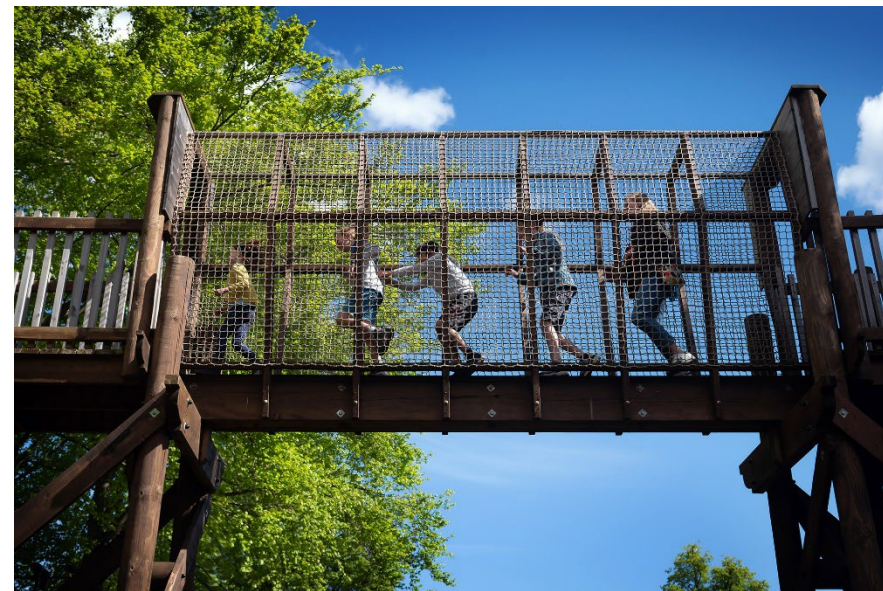
Raised walkway at Fort Douglas adventure playground
© Dalkeith Country Park & Restoration Yard.

2.2.15 Dalkeith Country Park is an 800 hectare estate situated at the northern edge of the town and is a popular leisure and recreation venue. It comprises the designed landscape, woodlands and farmlands associated with Dalkeith Palace. In recent years the owners have sought to diversify and expand, with developments including converting the former stables into a shop, cafe, restaurant and wellness clinic called the 'Restoration Yard' as well using nearby woodland and open space for a children's adventure playground (known as Fort Douglas). This opened in 2016 and several planning applications for adding more equipment and activities have been approved since. The latest additions are two air-cushioned jumping pillows which complement the existing timber play structures such as zip lines, treehouses with raised walkways, rope bridges, chutes and crawl tunnels.

2.2.16 Case Officers involved with these planning applications have ensured that they complement the use of the estate as a country park, that their scale, design and location mean they meet the aims of green belt, river valley and special landscape area policies in the LDP, and that they have been successfully incorporated within the park without damaging the landscape character of the area or the setting of the listed buildings. For example, though the new jumping pillows, which were the latest planning application Midlothian staff processed, are of a different appearance to most of the other play equipment, they are situated within the existing fencing enclosing Fort Douglas and appear as an integrated part of the wider adventure playground.

2 Development in Midlothian

Jumping pillows at Fort Douglas adventure playground
© Dalkeith Country Park & Restoration Yard.

judged that the use was appropriate for the location, would not see any changes to the scale or form of the building, or result in a detrimental impact on its setting. This led to a formerly disused grade B listed building finding a new lease of life for a successful, locally-based venture.

Pavilion in Ironmills Park, Dalkeith.

2.2.17 KIC Dance are a Midlothian-based company who have pursued plans for the reuse of the pavilion in Dalkeith's Ironmills Park as a studio since 2020. They submitted applications for its change of use, listed building consent and the display of advertising during this time. They were founded in 1991 when they initially operated from Lasswade High School but have since grown to a membership of around 1,000 people with 50 classes a week being delivered between four venues. Midlothian Council leader Councillor Derek Milligan recognised KIC's involvement across the area and noted that they 'offer an extremely wide range of opportunities to the people of Midlothian and should be supported to continue their great work'.

2.2.18 The Planning Officer assigned to the case had discussions at the pre-application stage with various interested parties including the Council's Estates Team and when viewed alongside the supporting written representations, they

2.2.19 Jarnac Court is the central square in Dalkeith and home to a mix of commercial and residential uses. Though it is planning policy to protect street-level retail units from developments that would result in the loss of a high footfall use, the Court is home to some vacant offices and the Council recently sought to find a productive use for some that it formerly occupied there.

2.2.20 Negotiations between Planning staff, an agent and a Council surveyors on acceptable approaches to enhancing the appearance of the building and finding an acceptable use for it led to proposals being brought forward to use it as a house of multiple occupancy and temporary accommodation for homeless households. This is an alternative to the use of bed and breakfast accommodation and occupants will be resident in the building between a few days and a few months depending on their circumstances.

2 Development in Midlothian

2.2.21 The project involved converting the offices on some of the first and all of the second floor to include a mix of single and double bedrooms, kitchen, lounges and staff office space. Further discussions led to the approval of a second planning application for a number of external alterations, including pressure washing and cleaning of stone panels, repairs to timber panelling and installing replacement windows. These will be finished in 2022, resulting in empty Council buildings being turned into something which benefits the whole community, and is more supportive to people and cost effective than using bed and breakfast accommodation.

Renovated offices at Jarnac Court, Dalkeith.

2 Development in Midlothian

2.3 - Case Study: Conservation Area Character Appraisal & Management Plans

> ### Overview
>
> **Location:** Roslin, Mavisbank, Eskbank and Newtongrange
> **Date:** presented to Planning Committee in mid to late 2021
> **Related elements of a high quality planning service:** quality of outcomes
> **Related PPF Performance Markers:**
> - 9 – stakeholder engagement (key agencies)
> - 11 - production of relevant and up to date policy advice
>
> **Key areas of work:** conservation
> **Stakeholders involved:** key agencies (Historic Environment Scotland)
> **Goals:** to continue updating Conservation Area Character Appraisal & Management Plans to protect and enhance Midlothian's historic built environment
> **Outcomes:** four plans put to Planning Committee in 2021/22

2.3.1 Conservation Area status is used to preserve and enhance areas of historic or architectural importance. Midlothian has 21 such areas, each with their own history and distinctive feel. Many derive their character from the unified appearance of more modest buildings as well as from distinctive detailing. Although the designation is not aimed at preventing change, some changes can erode the character of a Conservation Area and so require planning permission where this might not otherwise be required. The key is to identify the major parts of the historic environment and establish a context within which change can continue in a way which enhances historic character.

2.3.2 To achieve this aim, MLDP policy states that in assessing planning applications in or next to conservation areas, any relevant Conservation Area Character Appraisal & Management Plans (CACAMP) will be considered. They are non-statutory planning guidance recommended by the Scottish Government that:
- Highlight the significance of the area in terms of townscape, architecture and history;
- Provide a framework for conservation area management and for managing change within it; and
- Confirm the importance of the designation of the area and consider the ongoing relevance of its boundaries.

2.3.3 Planning Staff have given considerable time in developing them, including drafting four more in 2021/22, with feedback from Historic Environment Scotland. They provide in depth background on various aspects of the conservation areas they cover, including:
- Details of the historical development and significance of the settlement, including its origins and notable archaeological features;
- Townscape analyses, on the architectural quality and built form of the area, construction materials used, their setting and views, as well as the local public realm, open space and trees; and
- An assessment of the conservation area in terms of its significance, condition and opportunities within it.

Public art in the Eskbank & Ironmills Conservation Area.

2 Development in Midlothian

2.3.4 The Roslin CACAMP focuses on the village that shares its name, seven miles south of Edinburgh. It sits on high ground next to the River North Esk, which passes through the steep sided woods of Roslin Glen. The boundary was reviewed and the Conservation Area re-designated in 1996 and it overlaps in parts with:

- North Esk Valley Special Landscape Area;
- Roslin Glen and Hawthornden Castle Designed Landscape;
- Battle of Roslin Inventory Battlefield site;
- Roslin Glen Site of Special Scientific Interest; and
- Roslin Glen Country Park.

2.3.5 Roslin Conservation Area is of significant historical and cultural importance, including internationally, with Rosslyn Chapel, Roslin Castle and Hawthornden Castle being its main focus:

- Rosslyn Chapel was founded in 1446, and is a premier example of Scottish Gothic architecture. It is of international renown and attracts visitors from across the world, partly due to its appearance in the 2003 novel, the Da Vinci Code and its later film adaptation starring Tom Hanks;
- Roslin Castle was built around 1070 by William de Sancto Claro after he came to England with his cousin William the Conqueror in 1066, and was replaced following the 1303 Battle of Roslin; and
- Hawthornden Castle, located on the south bank of the River North Esk, is a tower house built in 1638 with a ruinous 15th century tower.

2.3.6 The CACAMP identifies that the key issues facing the Conservation Area are the need to avoid cumulative negative impacts from incremental changes to individual buildings, the public realm and open spaces; managing the effects of the large numbers of visitors to the Chapel and Glen; and maintaining the separation of the village from the Chapel and the undeveloped character of the Glen. It goes on to set out the actions required to maintain and enhance the elements which contribute to the special architectural and historic interest of the Conservation Area. These include opportunities for enhancing various components of buildings in it, such as their roofs and chimneys, masonry walls, external details and windows & doors, as well as the wider streetscapes that they form part of.

Rosslyn Chapel.

Hawthornden Castle.

2 Development in Midlothian

Painting of Roslin Castle and Glen by William Turner.

Mavisbank House in the late-19th century.

2.3.7 The Mavisbank CACAMP also went to Committee in 2021. The Conservation Area was designated in 1977 and contains four areas of distinct character – Mavisbank Policies, Polton, Wadingburn Road and the southern slope of the North Esk valley. It also overlaps in parts with the following designations:

- North Esk Valley Special Landscape Area;
- Mavisbank Garden and Designed Landscape; and
- Mavisbank Local Biodiversity Site.

2.3.8 The designation centres on the Mavisbank Estate, between Loanhead and Bonnyrigg. It was originally created in the early 18th century and contains the Category A listed Mavisbank House; one of Scotland's earliest Palladian villas and once one of Scotland's finest country houses. It is still of significant architectural importance, despite being derelict. Mavisbank House is set within a designed landscape (referred to as the Mavisbank Policies).

2.3.9 The CACAMP notes that the condition of the Conservation Area is one of contrast. On one hand, its general state is good, with most buildings retaining their existing features, new additions generally being sensitive to their surroundings and the retention of good tree cover, despite the need for more proactive woodland management.

2.3.10 The Mavisbank Policies character area has not fared so well though. The House suffered from a devastating fire in 1973 which left it roofless and derelict and uncertainties over ownership have made addressing this difficult - the original estate was sold off in parcels by the owners when it was a hospital and its ownership was separated from the Policies in the 1970s. Although some emergency safety works were carried out on the House, its condition is still perilous and this valuable part of Scottish cultural and architectural history could be lost without significant and prompt action. Midlothian Council's Planning Team has worked with partners to explore ways of securing its future and will continue to do so.

2 Development in Midlothian

Former Mavisbank Dairy.

National Mining Museum, in the Newtongrange Conservation Area.

2.3.11 Going forward, these and other CACAMPs will inform the actions of Midlothian Council and other stakeholders, including property owners and occupiers, in relation to the built environment within conservation areas. In exploring the issues they face like opportunities for enhancement and building repair and maintenance, CACAMPs will assist Planning Officers in assessing the compatibility of development proposals in them, resulting in the preservation and enhancement these distinctive and historically valued parts of Midlothian.

2 Development in Midlothian

2.4 – Case Study: Settlement Profiling Data Dashboard

Overview

Date: autumn 2021
Related elements of a high quality planning service:
- Quality of service and engagement
- Culture of continuous improvement

Related PPF Performance Markers:
- 9 – stakeholder engagement
- 13 - sharing good practice, skills & knowledge between authorities

Key areas of work:
- Data and information
- Digital practice

Stakeholders involved: general public
Goals: to develop a draft 'Data Dashboard' to communicate with residents on recent settlement change
Outcomes: datasets produced in-house and compiled from other sources then assembled into a draft Dashboard for later refinement

2.4.1   Midlothian Council's Planning Team have often sought to represent data visually. For example, producing the LDP or Supplementary Guidance (SG) involves drawing maps of policy extents, before and after photos of development, or charts of housing growth or land take up. This filters data into intuitive and engaging messages, helping people to understand what the Team does and how its work shapes their area.

