



DEVELOPMENT PLAN SCHEME FOR MIDLOTHIAN - NUMBER 16

Report By Chief Officer Place

1 PURPOSE OF REPORT

- 1.1 This report seeks approval for the Development Plan Scheme for Midlothian number 16 (DPS16).

2 BACKGROUND

- 2.1 Preparation of the Development Plan Scheme (DPS) is a statutory requirement. Each year local planning authorities are required to prepare, publish and submit a DPS to Scottish Ministers setting out their intentions with respect to reviewing the development plan for their area over the coming 12 months.

3 DEVELOPMENT PLAN SCHEME FOR MIDLOTHIAN

- 3.1 The DPS contains the programme for the production of Midlothian Local Development Plan no. 2 (MLDP2) and a Participation Statement indicating the nature, extent and timing of public consultation that will be undertaken as part of its (MLDP2's) production.
- 3.2 A new requirement of the PSA19 is to carry out formal consultation on Participation Statements. Accordingly, a public engagement exercise was carried out in March 2024 on a draft DPS16 and its Participation Statement. All Midlothian community councils and persons and organisations who have already registered an interest in MLDP2 were sent a consultation draft of DPS16. The draft was also publicised through the Council's website, Council social media and was also available in all Midlothian Council libraries. The engagement questions set out in the DPS16 will remain open throughout the year and any further comments received can be considered as part of the preparation of DPS17 in 2025.
- 3.3 The comments received, and the proposed responses in respect of each comment is attached to this report as Appendix A. A total of 23 individuals and organisations made comment. Some of the comments received sought the addition of particular groups to the Council's list of consultees for MLDP2 and in response the Council will seek to expand the range of organisations it engages with. Concern was also raised with regard the treatment of those communities which do not have/will

not have a Local Place Plan (LPP). An amendment to the draft DPS16 accompanying this report was made to reflect that point – in response it is important to note Midlothian Council has Planning and place-making responsibilities for the whole county, including those areas not covered by a LPP, and its responsibilities in this regard is not diminished by the absence of a LPP.

- 3.4 If Committee approves DPS16, the Council is required to publish it (including electronically), place it in Midlothian Council libraries and send it to Scottish Ministers (for information only, not for approval).
- 3.5 Key elements of the DPS16 programme and Participation Statement include:
- a revised timetable which reflects additional time taken to prepare the Evidence Report for MLDP2;
 - three important future engagement opportunities: the Call for Ideas in the Summer of 2024, engagement during the preparation of the MLDP2 Proposed Plan between November 2024 and July 2025, and a formal period to make representations when the MLDP2 Proposed Plan is published in July 2025; and
 - the timetabled adoption of MLDP2 in December 2026.
- 3.6 The system of development planning introduced by the PSA19 envisages local development plans being updated every 10 years and that they are adopted within five years of the approval of National Planning Framework no. 4 (NPF4) by the Scottish Government. NPF4 was approved by Scottish Ministers in February 2023 and therefore MLDP2 should be adopted no later than February 2028.
- 3.7 A copy of DPS16 as recommended for approval by the Committee is attached to this report.

4 RECOMMENDATION

- 4.1 It is recommended that the Committee:
- (a) approves the Development Plan Scheme for Midlothian number 16 (appended to this report);
 - (b) instructs the Planning, Sustainable Growth and Investment Manager to arrange for publication of the Development Plan Scheme for Midlothian number 16 on the Council's website, have copies placed in all Midlothian public libraries and has a copy submitted to Scottish Ministers for their information;
 - (c) authorises the Planning, Sustainable Growth and Investment Manager to make any necessary non-material changes to documents prior to publishing.

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Planning, Sustainable Growth and Investment Manager

Date: 19 April 2024

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Background Papers: a. Appendix A - Public Engagement Summary; and
b. the Development Plan Scheme for Midlothian
number 16

APPENDIX A

DPS16 Public Engagement Summary

A total of 23 individuals and organisations responded, raising multiple points which are summarised below.

Question: Do you have any views on our proposed timetable for MLDP2 (Midlothian Local Development Plan no. 2)?	
Summary of Consultation Point Raised	Midlothian Council Consideration of Matter Raised and Response
Concern from multiple respondents about the length of time the replacement plan is taking to prepare.	The timetable in DPS16 is challenging. It is a function of the different stages required under the Planning (Scotland) Act 2019 and also to allow reasonable time for engagement. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Considers that the timescale is ambitious and that more time to allow for slippage should be built in (for example through Evidence Report being sent back at Gate Check by DPEA).	The timetable is challenging, but in the Council's view achievable, a future DPS may consider the timetable again in the case of any slippage. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Considers that timetable should be structured to have input at the early stage when most effective.	Evidence Report preparation and engagement is an attempt to do this, so that this input is included in the evidence base at the earliest stage. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Support for the Council approach in respect of outstanding Supplementary Guidance for adopted LDP.	Noted. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
A Green Belt review should be undertaken at the Evidence Report stage. Land not meeting green belt objectives should be released.	The Evidence Report will contain a chapter on Green Belt matters. The Council did not consider it appropriate or proportionate to undertake a full Green Belt review at Evidence Report stage. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.

Resident's views seem to take second place to lobby groups and are only sought at late stage in timetable.	The Council has sought resident's views at the start of the MLDP2 process (preparation of the Evidence Report). There will be further opportunities for residents to get involved. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Question: Do you have any views on our proposed Participation Statement in and engagement activities?	
Summary of Consultation Point Raised	Midlothian Council Consideration of Matter Raised and Response
Use of social media considered essential. Noted that some communities have multiple Facebook sites representing them.	Noted. The Council will seek to use social media to reach different groups during preparation of MLDP2. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Specific mention made of role of Roslin Community Council and Roslin Development Trust in putting together definitive list of Facebook groups.	When communicating with Community Councils, the Council will encourage them to forward material on to other community organisations that they are aware of to raise the profile of the engagement, but does not consider that a text change to this effect is required in the DPS. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Specific request to add Roslin Development Trust to list of consultees for engagement.	Noted. The Council shall seek to add the Roslin Development Trust to its list of contacts. No textual change to DPS16 is considered necessary on this matter. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
In relation to Local Place Plans, noted that beyond Community Councils there are other constituted community development agencies in Midlothian with development plans of their own. Recommended that these groups are consulted and offered an opportunity to input into place plans and LDP.	The Council will seek to identify and engage with other community groups in MLDP2 production. No textual change to DPS16 is considered necessary on this matter. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Seeks initial veto for community groups on any new sites for commercial or housing use, especially where there are concerns about existing infrastructure and services.	The Council will weigh evidence in relation to allocating new sites, including community concerns and the condition of infrastructure and services, but has concerns that a

	community veto proposed could make delivery of the local housing land requirement and development strategy of MLDP2 difficult to achieve. The Proposed Plan will require to be approved by Midlothian Council. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Council should make early contact to get input from local community and interest groups, particularly those that use the path, tracks, countryside and green spaces (Spokes, Ramblers, Horse Riders Midlothian cited).	Noted. The Council shall seek to add the listed groups to its list of contacts, and other identified groups. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Use of plain English vital in documents.	Noted. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Important to hold in-person events in Evenings and weekends as well as mid-week so that those without full-time jobs can attend.	Noted. The Council will take this into account in undertaking engagement for MLDP2. The Council has held in person events as part of producing the Evidence Report for MLDP2. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Concerns about democratic deficit where there is not a Local Place Plan or in cases where community councils are less engaged than others, and how residents of these places will have their views considered prior to issuance of a draft LDP.	Noted. There will be opportunities for individuals and groups to make their views known at further stages throughout the MLDP2 production process (as there was for the Evidence Report). An LPP is a way for a community to articulate proposals for the development and use of land and for that to be taken into account in the preparation of a local development plan. The Council acknowledges the point made. The Council will be engaging with all community councils in MLDP2 production. A text change highlighting this matter is proposed for adding to DPS16. CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
One respondent was not clear if developers and landowners were consulted in the process.	Representative bodies of developers and landowners were consulted on the draft DPS16 and engaged in the MLDP2 Evidence Report preparation. They will be

	engaged throughout the production of MLDP2. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
One respondent content with what is proposed as long as the Council listen and act on relevant ideas.	Noted. The Council will collect views and ideas, and weigh evidence before preparing the MLDP2 Proposed Plan. There are likely to be some disputes arising through this process, which will be heard by independent Planning Reporters at an Examination of the MLDP2 Proposed Plan. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
One respondent considers that the Council should not make decisions on MLDP2 until the Local Access Forum is re-instated.	Having an out-of-date development plan is not in the best interests of Midlothian, The Council considers that on balance it is better to proceed with replacement of the 2017 MLDP, irrespective of the status of the Local Access Forum. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Concerns about how to engage those people who do not access local community groups on social media.	In addition to social media, the Council will use other methods of engagement, as set out in the Participation Statement, including in person events. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Concerns that while Participation Statement looks inclusive, not certain that local people's views will be considered when decisions are made.	The Council will consider all views, but will have to weigh sometimes conflicting needs, so in some cases not every participant will get the outcome they sought. Disputes arising through the process can be heard by independent Scottish Government planning Reporters into a possible Examination into unresolved objections to the MLDP2 Proposed Plan. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Support for 'Call for Ideas' stage.	Noted. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.