2.4.2   This approach has been pursued by also using Geographical Information Systems (GIS) to map out parts of written reports. The Council's Employment Land and Housing Land Audits for example are now supplemented by online maps with interactive elements. These include two maps showing housing developments completed in the past five years and current & planned residential sites. The former contains a background map upon which various layers are placed, these being colour-coded to represent finished sites. The latter contains all present and future housing allocations, which are sorted by planning status. Both contain 'pop-ups' where the user is given background information on sites when they click on them, such as when construction is expected to start and who the developer is. This means that people living in Midlothian can quickly gain an idea of how much growth has and will take place and where it is.
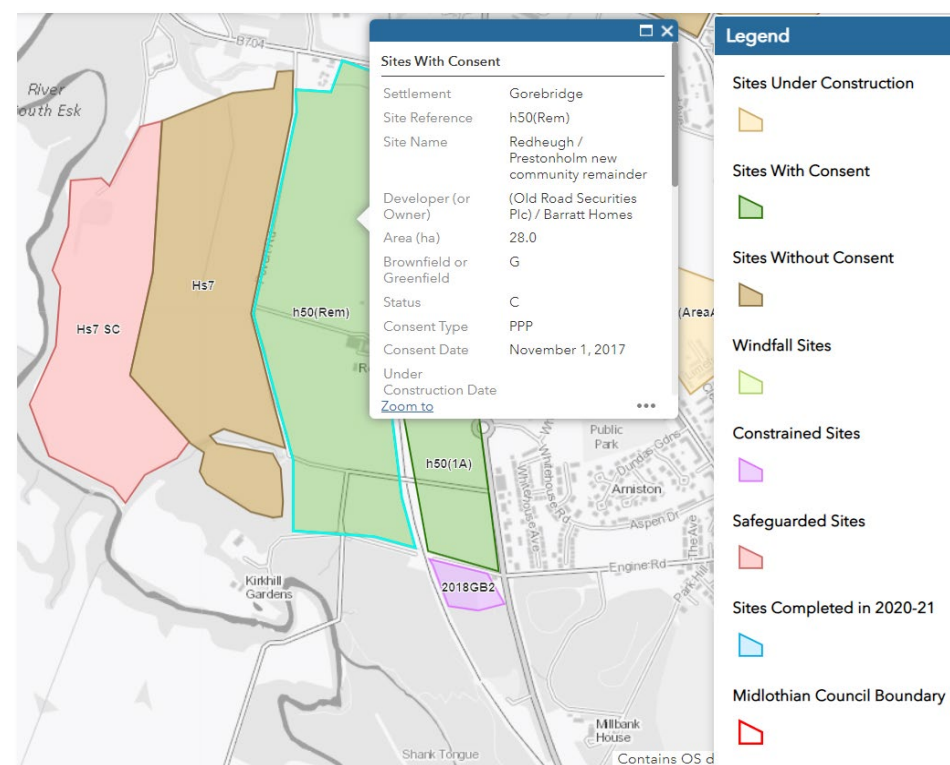
Housing Land Audit map with sites as polygons that are colour coded by development status, as shown in the legend. The green site has been selected to bring up the 'pop-up' box of information on it.

2 Development in Midlothian

Employment Land Audit map showing economic land allocations (red) and vacant land within them (green).

2.4.3 Using the ArcGIS Online platform for the housing and employment land maps led to exploring its other functions, to build on knowledge and look for opportunities to make the Planning Team's work more accessible and interactive. Being made aware of Glasgow City Council's 'Connecting Nature Dashboard' was a further catalyst for this.
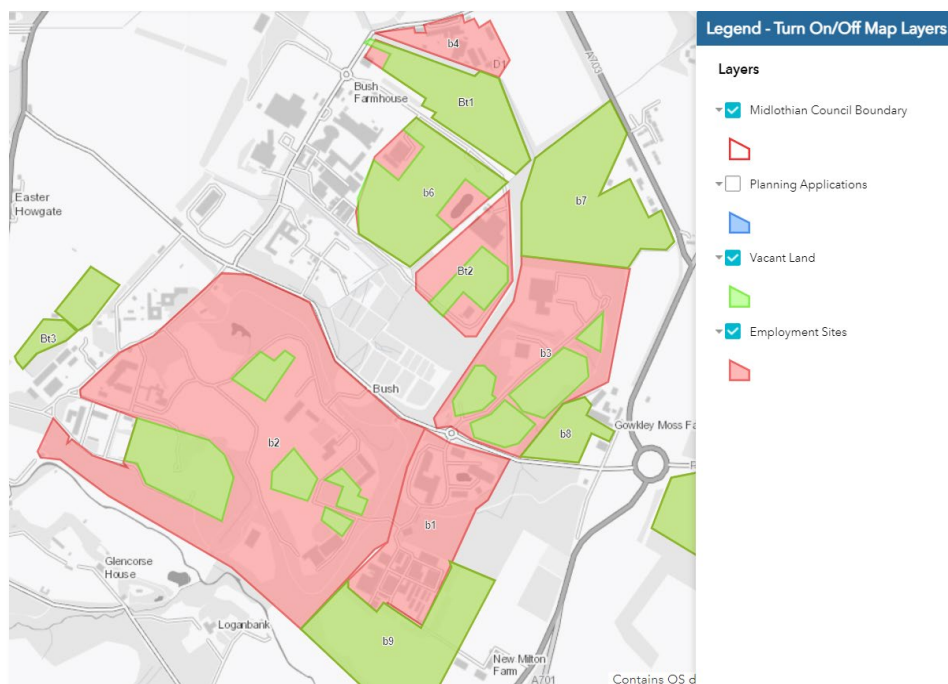
2.4.4 A 'Dashboard' is a map and information included with it, presented as charts, graphs or simple counts/indicators, all displayed on a single web page. These can be dynamic and user driven, where the information changes depending on the area being looked at. Another Midlothian Council service had previously explored the Dashboard function within ArcGIS online in relation to

the Council's estate, and both this and Glasgow's example were used as general templates from which Midlothian's Planning Team sought to develop a proof of concept for its own. This would be used mainly as part of the consultation process on the next LDP.

2.4.5 The first step was to build the map which would serve as a foundation for the indicators in the dashboard. This included:
- Digitising community facilities listed in the online directories on the Council website;
- Adding shops and other retail locations as polygons, from GIS data used in the current LDP, such as on town centres; and
- Housing and employment data from their respective audits, which were combined into a few layers to avoid a crowded looking map.

2.4.6 Once the desired locations had been mapped and information on them had been attached, the linked features in the dashboard could be built. A drop-down menu for users to choose a settlement which the map would zoom to was added, with various summary information then being displayed, including:
- The town's current population and percentage share of Midlothian's total;
- The area it covers and how much of this is earmarked for particular planning purposes; and
- How the settlement compares to others in Midlothian in terms of its population density and recent growth.

2.4.7 As Midlothian is Scotland's fastest growing local authority, it was also decided to add various summary information on housing. This includes past housing growth, the number of homes currently being built on sites that are under construction and further homes to be built over the coming few years. The GIS layer for Midlothian's green network was included too with a further indicator added to tell users the extent of it which is in the current map view.

2 Development in Midlothian
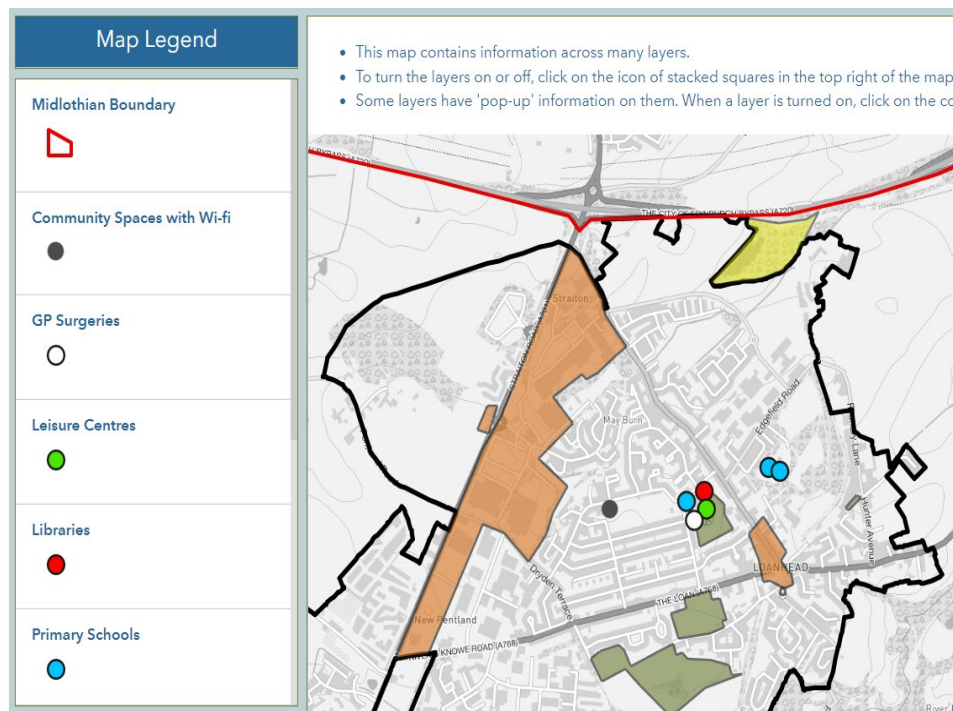
Data Dashboard showing community facilities in Loanhead.
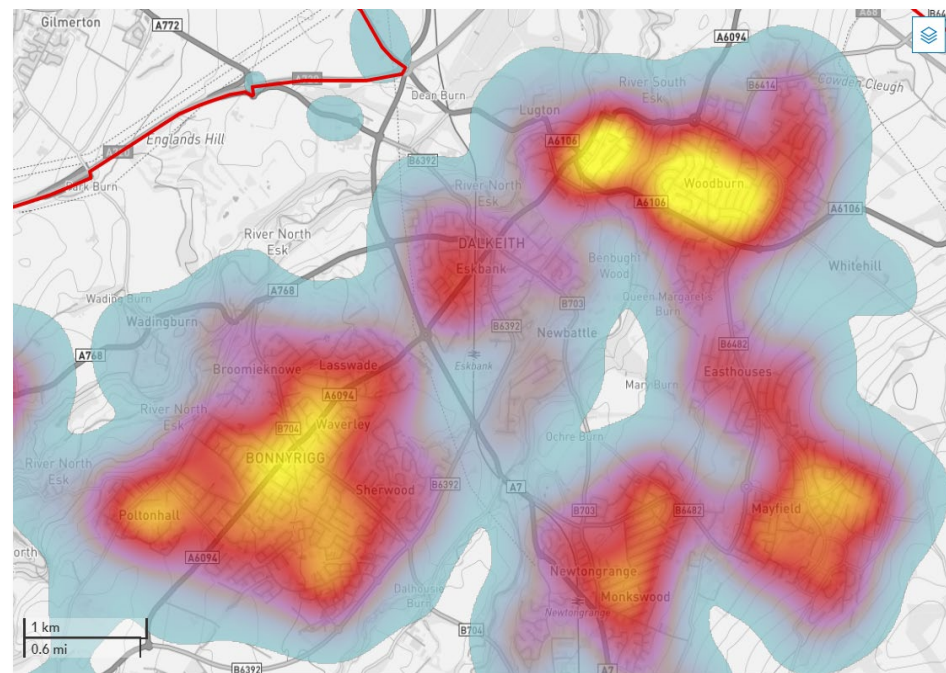
Housing density 'heat map' within the Data Dashboard.

2.4.8   One of ArcGIS Online's functions are 'heat maps', which take point data, detect the proximity of them to each other and display it in a coloured scale. This was incorporated into the Dashboard using Ordnance Survey's AddressBase product to create a heat map of housing density. This is a simple but attention-grabbing visual tool to display where Midlothian's settlements and the most heavily-populated areas in them are.

2.4.9   Following the first draft of the Dashboard being produced and the proof of concept being confirmed, other staff provided feedback on changes such as with presentation and suggested inclusions. It is intended that once these have been introduced, the tool can go live on the Council's website and can be used in consultation work for the next LDP and to assist groups developing Local Place Plans (LPPs).

2 Development in Midlothian

Map Legend

Midlothian Boundary

Borders Rail Stations

GP Surgeries

Primary Schools

Town Centres & Shops

Parks

Environmental Data

Green network in current map extent:

2,341 hectares

- This map contains information across many layers.
- To turn the layers on or off, click on the icon of stacked squares in the top right of the map window.
- Some layers have 'pop-up' information on them. When a layer is turned on, click on the coloured features in the map to show this.