More detail would be welcomed regarding engagement of key stakeholders, particularly post Gate Check.	The Council is developing its programme of activities for the next phase of the MLDP2 programme, the 'Call of Ideas', but is unable to give any further detail at this time. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Homes for Scotland considers that it should be identified as a defined home builder representative.	Homes for Scotland role as representative of the builders of the majority of Scotland's new homes is noted. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Homes for Scotland consider that establishing a deliverable housing land pipeline as part of the MLDP2 Proposed Plan is critical to ensuring that the next local development plan is able to deliver the range and quantum of new homes required – wishes to assist the Council in allocating, and de-allocating (where appropriate) future housing sites.	Noted. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Concern that individuals input is not limited into process, and that people not on a Community Council can still be heard. Important that residents have full input throughout the process and not a secondary one once shaped by 'lobby groups'.	There will be opportunities for individuals to make their views known at further stages throughout the MLDP2 production process (as there was for the Evidence Report). Community engagement is not limited to those in community councils. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Question: Do you have any other views on draft Development Plan Scheme 16?	
Summary of Consultation Point Raised	Midlothian Council Consideration of Matter Raised and Response
Considers that engagement with relevant regional enterprise agencies (Scottish Enterprise and adjacent South of Scotland Enterprise) should take place to ensure coordination with regional economic strategies and to enable provision of cross boundary and regionally significant infrastructure (such as transport energy/distribution networks). Considers that there is cross over and of interests between these enterprise agencies in terms of city and region deals (ESES city deal and Borderland IGD) with relevance to the LDP.	Scottish Enterprise is a consultee and been engaged by the Council during MLDP2 Evidence Report production. The Council has not sought engagement with South of Scotland Enterprise, but will seek to add this organisation to the contact list in case there are cross-boundary issues of concern. Scottish Enterprise are the agency with responsibility for covering the Midlothian area. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.

Widespread consultation necessary to have honest planning system in Midlothian.	Council is seeking a wide consultation across Midlothian through MLDP2 production. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Considers that planning service has very fixed views on what is and is not allowed, concern that local input may not be taken into account.	MLDP2 is an opportunity to change planning policy (within confines of national planning regulations and NPF4). Local input will help to shape MLDP2. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Local views should be given precedence over the planning laws currently in place. Considers that planning system/Midlothian struggling to keep pace with changes.	Planning law is determined nationally, but MLDP2 is an opportunity to change and influence how planning policy operates in Midlothian. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Homes for Scotland consider establishing a Site Assessment Methodology will require engagement with them and their members. Consider it vital that every site that is allocated, is delivered within the MLDP2 plan period. Failing to ensure a robust assessment methodology to measure these prospective sites will weaken MLDP2's capacity to deliver the new homes required.	Noted. Dialogue has taken place on the Site Selection Methodology with Housing stakeholders, including with Homes for Scotland amongst others. The Site Selection Methodology will be submitted as part of the Evidence Report to Gate Check to Scottish Ministers for consideration by an appointed Scottish Government planning Reporter. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Homes for Scotland consider adapting the Housing Need and Demand Assessment (HNDA) figure into a Local Housing Land Requirement (LHLR) figure will require significant ongoing engagement with them and their membership. Considers there must be open and transparent dialogue on setting the LHLR, including which other factors should be considered in order that the LHLR exceeds the Minimum All-Tenure Housing Land Requirement (MATHLR) identified in NPF4 for Midlothian.	Noted. Dialogue has taken place on a Midlothian's LHLR with Housing stakeholders, including with Homes for Scotland amongst others. The approach to setting the LHLR will be summarised in the Evidence Report submitted for Gate Check. The indicative LHLR for Midlothian will be determined by Midlothian Council at its 25 June 2024 full Council meeting, and subject to Gate Check thereafter. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Homes for Scotland considers the current HNDA process and toolkit are fundamentally flawed and underestimate the true need and demand for housing.	The comments on the HNDA are noted. These will be matters to be considered further at Gate Check by the Scottish Government Reporter.