Europa, Ordnance Survey

Powered by Esri

Info on Your Chosen Settlement

Bonnyrigg & Lasswade

Current population: 16,812
Share of Midlothian's total population: 18%
2014 population: 14,154
Population increase since 2014: 2,658 (19% increase)

Area of settlement: 492 hectares (ha)

Houses built since 2014: 931
Houses to be built by 2028: 660

Area of town centre: 5.0ha

Land allocated for office & industry: 14.3ha, of which 6.7ha is vacant

How does this compare to Midlothian's

Data for Current Map Extent

Houses built on finished sites since 2014:

1,035

Houses built on active housing sites:

146

Further homes to be built by 2028:

851

Total number of homes already built:

12,329

Full extent of the Midlothian Data Dashboard, including map layers that users have selected (in the legend at the top left), summary 'indicator' data at the bottom left and right, and information on the settlement currently in view at the top right. All these features are dynamic and user-driven.

2 Development in Midlothian

2.5 – Case Study: Broad Law Rocket Engine Testing Facility

> **Overview**
>
> **Date**: spring 2021
> **Related elements of a high quality planning service:** quality of outcomes
> **Related PPF Performance Markers:**
> - 3 – early collaboration with applicants and consultees
> - 12 – corporate working across services
>
> **Key areas of work:**
> - Economic development
> - Planning applications
>
> **Stakeholders involved:**
> - Local developers
> - Key agencies
>
> **Goals:** to engage with the applicant, other Council services and key agencies to decide on a proposal from a local space industry company
> **Outcomes:** application consented in 2021. Facility operational by early 2022 with weekly engine tests performed

2.5.1   Householder, residential, employment and retail proposals make up the bulk of applications processed by Midlothian's planning staff. Occasionally though, more unusual proposals come forward, and one such example from 2021/22 was for a rocket engine testing facility in the rural south of the area.

2.5.2   The developer, Skyrora, are based in Edinburgh but also work from Loanhead. Operations started there in 2019 when the company employed three people, but have since expanded across several units which now house 24 staff. These included two interns in 2021 and Skyrora have an active and developing programme of educational outreach that has a particular emphasis on science,

technology, engineering and maths (STEM) subjects. The company has undertaken programmes with schools in Dalkeith and Penicuik and is committed to developing further links with Midlothian schools and communities. They have also developed contacts with a range of local contractors and suppliers, and development at Broad Law would provide further opportunities for Midlothian businesses to engage with Skyrora's supply chain. British astronaut Tim Peake is a member of their advisory board.

2.5.3   Their activities sought to capitalise on the growing space sector of the economy, which has been identified by both the Scottish and UK governments as having significant potential. The Scottish Government's aim is to be the first country in Europe to provide facilities to design, develop, manufacture and launch small satellites within a single country. The ambition is to have a £4 billion share of the global space sector market by 2030.

Skylark L rocket test fire © Skyrora Ltd.

2 Development in Midlothian

2.5.4   The site Skyrora selected for its engine testing station is a former quarry at the edge of Midlothian on the northern escarpment of the Moorfoot Hills. It originally dates from the mid-19th century when it provided paving setts and was disused by the late 19th century but restarted in the 1950's when it provided aggregate for road construction. That consent expired in 2015 and the site was included within the Scottish Vacant and Derelict Land Survey for many years since.

2.5.5   The quarry walls are approximately 40m high at their tallest point and enclose a fairly level floor with a further level area to the north, beyond which is a bund formed from rock debris. The surrounding hills comprise rough grazing for sheep and to the north of the quarry the land slopes steeply down towards a large expanse of level moorland. The closest property in Midlothian is just under two kilometres away and the site is on the boundary with the Scottish Borders Council area.

Engine testing underway © Skyrora Ltd.

2.5.6   The proposal involved erecting equipment to enable stationary testing of rocket engines. This includes a 10m tall rig on a concrete plinth on the quarry floor and enclosed by its walls. It and associated fuel tanks are contained within a fenced compound. Another compound to the north accommodates parking, set down and circulation spaces, as well as containers to house office space and staff welfare facilities. Bunds at the northern, eastern and western edges screen the site and a Sustainable Drainage System (SUDS) pond to the east attenuates and treats surface water drainage.

Test rig in Broad Law Quarry © Skyrora Ltd.

2.5.7   Although the LDP does not support the principle of the proposal at this location, its specialist nature means that it is not a development that a Plan could realistically be expected to include specific policies for. Determining it involved weighing up Scottish and UK government support for the growth of the civil space sector, the economic development benefits associated with aiding the expansion of a successful locally-based space sector company, and the specific locational requirements of the proposed development activity. These were all material considerations which supported the principle of the project, and its location, design, scale and operational measures meant that it was not contrary to other LDP policies. As one may expect however, evidence on a range

2 Development in Midlothian

of matters had to be considered to arrive at this position. This started in the pre-application stage, with early collaboration necessary for such an unusual proposal. Proportionate requests for supporting information were made, including:

- On possible noise;
- Viewpoints for the landscape and visual impact assessment;
- With internal consultees on archaeology and transport; and
- To obtain information on fuels used in tests and details relating to their storage.

2.5.8 In respect of noise, the Council's Environmental Health Manager approved the assessment submitted with the application and consent was conditioned on testing taking place at particular times and being of certain frequency and duration. Potential impacts on the Special Landscape Area within which the site is located were mitigated as the facility is well-related to the landform of the quarry, is contained within its existing footprint and has extra mitigation measures help to reduce its visual impact. NatureScot and the Council's biodiversity advisor were also content that the project would not impact on the nearby Gladhouse Reservoir. The Council's Economic Development Manager considered that the plans would help create skilled jobs in Midlothian that will develop a career pathway for young people within STEM subjects, would benefit Midlothian educationally in the long term and could help attract inward investment.

2.5.9 Consent was subsequently granted in May 2021, with Skyrora going on to agree a deal in October that year with the developers of the proposed Saxavord spaceport in Shetland, from which they could potentially launch up to 16 satellites into orbit by 2030. The Broad Law development will be an integral part of their operations, where rocket engines will be tested prior to their use in commercial operations.

Rocket engine test. © Skyrora Ltd.

2 Development in Midlothian

2.6 – Case Study: Penicuik Heritage and Regeneration Scheme

> **Overview**
>
> **Date:** throughout 2021
> **Related elements of a high quality planning service:** quality of outcomes
> **Related PPF Performance Markers:**
> - 3 – early collaboration with applicants and consultees
>
> **Key areas of work:**
> - Conservation
> - Regeneration
>
> **Stakeholders involved:**
> - Other – community groups
>
> **Goals:** to restore many elements of the exterior of Penicuik Town Hall and improve its energy efficiency
> **Outcomes:** comprehensive restoration & enhancement of the external fabric of the building and installation of a new heating system and discrete solar PV panels. Opening event held in late 2021.

2.6.1   The Penicuik Heritage Regeneration Project is a 5-year scheme aimed at regenerating the historic core of Penicuik through historic building grants, public realm improvements and an extensive education, training and engagement programme. It is funded by the National Heritage Lottery Fund, Historic Environment Scotland and Midlothian Council, and supported by the Penicuik Community Development Trust, and Penicuik & District Community Council. Several particular buildings are earmarked as high priorities for it, one of which is Penicuik Town Hall.

2.6.2   Known originally as the Cowan Institute, Penicuik Town Hall was built with funds provided by Alexander Cowan, one of the founders of Alexander Cowan & Son papermakers of Penicuik. It was built in 1893 for the benefit of the people of Penicuik. Messrs Campbell, Douglas and Morrison of Glasgow were the architects and a local firm of builders, James Tait, were contracted to carry out the work. The architects designed the building in the 'Scottish Baronial Style' using a red free-stone from the Moat Quarry near Carlisle. The building contained a large hall, a library, reading room, gymnasium, billiard room, recreation rooms for men and women and a flat for the caretaker.

Penicuik Town Hall pictured in the early-20th century.

2.6.3   Alterations were made in 1959 to the interior of the building to enable the Town Council to move in. In 1975 when the Town Council ceased to exist the building was passed to Midlothian District Council. After 22 years a further re-organisation of local government took place and the building passed to Midlothian Council.

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2.6.4 The Town Hall is grade C listed and sits at the top end of the High Street in Penicuik conservation area at the historic core of the town. It was testament to the importance of Penicuik at the time, at the heart of a prosperous paper making area. The building is not only important due to its architectural and townscape quality but also due to its civic importance, being the seat of local governance and providing accommodation to benefit the local community in terms of education, health and wellbeing. It is a good example of the Victorian 'Baronial Style' with quality detailing on the front façade. The 1901 clock is a copy of the Canongate Tolbooth clock which was opposite the Cowan family town house in Edinburgh.

2.6.5 A grant was awarded in 2021 to help restore the external fabric of the building and the project team discussed options early with Development Management staff to agree a way forward that could receive planning, listed building and works to trees consent. This allowed the work to take place which involved:

- Restoring badly eroded red sandstone stonework with new to match from the same quarry as the original on the front and side elevations with buff sandstone used at the rear of the building. This was aided by a stone analysis carried out by the British Geological Survey in Edinburgh;
- Repairing and restoring the chimneys and bell turret, and re-fixing the ball finial on top of the turret;
- Raking out some existing cement mortar and replacing it with a lime mortar, as well as removing moss, lichen and vegetation from the stonework; and
- Restoring the roof using replacement slates to match the originals and upgrading all the rainwater goods.

2.6.6 Beyond the restoration and enhancement of the external fabric of the building, the scheme also addressed its energy performance with solutions that would reduce carbon using renewable technologies where possible. These included installing a combined heat and power system, adding solar photovoltaics on concealed roof pitches to the rear and fitting a new wi-fi system.

2.6.7 The total cost of the work was £700,000 with a grant of £100,000 from the Penicuik Heritage Regeneration Project and a grant of £600,000 from the Scottish Government's Town Centre Capital Fund used.

New carving for the front façade © Ashwood Scotland Ltd.

New bronze lettering to replace the eroded stonework
© Ashwood Scotland Ltd.

2 Development in Midlothian

Penicuik Town Hall after restoration © Ashwood Scotland Ltd.

2.6.8 A special opening event in late 2021 was organised to celebrate the completion of work with representatives from the local community, organisations who have helped fund it, and those involved in the town centre regeneration project invited to attend. Councillor Russell Imrie, Midlothian Council's Cabinet Member with responsibility for regeneration and communities, together with Councillor Debbi McCall, Chair of the Heritage Regeneration Project Team, welcomed guests to the opening event, which was a thank you to partners and funders for their support. Cllr. Imrie stated:

'Penicuik Town Hall is an important historic building in the centre of the town and was in need of restoration. Areas of stonework on the front elevation had deteriorated, some parts of the roof had been leaking, and the existing boilers in the basement had reached the end of their operational life'.

'It is important that the building continues to be available for community use and I am delighted that this restoration and enhancement work has secured its future. I am also delighted that the original name of the building has been recognised, with new bronze lettering erected to replace the lost original, saying "The Cowan Institute"'.

Penicuik Town Hall opening event with pipe band on stage.

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3 – Facilitating Quality Development

3.1 – Introduction

3.1.1 To most people living or working in Midlothian, development on the ground is the obvious result of what the Planning Team does, but many tasks take place behind the scenes to ensure that the right development goes ahead in the right place. This section of the PPF report gives some examples of this work.

3.2 – Processing Agreements

3.2.1 Early collaboration with applicants is an important way of achieving the best planning outcomes in the most efficient way possible. One route to do this is through a Processing Agreement, which the Council supports for all major developments. They have many benefits, which all result in greater certainty for both parties:

- They allow a project plan to be drawn up which can include key dates for meetings, these being opportunities to provide regular and proportionate policy advice;
- They will include key contacts so that there are clear routes of communication between the Council and the applicant;
- They can initiate the Section 75/legal agreement process early so it can run in parallel with the application itself; and
- They can include a target date for reporting the application to the Planning Committee and for its determination.

3.2.2 Information on Processing Agreements is publicised on the Council's website. The relevant page includes:

- A link to the Processing Agreement form;
- Instructions for returning it and additional information, along with details on how this will be stored and processed;
- Expectations for what the Processing Agreement will involve; and
- Other relevant planning conditions, such as on agreeing heads of terms in relation to Section 75 legal agreements.

3.2.3 The Council web page further specifies how using a Processing Agreement relates to each stage of the planning process, from pre to post-application. Technical elements potentially involved in each part are outlined, such as the possible need for and results of EIA screening and scoping, whether other consents will be required as part of the application (e.g. listed building consent or works to trees applications) and identifying statutory and non-statutory consultees together with a timetable for communicating with them.

3.2.4 As well as the availability of Processing Agreements and guidance on them from the Council website, staff also encourage their use. Case Officers offer the option of using one when communicating with prospective applicants and also direct them to this website information.

3.3 – The Duty Planner

3.3.1 The Planning Team continues to offer its 'Duty Planner' service, to ensure that a dedicated officer is available to provide regular and proportionate planning advice and guidance. They answer queries from members of the public, agents (architects, planning consultants etc.), community councils and community groups, other officers, other council departments and external agencies such as utility and telecoms operators. These cover a range of topics such as permitted development, fee enquiries, enforcement issues, freedom of information requests, how to comment on applications and information required to support them.

3.3.2 The benefits of the service include:

- It is a clear, single point of contact for members of the public, staff and agencies who approach the Planning Team;
- It is covered by a single, permanent Officer, meaning people get consistent advice;
- The Officer can deal with more straightforward enquiries first-hand, freeing up time amongst other staff;
- They are often made aware of sites or buildings that come on to the market. This means that the Team can create a brief of sorts, outlining the relevant policies, potential acceptable uses and can discourage inappropriate uses to interested parties; and

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- They act as an interface between the Planning Team and the wider Council, including the Admin Team, who register applications.

3.3.3 A particular benefit of the service is that the Duty Planner can direct applicants and agents to relevant planning policy and guidance. This means that they act as a point of early collaboration on policy advice, prior to or as part of the pre-application discussion stage. Their input at this point takes pressure off officer time later as it saves multiple pre-application enquires or applications that are unlikely to be supported.

3.3.4 The contact details of the Duty Planner are listed on many pages of the Council's Planning website. Where they are not, the details of the Development Plans or Conservation and Environment Teams are listed. This means that although the Team provides a range of policy advice online, if there are any questions that remain, an officer will be available nevertheless. When the regular Duty Planner is on annual leave, procedures are in place to cover her role, maintaining continuity of this valuable service.

3.3.5 The Duty Planner continues to field general enquiries from other parts of Scotland where an equivalent service is either no longer provided or is less accessible. This demonstrates that it is a valuable function and that the Planning Team's focus on customer satisfaction is appreciated. The service has been complimented for its accessibility and helpfulness by a range of customers.

3.4 – Early Collaboration

3.4.1 The Planning Team recognise the importance of early collaboration with applicants, agents and consultees. It enables Officers to provide an initial indication of the Council's position, can save time and money, and can identify any issues which should be addressed prior to a formal application, resulting in better quality developments. Accordingly, pre-application discussions are both available and promoted.

3.4.2 There is a downloadable pre-application guide on the Council's website. This includes sources of further information on planning policy alongside a statement on the process, timescales it involves and what might be expected in a response. It also contains a Pre-Application Enquiry Form. This is a way of requesting clear and proportionate supporting information, such as the current and proposed uses of the site or initial layouts. Using this standardised template also allows staff to understand proposals quicker, helping both them and the other party.

3.4.3 Some aspects of pre-application advice may be provided by the Duty Planner (see section 3.3) but if not, engagement through the Pre-Application Enquiry Form is promoted by Officers. This may involve:
- Registering enquiries in the case log system to help track their progress;
- Consulting the pre-application procedure manual;
- Engaging with a range of consultees when considering pre-applications; and
- Providing guidance on the expected level of financial contributions so developers can assess the viability of schemes early on.

3.4.4 The Planning Team receives a relatively low proportion of pre-application enquiries - 9% of applications involved one in 2021/22. We consider that this is a positive reflection on the clarity of the LDP's policies and established and consistent design expectations which developers and agents have become accustomed to without considering it necessary to enter into a formal pre-application process. However, the ability to provide this early collaboration is in place for when it is required. The service is free for all developments.

3.4.5 The Planning Team also offers early collaboration with applicants, agents and consultees through other routes. These include a variety of guidance on the Council website, including on:
- When planning permission may be needed or when proposals are permitted development;
- Different types of consent, such as for listed buildings or advertisements;
- Matters relating to works to trees; and
- The roles of the Local Review Body and Planning Committee.

3.4.6 The Council also provide a set of validation checklists online that act as advice on information required to support applications. These cover 21 different developments, ranging from major developments, to wind turbines and solar panels, to dormer windows and driveways. The requirements for these vary depending on the type of application. The Council registers a valid application within one working day of receipt. In 2021/22, 8% of applications

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were invalid upon receipt. This indicates that the validation process is working relatively well for the Council's customers.

3.4.7 The Duty Planner plays a key role in application validation and registration, which frees time amongst Case Officers to progress proposals. They have a set of procedures and specific file locations for this, which includes pre-registration sheets for both pre-application communications as well as the equivalent for actual applications together with details on registration and dealing with invalid applications.

3.4.8 Having the likes of validation checklists and guidance on the value of pre-application advice in place reduces the chances of information needed to support applications being omitted. However, where it is required, the Council ensures that such requests are clear and proportionate. These are often for further site plans, business cases or samples of materials, for example, but such requests from 2021/22 include for:
- Further details of landscaping and boundary dimensions & materials for a housing site in Bonnyrigg (21/00230/DPP);
- Measures to be taken by an applicant for the protection of walls and possible bats roosts in them as part of a listed building consent at Mavisbank (21/00378/LBC);
- Information on community outreach initiatives and opportunities to create local employment stemming from a leisure club and gym at Shawfair (20/00906/PPP); and
- Details of waste storage and collection in relation to an application for a change of use from an office to a restaurant (21/00161/DPP).

3.5 – Other Team Procedures & Services

3.5.1 A single point of contact is provided for all applications through a named Case Officer. They will be the point of contact throughout the pre-application process, the assessment of the application and any post-decision discussions. They project manage the application, coordinate any input from third parties, provide policy advice and discuss cases with managers where appropriate. Regular one-to-one meetings are held between officers and their line managers in order to resolve any issues with applications and to ensure that there are no avoidable delays in determining proposals.

3.5.2 In order to more accurately reflect the time taken to process applications and to provide clarity to stakeholders, Midlothian Planning have a formal 'stop the clock' procedure. In some cases it is appropriate to remove a length of time from the total determination period for an application to more accurately reflect the time taken to decide it. This procedure is regularly reviewed in order to ensure that it accords with current guidance.

3.5.3 Though the Planning Team does not currently have a filled GIS Technician post, other Officers are fulfilling this function. This means that important mapping requests from both within the department and from the wider Council are fulfilled. These include:
- Plotting application sites for staff and the public-facing portion of the Council website, so residents and other users can keep track of proposals within Midlothian;
- Drawing site plans for the Planning Committee and Local Review Body;
- Mapping and calculating the populations of school catchments; and
- Revising maps of Community Council boundaries.

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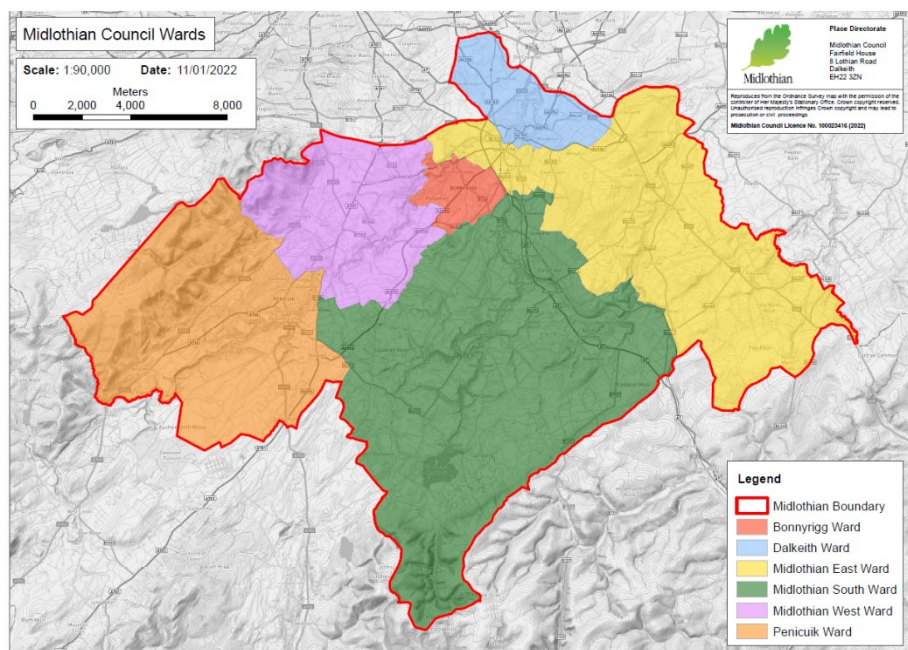
Council Ward map produced for another internal Midlothian service.

3.6 – Legal Agreements and Developer Contributions

3.6.1   During 2021/22, the Council continued its standard practice of requiring that when resolving to grant an application for which a planning obligation is necessary, that the agreement is completed within six months. Failure to do this would result in the application being refused due to a necessary obligation not being in place. This would mean that the proposed development would be contrary to the LDP.

3.6.2   The requirement for the conclusion of an agreement within six months is clearly stated in Committee/Delegated Reports as the first item after the recommendation/decision. The projects and infrastructure that the agreement must cover are listed alongside. This approach has brought a greater focus to

the completion of agreements, the ability to issue permissions sooner and also reduces the likelihood of legacy cases. The table below gives examples from 2021/22 of where legal agreements were concluded for applications within six months of them being 'minded to grant', if not within six months of the application being received.

Development	Projects That Contributions Are For	Timescales
Social housing at the former Newbattle High School	Schools, Borders Rail, open space & play equipment	Application validated in Nov. 2021. Legal agreement concluded in Mar. 2022
Extension to Cockpen Farm residential site	Social housing commuted sum, schools, community facilities	Application received in Jul. 2021. Legal agreement concluded in Nov. 2021
Office, industrial and R&D building at Shawfair	Sheriffhall roundabout, Borders Rail	Application received in Mar. 2021. Legal agreement concluded in Jun. 2021
Sport & leisure club at Shawfair	Sheriffhall roundabout, Borders Rail	Minded to grant in Apr. 2021. Legal agreement concluded in Aug. 2021

3.6.3   On the other hand, it is sometimes necessary to reconsider or refuse applications if negotiations for infrastructure payments are unsuccessful and do not secure sufficient funding for Council services. There was no need to do this during 2021/22, but it remains an option to ensure that legal agreements are completed within six months of a resolution to grant an application.

3.6.4 The timely conclusion of legal agreements is aided by clear expectations for developer contributions being set out in both pre-application discussions and the LDP.

3.6.5 As part of its pre-application service, the Council meets regularly with applicants, major developers and landowners to provide advice on its approach to future developments. This includes giving pre-application advice in relation

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to Planning Obligations. As part of these discussions, the Council engages with and professionally advises them and responds constructively to their submissions. This applies regardless of the type and scale of projects, with recent examples including:

- Potential contributions towards bus transport for pupils to schools for a rural residential proposal;
- Discussions for new industrial units near Bonnyrigg on possible transport payments and their relation to floor areas and travel distances;
- The development of a care home in Loanhead and whether movements of visitors and staff would necessitate a contribution towards the new A701 Relief Road;
- The threshold for developer contributions from two small residential developments and possible exemptions for transport payments taking into account their trip-generating potential; and
- The possible modification of an existing Section 75 agreement in response to a developer wishing to revise the scale and layout of an already-consented mixed use project.

3.6.6 In such examples, the relevant Case Officer contacts the Lead Officer for Developer Contributions. He is then able to identify the required contributions, for either a number of residential units or an area of commercial floor space. The Case Officer passes this to the applicant to inform them at an early stage about infrastructure payments, allowing them to make decisions on the viability of their ideas. To give further clarity in pre-app talks, when required, the Lead Officer also provides advice where developer contributions issues overlap with possible conditions of planning consent.

3.6.7 Education provision forms a core part of pre-application discussions on developer contributions. These include information about pupil rolls, anticipated capacity solutions, the cost basis of these and likely pupil products from proposed new developments. Collaboration between Planning and the Council's Education Services department feed into these talks allowing them to proceed more efficiently. For example, plans for social housing at Newbyres Crescent in Gorebridge were approved in March 2022. This was partly made possible by pre-application discussions on education needs that the dwellings would give rise to and constraints and opportunities in existing facilities.

3.6.8 Processing Agreements also have a role in setting out clear expectations for developer contributions. The Processing Agreement form has specific sections for how their use will influence the pre-application, application and post-application stages of proposals, and the implications for drafting legal agreements are included in each of them. This means that the application and developer contributions processes can run together for maximum efficiency. It also means that Processing Agreements provide another route for setting out financial issues in pre-application discussions, then pursuing them as the proposal moves on.

3.6.9 Clear expectations for developer contributions are set out in planning policy documents too. They are emphasised early in the LDP, which also includes details of:

- Policies to which developer contributions are relevant;
- Location-specific projects for which contributions will be required, e.g. community heating at Shawfair; and
- Issues regarding developer contributions for each particular allocated site.

3.6.10 Policies IMP1 and IMP2 are those in the LDP that are most relevant to developer contributions. They refer to new development and essential infrastructure respectively. They provide a full list of aspects of developments for which payments will be sought and direct readers to other parts and policies of the Plan that provide more detail.

3.6.11 The advice in the MLDP will sit alongside new SG on Planning Obligations, which is currently in preparation, to provide an updated approach to future requirements when it is adopted. The current SG on the topic nevertheless gives a clear view of the Council's expectations, together with the LDP and more tailored advice from pre-application discussions.

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3.7 - Planning Policy and the Local Development Plan

3.7.1   The current LDP was adopted in late 2017 and work is underway on its replacement. This includes appropriate engagement with Elected Members, industry, agencies, the public and Scottish government through all the key stages of its development.

3.7.2   In respect of Elected Members, this work has involved:
- Briefing them on new duties for Councils to prepare an Open Space Strategy and Play Sufficiency Assessments as introduced by the Planning (Scotland) Act 2019;
- Reporting and discussing the publication of Draft National Planning Framework 4 (NPF4), obtaining approval from them for a proposed consultation response and holding a seminar for Councillors on NPF4's main points and its implications for Midlothian's next LDP;
- A separate report and discussion on the implications for Midlothian of the housing targets within NPF4; and
- An updated Action Programme which highlighted the progress made with implementing the development strategy of the LDP in the two years since adoption, the key changes in that period and emerging issues looking forward to the next review of the Plan.

3.7.3   Together with the publication of a new Development Plan Scheme (DPS, see below) and the informal discussions that staff in the Team have with Councillors on the Planning Committee, including the Team Manager who briefs its Chair and that of the Local Review Body, the above examples ensured their sufficient engagement in preparing the next LDP.

3.7.4   Industry were also engaged in development plan preparation work in 2021/22. This included:
- Meetings with many of Midlothian's major landowners and developers, including on assessing the potential of their land for allocation in the next LDP;
- Planning renewable energy developments as part of Midlothian Energy Limited, a joint-venture with Swedish energy company Vattenfall;

- Consulting software developers and academia on transport accessibility IT solutions to inform site selection and future active travel infrastructure development;
- Discussions with the Crown Estate on their landholdings around Rosewell and their 'Whitehill Estate 2030' community conversation on shaping their strategic vision for its future;
- Seminars and regular contact with Objective, the Council's LDP document software partner, on the latest functions of their products and how to use them to improve public engagement;
- Meeting with the University of Edinburgh in relation to the Easter Bush Working Group; and
- Engagement with private sector partners involved in delivering the new A701 Relief Road and A702 Link Road.

3.7.5 In respect of engagement with key agencies, the long-standing regular programme of meetings with Scottish Water, SEPA and NatureScot continued throughout 2021/22, with additional meetings involving Historic Environment Scotland and SEStran taking place. Key agency input into the next LDP was also gained through other events that the Planning Team take part in with them. These include training events and seminars and other non-LDP work. Any lessons from these that are relevant to LDP preparation are noted.

3.7.6 In 2021/22 these two sources of key agency input included:
- Discussions with Scottish Water on the implications for the next LDP of housing targets in the draft NPF4, their ongoing modelling, SUDS adaptation and drainage projects;
- Taking advice from NatureScot on how matters relating to nature, place and climate change in the new draft NPF4 will influence the content of Midlothian's next LDP;
- Taking part in the Forth Local Advisory Group with SEPA on flood risk and river basin management planning in Scotland;
- Exploring options for improved public transport and additional active travel opportunities with SEStran;
- An overview from Transport Scotland of the Preliminary Appraisal approach and details on the proposed Scenarios that will be considered as part of the Strategic Transport Projects Review 2 process;

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- Forming the Midlothian Bus Alliance alongside SEStran and others to look at services along existing and future routes and bus travel corridors;
- Meetings with Historic Environment Scotland regarding the Buildings at Risk Register and how the next LDP can contribute to protecting them;
- Learning about the information contained within SEPA's flood risk mapping service, recent changes and implications for development planning; and
- Feedback on possible policy changes or new draft policies for LDP2 with all of the above named agencies.

3.7.7 As well as with Elected Members, industry and key agencies, engagement on LDP preparation also took place with the Scottish Government. This included responding to consultations and reviewing materials on:
- Open Space Strategy and Play Sufficiency Assessments as introduced by the Planning (Scotland) Act 2019;
- The new Local Development Planning Regulations & Guidance Consultation - Part B Proposals;
- NPF4, with its implications for housing in particular;
- Requirements for LPPs as set out in Circular 1/2022; and
- Updates from www.transformingplanning.scot and the topics discussed in the Heads of Planning Scotland (HoPS) member's forum on the 'Knowledge Hub' platform.

3.7.8 Engagement with the public on development plan preparation is primarily done via the Development Plan Scheme and the engagement activities involved with it, which are discussed below. Planning Officers continue to field questions on the LDP process however, via either the Duty Officer or the LDP mailbox, which is advertised on many development planning web pages and documents.

3.7.9 Planning authorities must write a DPS annually to outline their intentions for preparing and consulting on their next LDP over the coming year - the DPS has the role of project planning its delivery to the timescales that it sets out. Midlothian's latest DPS, number 14, was approved by Planning Committee in March 2022.

3.7.10 The system introduced by the Planning (Scotland) Act 2019 envisages LDPs being updated every 10 years, with them adopted within 5 years of NPF4 being approved. The timetable set out in DPS14 would see a new LDP for Midlothian adopted within less than 5 years of NPF4 approval (provided NPF4 is approved by the Scottish Parliament as scheduled).

3.7.11 This approach has been taken because of delays to do with the implementation of the new Act caused by the Covid-19 pandemic and the requirements stemming from it yet to be finalised, such as the adoption of regulations on LPPs and Open Space Strategies. Secondly, the next LDP will be prepared using NPF4 to provide strategic guidance, which means waiting for it to be finalised. This is a prudent way forward because:
- The rejection of the proposed Strategic Development Plan (SDP) 2 meant that SDP1 (from 2013) remains valid and the evidence base underpinning it is out of date;
- There was no guidance in SDP1 as to how the housing land requirements for 2024 – 2032 should be distributed across the SESplan area;
- The declaration of a climate change emergency in Scotland (and by the Council) was likely to have land use planning policy implications and it would be advantageous to work with a strategic planning framework that takes this into account; and
- There was insufficient time to progress the review to Proposed Plan stage before the transition arrangements end and new regulations come into effect.

3.7.12 On balance, this approach as set out in the DPS seeks to embody the least risk and uncertainty in taking forward the MLDP review. Moreover, the Action Programme review process provides an additional opportunity to reassess the adequacy of the housing and economic land supply and/or address any other emerging issues if required using the measures described in the existing LDP.

3.7.13 The DPS is ensuring that the replacement LDP is project planned and delivered to the timetable included within it. The timetable maps out the key stages of Plan preparation, their links with each other and proposed time scales. Midlothian Council is also front loading work to inform the preparation of the new LDP. This is helping to meet that timetable and is ensuring that work that is not dependent on NPF4 or further regulations from the Planning (Scotland) Act 2019 is proceeding. Such activities which are complete or underway include:

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- Preliminary LPP work including preparation of materials to assist community groups and setting up a dedicated mailbox for enquiries;
- Publishing updated Housing and Employment Land Audits;
- Using the Development Plan Monitoring Group to consider the performance of existing policies (e.g. policy gaps, redundant policies and required modifications);
- Completing a review of 'emerging issues' and potential policy changes;
- Preparing a Place Standard engagement event in our consultation software;
- Completing training on Integrated Impact Assessments to fulfil Public Sector Quality Duty requirements by allowing a systematic assessment of the impacts of the LDP2 process on protected groups;
- Reviewing the requirements for the new LDP stemming from the draft guidance on Open Space Strategies, Play Sufficiency Assessments and LPPs;
- Working with Council colleagues in Communications for LDP2 activities including developing new branding for its outputs and a Communication Strategy to meet the new engagement requirements of the Planning (Scotland) Act 2019 to promote and facilitate participation in the LDP process;
- Progressing the 'sites review' on the deliverability of existing housing and economic allocations and assessing possible new sites for the next LDP; and
- Reviewing Edinburgh's new LDP – City Plan 2030 – to assess how it will influence Midlothian's new LDP.

3.7.14 The DPS also goes into more detail in places to ensure that as well as its overall project plan for delivering the next LDP to the planned timetable, it also outlines ways forward for particularly important elements of it, especially LPPs (as these will be community-led rather than Council-led) and engagement activities, as the new Act places extra responsibilities on the Council in this respect.

3.7.15 Given the fluidity of the situation on finalising requirements emerging from the Planning (Scotland) Act 2019, DPS14 also includes a provision to allow its timetable to be revisited to ensure it remains up-to-date and sufficient for project planning the new LDP's delivery.

Development Plan Scheme for Midlothian
Number 14
Midlothian
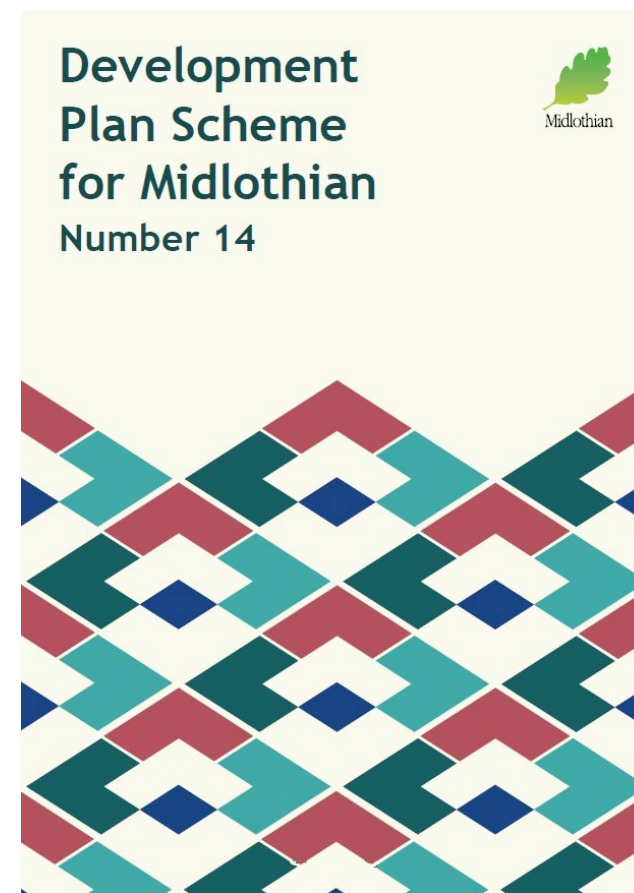
3.7.16 Previous parts of section 3 above outlined how regular and proportionate policy advice is provided by the Planning Team. This is supplemented by the following online advice:
- A dedicated page on what constitutes the Development Plan for Midlothian, with links to the MLDP, SDP and explaining text;
- An online proposals map showing the spatial extent of the MLDP's policies;

3 Facilitating Quality Development

- The latest DPS with details on how industry and the public can get involved in shaping the next LDP;
- Pages on approved and upcoming SG as well as planning advice on common developments, such as dormer windows and rear extensions; and
- A dedicated email address that the Development Plans Section monitor for LDP-related enquiries, such as landowners proposing sites for the next plan.

3.7.17 Further work on producing policy advice during the 21/22 reporting year consisted of:
- Progressing two pieces of Planning Guidance, one being for a large mixed use LDP allocation at Straiton and the other being a Shop Front Design Guide;
- Drafting and consulting on new Low Density Rural Housing Supplementary Guidance, which has been approved since the end of the reporting year;
- Finalising the Conservation Area Character Appraisal and Management Plans for Roslin, Mavisbank, Eskbank & Ironmills and Newtongrange; and
- Adopting the new Nature Conservation Planning Guidance that was drafted in the prior reporting year.

3.7.18 Staff from the Development Plans Section also provide planning and policy advice to groups including developers, other internal Council services and to neighbouring Council areas where proposals may have impacts for Midlothian. In 2021/22 this included:
- Discussions with Edinburgh Council on residential development near the Wisp (22/00112/PAN) and transport issues in the area;
- Liaising with colleagues from Education Services on planning policy implications i) of NPF4 housing numbers for schools and ii) for their Learning Estate Strategy;
- Advising Development Management colleagues on a proposal for the change of use of a non-food retail premises (restricted class 1 use) to food retail, on the application of Open Space Standards and on our housing land supply position in relation to an appeal for a new residential development; and
- Making representations to Scottish Government's Energy Consents Unit on the wind farm plans for the Cloich Forest and Greystone Knowe in the Scottish Borders.

Midlothian Local Development Plan

Low Density Rural Housing Supplementary Guidance
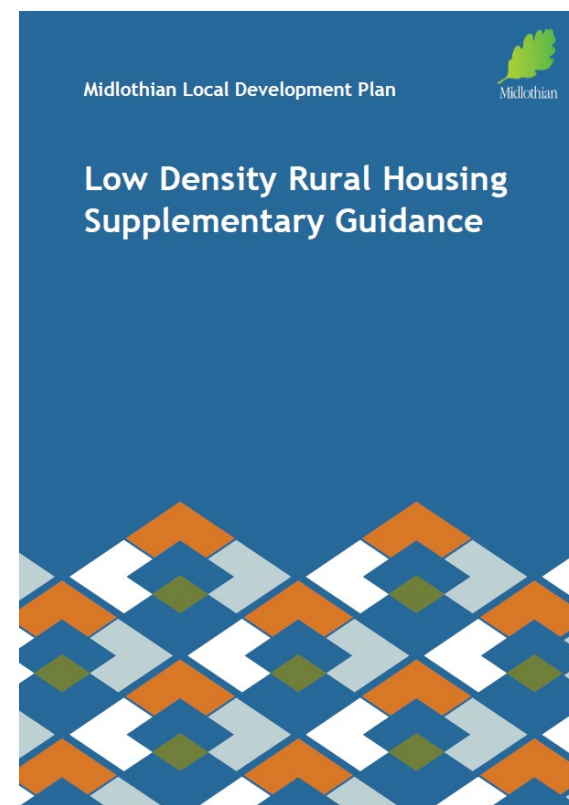
4 Service Improvement and Staffing

4 – Service Improvement and Staffing

4.1 - Workforce Information

4.1.1 The information in section 4.1 is a snapshot of the position at 31/03/2022.

	Tier 1 Chief Executive	Tier 2 Director	Tier 3 Head of Service	Tier 4 Manager
Head of Planning Service[2]				✔

Staff age profile	Headcount
Under 30	2
30 - 39	10
40 - 49	9
50 and over	8

Royal Town Planning Institute (RTPI) membership	Headcount
No. of chartered staff	20

4.1.2 Midlothian Council's Planning Team contains four sections, each of which are headed by a Lead Officer. The Planning Manager sits above them in the structure and an E-Planning Officer and a Planning Officer for Shawfair sit alongside the department as a whole, separate from a particular section. The staffing structure (shown below) is conducive to flexible working, allowing officers to move between sections to respond to peaks in workload.

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[2] The Planning Manager runs a single Planning Team responsible for development plans, planning applications, enforcement and conservation. During the reporting year, the Planning Team was merged with economic development staff to form one single department called the 'Planning, Sustainable Growth and Investment Service'. The information in section 4.1 refers only to planning staff within it.

4 Service Improvement and Staffing

Planning Team structure as of 31/03/2022.

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                          ┌──────────────────┐
                          │ Planning Manager │
                          └──────────────────┘

┌──────────────────┐  ┌──────────────────┐  ┌──────────────────┐  ┌──────────────────┐
│ Lead Officer:    │  │ Lead Officer:    │  │ Lead Officer:    │  │ Lead Officer:    │
│ Local            │  │ Planning         │  │ Conservation &   │  │ Development Plans │
│ Developments     │  │ Obligations &    │  │ Environment      │  │                  │
│                  │  │ Enforcement      │  │                  │  │                  │
└──────────────────┘  └──────────────────┘  └──────────────────┘  └──────────────────┘
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Lead Officer: Local Developments		Lead Officer: Planning Obligations & Enforcement	Lead Officer: Conservation & Environment	Lead Officer: Development Plans	
Planning Officer	Planning Officer	Enforcement Officer	Planning Officer	Planning Officer	E-Planning Officer
Planning Officer	Planning Officer	Enforcement & Compliance Officer	Landscape Officer	Planning Officer	Planning Officer for Shawfair
Planning Officer	Planning Officer	CARS Support Officer · THI & CARS Project Manager	Planning Officer		
GIS Planning Technician	Planning Officer	Senior Technical Clerk		Research & Information Officer	
Planning Information Officer					

4 Service Improvement and Staffing

4.2 - Covid-19 Adaptations

4.2.1 The Covid-19 pandemic required sudden and drastic changes to working practices during the previous PPF reporting year to maintain the continuity of services. This was reflected in previous 'service improvement' targets. Many of the actions introduced then have now become embedded both within the department and the Council and are now standard working practices.

4.2.2 Changes to digital practices and the support of the Council's Digital Services team, who facilitated them while under considerable pressure themselves, enabled this. Examples of this shift were:

- The roll out of Teams, with this now being the standard platform used by the Council for meetings, staff interviews and the Planning Committee and Local Review Body;
- Co-ordinating requests for equipment from staff and distributing it to them;
- Distributing guides and sharing advice on how to access files and use software & services remotely; and
- Maintaining remote access to specialist software installed on office PCs.

Planning Committee meeting taking place via video conference.

4.2.3 Towards the end of the reporting year, the Planning Team intended on moving towards a 'hybrid working' model with staff predominantly working from home but having allocated time in the office according to a rota. This coincides with a technical refurbishment of Fairfield House where staff desks allow planners to use the laptops they were provided in docking stations.

4.3 - Planning Committee Information

4.3.1 Meetings of Midlothian's full Council take place on a six weekly cycle and comprise all 18 Elected Members. In relation to planning matters, it delegates its regulatory responsibilities to its Planning Committee, but can make planning policy decisions, such as on the area's LDP. It may also make decisions regarding work streams which are implemented by the Planning Service, for example heritage and regeneration projects or matters related to developer contributions.

4.3.2 Midlothian Council's Planning Committee is responsible for determining planning applications, enforcing planning legislation, confirming Tree Preservation Orders and other related matters. The Committee comprises all 18 Elected Members of the Council, with a Chair selected from its composition. It normally meets on a six weekly basis, with a rolling annual schedule of meetings and requires a minimum of six Elected Members to be in attendance.

4.3.3 Midlothian Council's Local Review Body is responsible for looking at appeals against decisions made by an appointed Officer on planning applications. It comprises ten Elected Members, with a Chair determined by the membership of the Committee. It normally meets on a six weekly cycle with a rolling annual schedule of meetings and requires a minimum of three Elected Members to be in attendance.

4.3.4 The schedule of Planning Committee and Local Review Body meetings are listed on the Council's website alongside an agenda for each, documents discussed at them and minutes of previous meetings. Video recordings of Planning Committee meetings are viewable via the Council website.

4 Service Improvement and Staffing

Committee & Site Visits	Number in 2021/22
Full Council meetings	8
Planning committees	8
Area committees	N/A
Committee site visits	0
Local Review Body meetings	8
Local Review Body site visits	10

4.4 - Culture of Continuous Improvement

4.4.1   The department recognises that training and professional development is necessary for the effective delivery of services and furthering staff skills. It is also a requirement for RTPI members and is encouraged within the Council's own appraisal system. Given this, Planning Team staff took part in many training events this year, including:

- 'The Future of the High Street' project events organised by the Scottish Funding Council and the University of Edinburgh;
- HoPS workshops resulting from the publication of draft NPF4, on 'Distinctive Places' and 'Liveable Places';
- RTPI training webinars on 'Planning for Active Travel', 'Neighbourhood Plans', 'Housing for Gypsies & Travellers', 'Planning for Sport' and a 'Scottish Young Planners Draft NPF4 Engagement Event';
- A webinar on 'Planning Skills - Peatland Training with the Crichton Carbon Centre & NatureScot' which looked at the role of peatlands in the Scottish environment and how planning can aid their restoration and protection;

- The 'Meeting our Targets in the Time of Climate Crisis Training Event' run by Brodies and Scottish Renewables to reflect how the planning system has managed planning for renewables so far and how well equipped it is to meet these challenges in the future;
- An event on 'Exploring the Concept of 20 Minute Neighbourhoods for Midlothian' with speakers from Scotland's Regeneration Forum and the Development Trusts Association Scotland;
- A workshop organised by the HoPS Development Management Sub-Committee looking at and sharing good practice on planning application validation, with presentations on Fife & Moray Councils, and partly focusing SUDS and drainage issues;
- Various webinars on the 'Objective' document publishing and consultation software to keep informed about its latest features;
- A scoping workshop on the Edinburgh and South-East Scotland Climate Risk Assessment, this being required to inform the implementation of the draft Regional Prosperity Framework; and
- Sessions run by the Scottish Government to help familiarise Council partners with the eDevelopment service, user's experience of submitting applications and upcoming changes to it.

4.4.2 The Planning Team recognise that working across corporate services can deliver improved outputs and benefits for customers. This interdisciplinary working is therefore encouraged and widely practiced. Some examples are provided in the table below.

4 Service Improvement and Staffing

Planning Team Section	What other Council services did they work with?	What did they work together on?
Enforcement	Environmental Health	Houses in Multiple Occupation, hot food premises, licensing, noise
	Housing Services	Breaches of planning control
	Trade Waste	Fly-tipping
	Estates	Land ownership issues
	Land Resource Services	Rights of way, core paths access
Developer Contributions	Finance and Integrated Service Support	Attending the Capital Plan & Asset Management Board to inform it of developer contributions finance
	Education Services, Project Development	Progressing school projects from the Council's Learning Estates Strategy
	Corporate Solutions	Developer contributions towards housing and projects involving children and young people
Development Plans	Project Development, Property & Facilities	Active travel project options for the A701 Sustainable Travel Corridor
	Education Services	Emerging housing numbers for LDP and new high school projects
	Communities & Lifelong Learning	Planning (Scotland) Act 2019 requirements on engaging young people
	Housing Services	Implications of the Housing Needs & Demands Assessment 3 and taking part in the Local Housing Strategy Housing Association Forum
	Economic Development	Advising on new housing development to inform broadband provision
Conservation & Environment	Communities & Lifelong Learning	Rating grants applications in respect of their environmental benefits
	Land Resource Services	Funding for tree planting projects and open space standards
	Midlothian Ranger Service	Scottish Government Nature Restoration Fund pond projects
	Policy & Road Safety	Future public realm works and building restoration projects in Penicuik
Development Management	Capital Contracts	Developing a design guide for new Council social housing projects
	Project Development	Planning advice on a school expansion projects
	Property & Facilities	The renovation of an office to form new homeless accommodation
	Environmental Health	Ground remediation and gas protection measures in a housing project
	Digital Services	Roll out and ordering of new equipment and office technical updates

4 Service Improvement and Staffing

4.4.3 **W**ith many other Council areas near to Midlothian, planning matters often involve sharing good practice, skills and knowledge with neighbouring Authorities. The Planning Team also recognise the benefits of working with Councils throughout Scotland as a whole. Some examples of this from 2021/22 include:
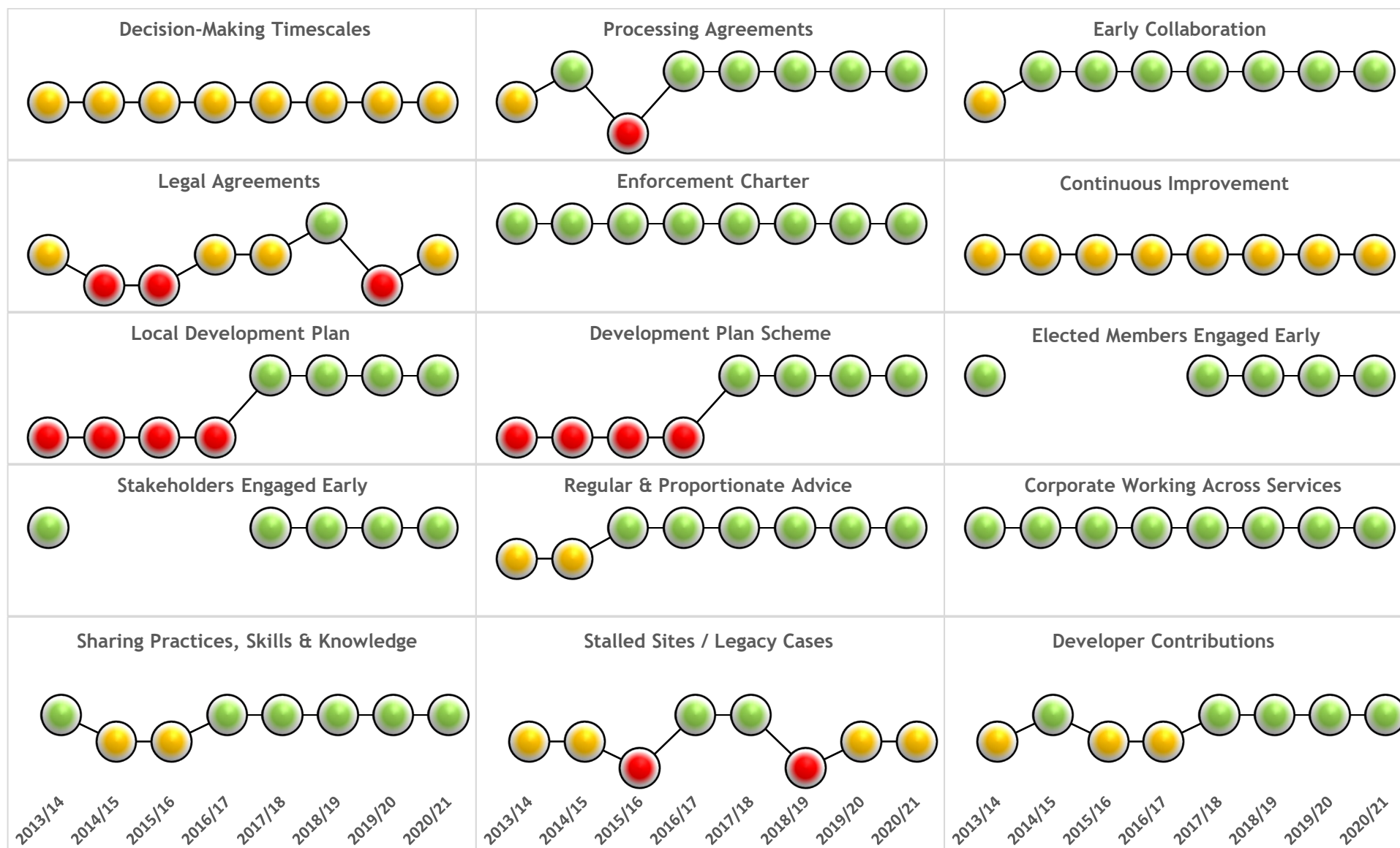
- Getting advice from the City of Edinburgh Council on options for modelling the accessibility of possible LDP2 sites;

- Working with the City of Edinburgh and East Lothian Councils on co-ordinating cross-boundary energy projects, particularly heat networks, alongside Vattenfall;

- Reviewing the web and social media presence other local authorities - including Scottish Borders, West Lothian, Dundee and Highland Councils – to learn lessons for future engagement activities;

- Discussing options for the use of aerial drones for site videos of applications going to the Planning Committee and Local Review Body;

- Engaging with East Lothian Council on options for reducing carbon emissions in the context of a growing local population;

- Taking part in the Housing Needs & Demand Assessment 3 Project Team with neighbouring local authority representatives;

- Learning from Aberdeen and the City of Edinburgh Council's workshops on engaging children and young people in planning in response to the Scottish Government promoting lesson learning across local authorities;

- Working with neighbouring Councils as part of the Edinburgh, Lothians & Borders Natural Heritage Planning Group to promote natural heritage and biodiversity issues; and

- Taking part in the Conservation & Heritage Officer Group run by the Building Environment Forum Scotland as a network for knowledge sharing and good practice between Councils on conservation of the built environment.

4.4.4 Offering customers the opportunity for feedback and learning from this is a part of the culture of continuous improvement within Midlothian's Planning Team. This involves sending out feedback forms to applicants and agents, which are often used by them to compliment the service on its work. Examples from 2021/22 are:

- *'Exceeded my expectations. The comments received from the Officer were most helpful'*;

- *'We are pleased with the outcome and happy to report that at all stages the process was professionally managed. We were communicated [with] professionally'*;

- *'Happy with the service', 'service met our expectation' and 'we used pre-planning application service via our Architect and found it useful'*;

- *'Very positive about our experience, particularly in these COVID times where normal practices are still restricted'*; and

- *'A very positive experience with the Midlothian Planning Service. Please pass our thanks on to [the Case Officer] again for his professionalism and attention'*.

4.4.5 PPF reports are used to score Councils against 15 performance markers. The charts on the following page shows how Midlothian Council has performed on these since this began in 2013/14.

4 Service Improvement and Staffing

Decision-Making Timescales

Processing Agreements

Early Collaboration

Legal Agreements

Enforcement Charter

Continuous Improvement

Local Development Plan

Development Plan Scheme

Elected Members Engaged Early

Stakeholders Engaged Early

Regular & Proportionate Advice

Corporate Working Across Services

Sharing Practices, Skills & Knowledge

Stalled Sites / Legacy Cases

Developer Contributions

2013/14 2014/15 2015/16 2016/17 2017/18 2018/19 2019/20 2020/21

2013/14 2014/15 2015/16 2016/17 2017/18 2018/19 2019/20 2020/21

2013/14 2014/15 2015/16 2016/17 2017/18 2018/19 2019/20 2020/21

4 Service Improvement and Staffing

4.5 - Progress on Service Improvements for 2021/22

4.5.1 Midlothian's last PPF report included twelve service improvements for 2021/22 (shown in italics below). Substantial progress has been made on almost all of these.

4.5.2 *To maintain the Planning Team's mapping service during the essential medical leave and phased return of its GIS Technician. This will involve training the Research & Information Officer and E-Planning Officer on essential tasks to assist with mapping/GIS requests from both within the department and external sources.*

This has been achieved. Both the Officers listed above were trained and have continued to fulfil these functions in the absence of a GIS Technician.

4.5.3 *To go beyond the regular updates of Midlothian's Enforcement Charter by reviewing a range of other Council's charters and then update and amend our own so that it is modernised, streamlined and has national best practices embedded in it.*

This has not been achieved due the departure of a Lead Officer. A similar target has been rolled forward to this year.

4.5.4 *Recruit a further new Planning Officer for the Major Developments & Enforcement Section, including an induction on a range of local developments to familiarise them with the Midlothian area and departmental procedures.*

This has been achieved. The new Planning Officer was recruited in the reporting year, following the induction plan noted above.

4.5.5 *Perform further work on tree protection, to support a goal of the Council's Climate Change Strategy. This will involve undertaking more Tree Preservation Orders (TPOs) in 2021/22 and using 'i-Tree' software to assess possible LDP2 sites for tree cover and their benefits for sequestering emissions.*

This has been achieved. Three TPOs were confirmed in 2021/22 with surveying and mapping work on a fourth covering a large area also starting. 'i-Tree' was also used in LDP2 site assessment work.

4.5.6 *Take on a high school student from Midlothian as a paid intern through the 'Career Ready' programme, to assist with the work done by the Conservation and Environment Section as part of the Penicuik heritage regeneration project during summer 2021.*

This has been achieved. An intern was recruited in July 2021. She was the second 'Career Ready' internship the Penicuik project has hosted and the fourth that Midlothian's Planning Team have hosted.

4.5.7 *To maintain the 'Duty Planner' service during a period of maternity leave. This will involve co-ordinating cover across the department and potentially training staff who have not performed the role before to continue offering this useful publically-facing service.*

This has been achieved. Existing staff initially covered the role until the recruitment of dedicated full-time cover later in 2021. This ensured the continuity of service.

4.5.8 *Set up a Development Management Officers Working Group to ensure a consistent approach to planning applications by Case Officers and to further their knowledge of emerging issues and specific topics (such as by inviting others in the department or wider Council to speak on matters like flooding, noise or site contamination).*

This has been achieved. Development Management Officers have regularly met over the past year to discuss processes, emerging legislation and guidance, detailed cases and particular learning requirements. This includes staff involved with planning applications, developer obligations, enforcement staff and the Duty Officer.

4.5.9 *Develop protocols, processes and training in relation to the role and involvement of Elected Members with planning obligations & developer contributions, as part of a widened remit of the Planning Committee.*

4 Service Improvement and Staffing

This has not been achieved. Staff departures and the reorganisation of roles prevented this, but this target will be rolled forward to 2022/23.

4.5.10 *To take forward the Council's work on climate change (a function which sits largely within the Planning Team) including by producing a staff training module and a Climate Change Risk Assessment.*

This has been achieved. The staff training module was completed and advertised Council-wide in spring 2021 and the Climate Change Risk Assessment was completed later in the year.

4.5.11 *Co-opt a representative from the Council's Communities & Lifelong (CLL) Learning Team onto the Project Board for progressing the new LDP as well as obtaining their input for the plan itself.*

This has partly been achieved. The governance arrangements for the next MLDP have yet to be agreed but will be finalised when the review process is announced later this year. Given that one of the key MLDP tasks will be to contribute to the priority outcomes set out in the Single Midlothian Plan, it remains the intention to have CLL staff represented on the MLDP2 Project Board. However they have already contributed to on preliminary MLDP2 work, e.g. in respect of LPPs.

4.5.12 *Successfully implement and review the concordat and joint working group with the University of Edinburgh for delivering the Edinburgh & South East Scotland City Region Deal-funded Easter Bush Agri-Tech Project. This includes the proposed A701 Relief Road and A702 Link Road which is necessary to support the city deal investment as well as wider planned development in the A701 corridor.*

This has been achieved. The Lead Officer within the Council's Development Plans Section progressed this to completion during the PPF reporting year.

4.5.13 *Produce a site Masterplan/Planning Guidance for the mixed use land allocation at Straiton, including working with colleagues from other Council services such as transport, to guide future development around issues such as access and site layout.*

This has partly been achieved. A draft was produced during 2021/22 including by working with colleagues from other Council services such as transport. This will be finalised depending on the route chosen for the nearby A701 Relief Road, whose design is currently being progressed.

4.6 - Intended Service Improvements for 2022/23

4.6.1 Midlothian's Planning Team intend to take an ambitious approach to targets for the next PPF reporting year. This is reflected in the following 11 service improvements:

- To work with Digital Services, including on an equipment refurbishment and update, to implement a 'hybrid working' model that will allow staff to work remotely or in the office;

- Work with internal consultees on planning applications, e.g. Environmental Health, in order to streamline, standardise (where possible) and speed up consultation interactions between service areas in the Council;

- To deliver a training session to the new Council (following the 2022 elections) on planning matters and procedures, including a focus on developer contributions;

- To develop materials, particularly a set of maps, to allow the new Council to be briefed on development matters across Midlothian, including past & future housing, employment and school developments and implications for National Planning Framework 4;

- To implement a GIS-based system to allow Development Plans Section Officers to do post-adoption Strategic Environmental Assessment monitoring of the environmental & physical impacts of the LDP;

- To update Midlothian Council's Planning Enforcement Charter including to incorporate the provisions of the Planning (Scotland) Act 2019 brought into place via secondary legislation;

4 Service Improvement and Staffing

- To recruit a GIS-Technician to work across the Development Plans and Development Management Sections of the department;

- Review the Scheme of Delegation in order to simplify and streamline the processing of applications received by the planning authority, helping to ensure that this work can be progressed as quickly and efficiently as possible;

- Identify, purchase then be trained on transport modelling software to allow us to complete the accessibility to facilities analysis as part of the LDP2 'Sites Review' process;

- In conjunction with staff from Digital Services, nominating then training several staff on web editing rights and skills to enable them to update planning pages on the Council website; and

- Produce a 'Handbook' document on 'An Overview of the Planning System', for applicants, agents and new Councillors, to supplement the existing guidance on the Council website.

5 Appendices

5 - Appendices

5.1 - National Headline Indicators for Development Planning

Local and strategic development planning	2021/22	2020/21
Age of LDP at the end of the reporting period	4 years, 4 months	3 years, 4 months
Age of SDP at the end of the reporting period	8 years, 9 months	7 years, 9 months

5.1.1 Will the LDP be replaced by its 5th anniversary according to the DPS?

No, see Section 3.7.

5.1.2 Will the SDP be replaced by its 5th anniversary according to the DPS?

No. The proposed new SDP was rejected by Scottish Ministers during the previous reporting year. The Planning (Scotland) Act 2019 proposes abolishing the need for SDPs, with Regional Spatial Strategies (RSS) required instead. SESplan has co-ordinated preparation of the first interim RSS for Edinburgh and South East Scotland with Midlothian inputting to this as required.

5.1.3 Has the expected date of submission of the LDP to Scottish Ministers in the DPS changed over the past year?

Yes. The current DPS (number 14) proposes an expected date of submission of the next LDP to Scottish ministers in quarter 3 of 2026, compared to quarter 1 of 2026 as stated in the previous DPS. The change is associated with factors outside the control of the Council, including delays to NPF4, the implementation of the Planning (Scotland) Act 2019 and the impact of the Coronavirus pandemic in 2020.

5.1.4 Were DPS engagement/consultation commitments met during the year?

Substantial progress was made on almost all these actions during 2021/22. Where they were not this was due to new obligations from the Planning (Scotland) Act 2019 and NPF4 being delayed. The following engagement and consultation activities were undertaken:

- Publishing then distributing the DPS to libraries and Community Councils, with it providing 'have your say' opportunities and specifying how to get in contact;
- The interim RSS for Edinburgh and South East Scotland City Region was submitted to the Scottish Government for consideration;
- Working with the Midlothian Climate Emergency Community Planning Group on ideas for placing the Climate Emergency as the central theme of LDP2;
- Engaging with Council colleagues, such as Active Travel and Economic Development, on particular issues that LDP2 should focus on;
- Updating the visually intuitive and accessible online maps for both the Housing and Employment Land Audits;
- Contributing to the Scottish Government's 'Transforming Planning' process and NPF4;
- Publishing an updated Action Programme;
- A presentation to and question & answer session with the Federation of Community Councils on the LDP process and Planning (Scotland) Act 2019 changes to it; and
- Continuing to respond to enquiries from both the public and developers received to the LDP mailbox.

5 Appendices

Effective land supply and delivery of outputs	2021/22[1]	2020/21[2]
Established housing land supply	13,494 units	13,072 units
Five-year effective housing land supply programming	4,020 units	5,496 units
Five-year effective housing land supply total capacity	8,226 units	8,693 units
Five-year housing supply target	3,948 units[3]	4,102 units
Five-year effective housing land supply	5.1 years	6.7 years
Housing approvals[4]	1,549 units	965 units
Housing completions over the last five years	3,267 units	3,125 units
Marketable employment land supply[5]	239.1ha	228.8ha
Employment land take-up during the reporting year[6]	2.0 ha	0.1ha

Notes:
- [1] Figures are based on the draft 2022 Housing Land Audit.
- [2] Figures are based on the finalised 2020 Housing Land Audit.
- [3] Due to SDP2 being refused by Scottish Ministers, the relevant housing supply target is set in SDP1. This, however, only provides a Midlothian-specific target for the next two years (882 units per annum until 2023/24) while its target for 2024 – 2032 is not distributed amongst SESplan Councils. The figure calculated here is based on the assumption that the 2024 – 2032 target is distributed using the same share as SDP1's earlier housing targets, which cover 2009 – 2019 and 2019 – 2024.
- [4] The figure quoted here includes units consented from *all* applications. It therefore includes detailed planning consents for sites already with approval in principle, and amendment applications for sites already with consent. This can lead to double-counting between years. For example, a consent was issued in 2021/22 for 88 units at site Hs2 in Eskbank. This was an amendment to a consent for 84 units that was counted in a previous PPF reporting year. This is approach is used as it is the most literal interpretation of yearly 'housing approvals' - the PPF Guidance Notes do not specify a methodology for calculating this number.
- [5] This figure is the combined total of net vacant immediately available employment land and net vacant employment land with minor constraints. It is taken from the updated Employment Land Audit published in March 2022, which recalculated the land supply.
- [6] This figure only includes take-up due to construction starting and not applications approved during the year, or development of existing premises and that within their curtilage. It can therefore mask the true extent of economic activity.

5 Appendices

5.2 - National Headline Indicators for Development Management

Project planning	2021/22		2020/21	
	No. of applications	% of applications	No. of applications	% of applications
Applications subject to pre-application advice	55	9.4	48	6.7
Major applications subject to processing agreements	4	50.0	6	46.1

Decision-making	% of applications	
	2021/22	2020/21
Application approval rate	92.2	90.8
Delegated rate	99.0	98.4
Validation	91.8	93.1

Decision-making timescales	No. of weeks to decision	
	2021/22	2020/21
Major developments	44.6	94.9
Local developments (non-householder)	10.5	10.6
Householder developments	8.2	7.1

Legacy cases	No. of applications	
	2021/22	2020/21
Number cleared during reporting period	2	3
Number remaining	9	13

Enforcement activity	No. of cases	
	2021/22	2020/21
Complaints lodged and investigated	95	126
Potential breaches identified – no need for further action	121	76
Cases closed	176	80
Notices served	22	2
Direct action	0	0
Reports to Procurator Fiscal	0	0
Prosecutions	0	0

5.2.1 Time since enforcement charter was published/reviewed: 15 months. The enforcement charter was reviewed during the previous PPF reporting year by the Lead Officer of the Major Developments & Enforcement Section, with updates being made where appropriate to ensure that it remains fit for purpose. Its cover, as displayed on the Council web page (link in section 5.6) has not been updated, however the document itself has been.

5 Appendices

5.3 - Scottish Government Official Statistics

Type of development	2021/22		2020/21	
	No. of applications	Average timescale (weeks)	No. of applications	Average timescale (weeks)
Major developments	8	44.6	5	94.9
Local developments (non-householder, less than 2 months)	69	7.4	55	7.0
Local developments (non-householder, more than 2 months)	37	16.2	35	16.2
Local developments (householder, less than 2 months)	258	7.0	257	6.7
Local developments (householder, more than 2 months)	24	11.5	59	13.9
Housing (major)	4	49.9	4	111.2
Housing (local, less than 2 months)	4	8.1	11	7.3
Housing (local, more than 2 months)	10	24.6	12	21.6
Business & industry (major)	0	0	0	0.0
Business & industry (local, less than 2 months)	0	0	5	5.9
Business & industry (local, more than 2 months)	0	0	2	8.3
EIA developments	0	0	0	0
Other consents	69	10.2	42	7.3
Planning/legal agreements (major)	4	35.1	3	88.3
Planning/legal agreements (local)	10	31.6	5	31.3

5 Appendices

	Total no. of decisions	Original decision upheld			
		2021/22		2020/21	
		No. of decisions	% of decisions	No. of decisions	% of decisions
Local reviews	13	5	38.5	1	6.7
Appeals to Scottish Ministers	3	1	33.3	0	0

5.4 - Case Study Checklist Table

Case study topic	Relevant section(s) of report
Design	
Climate change	
Conservation	Section 2.3, section 2.6
Biodiversity	
Regeneration	Section 2.6
Environment	
Greenspace	
Town centres	Section 2.6
Masterplanning	
LDP & Supplementary Guidance	Section 2.3
Housing supply	
Affordable housing	
Economic development	
Enforcement	
Development management processes	
Planning applications	Section 2.5

Case study topic	Relevant section(s) of report
Interdisciplinary working	
Collaborative working	
Community engagement	
Placemaking	
Design workshops / charrettes	
Place standard	
Performance monitoring	
Process improvement	
Project management	
Skills sharing	
Staff training	
Online systems	Section 2.4
Data and information	
Digital practice	
Transport	

Note: there is no requirement for Councils to cover all the topics listed in the table above.

5 Appendices

5.5 - Performance Marker Map

5.5.1   National oversight of the performance of the Scottish Planning System is taken by a High Level Group, chaired by a Scottish Government Minister. It agreed a set of 'Performance Markers' in 2013 which allow the Scottish Government a consistent basis on which to consider performance. These markers are listed below alongside directions as to where they are discussed in this document.

Performance marker	Relevant parts of report*
1	Sections 5.2 and 5.3
2	Section 3.2 Paragraph 3.6.8
3	Section 3.4 Section 3.3 Section 3.6 Section 2.5 Section 2.6
4	Paragraphs 3.6.1 to 3.6.3 Section 5.3
5	Paragraph 5.2.1
6	Section 4.5 Section 4.4, especially paragraph 4.4.1 and its bullet points Section 4.2
7	Section 5.1 Paragraph 3.7.1
8	Paragraphs 3.7.9 to 3.7.15 Section 5.1

Performance marker	Relevant parts of report*
9	Paragraphs 3.7.1 to 3.7.8 Paragraph 5.1.4 and bullet points Section 2.3 Section 2.4
10	Marker no longer applicable – gap kept for data continuity
11	Paragraphs 3.7.16 to 3.7.18 Section 2.3 Section 3.3
12	Paragraph 4.4.2 and table Paragraph 2.5.8 Paragraph 4.5.11 Paragraph 4.5.13 Paragraph 5.1.4 and bullet points
13	Paragraph 4.4.3 and bullet points Paragraph 2.4.3 Paragraph 3.7.18 and bullet points
14	Section 5.2 Paragraph 3.6.2
15	Paragraphs 3.6.4 to 3.6.11 Paragraphs 3.2.1 and 3.2.2 Paragraph 3.4.3

* listed for each marker in approximate order of relevance.

5.6 - Supporting Evidence

5.6.1   There has been input from across Midlothian's Planning Team in compiling this report. Lead Officers were contacted to provide possible service improvements for 2022/23 and progress updates on those from the previous PPF report. They also provided guidance on notable projects for inclusion this year, which the staff member responsible for producing the report itself wrote up.

5 Appendices

5.6.2   Other staff were contacted to provide input that related to their specific roles. For example the Duty Planner for section 3.3, the E-Planning Officer for the statistics in section 5 and the relevant Planning Officer for information relating to the DPS and progress on the next LDP. Additional information, particularly that in section 2, was recorded throughout the year during reviews of the weekly lists of applications that the department received. Staff calendars were reviewed to compile a list of training events that were attended throughout the year as well as examples of working with other services in Midlothian Council and other councils in Scotland. The Planning Manager reviewed the report prior to submission and previously raised it during Lead Officer's group meetings to generate thoughts as to its content.

5.6.3   The following web links were used during the production of this report and are considered as supporting evidence.

- Midlothian Council Planning and Building Homepage

- Planning Applications

- Conservation

- Development Plans and Policies

- MLDP Proposals Map

- Planning and Building Standards Portal

- Processing Agreements

- Planning Committee

- Local Review Body

- Pre-Application Advice

- Planning Application Checklists

- Various Downloadable Documents on Planning Applications

- Supplementary Guidance

- Midlothian Council's Planning Performance Framework Reports

- Enforcement Charter

All photographs included in this report were taken by Midlothian Council except where noted.

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如有需要我們樂意提供翻譯本，和其他版本的資訊與刊物，包括盲人點字、錄音帶或大字體。

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ਅਸੀਂ ਸੰਗ ਕਰਨ ਤੇ ਖੁਸ਼ੀ ਨਾਲ ਅਨੁਵਾਦ ਅਤੇ ਜਾਣਕਾਰੀ ਤੇ ਹੋਰ ਰੂਪਾਂ ਵਿੱਚ ਪ੍ਰਕਾਸ਼ਨ ਪ੍ਰਦਾਨ ਕਰਾਂਗੇ, ਜਿਨ੍ਹਾਂ ਵਿੱਚ ਬਰੇਲ, ਟੇਪ ਜਾਂ ਵੱਡੀ ਛਪਾਈ ਸ਼ਾਮਲ ਹਨ।

Körler icin kabartma yazilar, kaset ve büyük nüshalar da dahil olmak üzere, istenilen bilgileri saglamak ve tercüme etmekten memnuniyet duyariz.

اگر آپ چاہیں تو ہم خوشی سے آپ کوتر جمہ فراہم کر سکتے ہیں اور معلومات اور دستاویزات دیگر شکلوں میں مثلاً بریل (نابینا افراد کے لیے ابھرے ہوئے حروف کی لکھائی) میں، ٹیپ پر یا بڑے حر،ف کی لکھائی میں فراہم کر سکتے ہیں۔