Consider that the use of past trends carries the risk of subsuming negative trends. Need to include primary research to identify actual household groups in need and analysis of existing housing stock in terms of its energy efficiency and quality. The HNDA should also undertake research on affordability pressures, ambitions for demographic change, and economic growth. Homes for Scotland would support any primary research that a planning authority may wish to undertake and would expect significant weight be given to any external primary research that is carried out.	NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Considers there is no local functioning Access Officer to ensure equal treatment for all interest groups in preparing development plans for the countryside.	The Council has a Land and Countryside service, and internal consultation on relevant parts of the Evidence Report has taken place. Suggestions for additional countryside or outdoor recreation orientated groups to be added to the consultation lists are considered above. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Be clear and use maps when providing information about site options.	The Council expects MLDP2 (including the Proposed Plan and other materials on the spatial strategy) to be map based. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
Listen to locals don't just undertake consultation as a tick box exercise.	The Council will assess all of the responses professionally, weigh evidence, and come to conclusions – it will not treat consultation as a tick box exercise. NO CHANGE TO CONSULTATION DRAFT DPS16 PROPOSED.
DPS16 Engagement Process	
Summary of Consultation Point Raised	Midlothian Council Consideration of Matter Raised
Some concern expressed that the DPS16 consultation itself was not circulated widely enough, one respondent considering that every household in Midlothian should have been contacted.	Consultation on the DPS before it is adopted is a new initiative and extends the degree of engagement offered (the engagement remains open all year for further comments to be lodged, which can be taken into account in a future DPS. The DPS is not the plan itself, and the Council

	considers that its approach has been proportionate.
Other points raised not directly related to DPS16	
Summary of Consultation Point Raised	Midlothian Council Consideration of Matter Raised
Considers that planning should take more positive view on allowing spaces for jobs and business. Concern that new housing looks very similar with very few employment opportunities.	Noted. This will be a matter for MLDP2, similar views have been raised in the Evidence Report engagement.
Wishes to point out socio-economic benefits of home building.	Noted.
Several respondents refer to the strains caused by new house building, with reference to capacity of roads, the health system and schools.	Noted. This will be a matter for MLDP2, similar views have been raised in the Evidence Report engagement.
Concern at house builders completing obligations on new sites.	Noted, but this is not a DPS16 matter.
Desire for housebuilders to provide range of house types of properties, allowing people to downsize and remain in their own homes longer.	Noted. This will be a matter for MLDP2, similar views have been raised in the Evidence Report engagement.
Concern at future of Beeslack High School buildings and site when new high school opens, particularly for residents who live on grounds. Noted that site is conservation land and was originally gifted by owners of Aaron House for education, sport and leisure purposes.	Noted. This will be a matter for MLDP2. New style local development plans will be much more 'place focussed' documents and the future of the existing Beeslack campus will be considered through MLDP2.
Infrastructure should be in place before building commences.	Noted. This will be a matter for MLDP2, similar views have been raised in the Evidence Report engagement.
Better bus links needed, more infrastructure and schools provision particularly for new houses.	Noted. This will be a matter for MLDP2, similar views have been raised in the Evidence Report engagement.
Brownfield sites should be considered before building on greenbelt.	Noted. This will be a matter for MLDP2. The proposed housing site selection methodology considers brownfield/greenfield through its assessment criteria.
The greenbelt and woodlands help combat climate change and are necessary for wildlife.	Noted, green belt and woodland are both matters addressed in the Evidence Report

	and will be considered further in MLDP2 spatial strategy.
Council should incentivise developments for brownfield and conversion that provide social, affordable and mid-market housing, not large unaffordable properties on greenfield sites. The way out of the housing crisis is to increase supply whilst mitigating harm.	Noted. These will be matters for MLDP2, similar views have been raised in the Evidence Report engagement.
Concern that there are no concrete plans for a High School at Gorebridge, and at transport links to current provision.	The need for the Gorebridge High School will be considered further in MLDP2, this will depend, among other things, on the level of committed development, the outcome of the sites review, and the quantity and location of new housing required to support a new high school.
Wishes Council to fix the roads.	Noted, but not a matter for DPS16.
Consider that residents should have more say in the planning proposals before communities coalesce into each other.	Noted. Coalescence will be a matter to be considered in MLDP2.
Concern at sewage treatment for the new estates at Hopefield and Cockpen.	Noted. Water and sewage infrastructure will be a matter to be considered in MLDP2.
Considers residents of Midlothian are considered as secondary to the needs of Edinburgh City Council and the desire to develop Midlothian into a dormitory town. Services are being cut despite increasing population. The countryside is disappearing and building is being allowed on prime agricultural land with wildlife habitats being destroyed or adversely affected.	Noted. These will be matters for MLDP2, similar views have been raised in the Evidence Report engagement.
Scottish Coalmining Preservation Society wish to progress proposals relating to the National Mining Museum, wider environs and opencast coal extraction.	Noted, the MLDP2 preparation process includes a Call for Ideas stage where new proposals can be put to the Council.



Development Plan Scheme 16

April 2024

Midlothian Local Development Plan 2



Midlothian



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Development Plan Scheme 16

What is a Development Plan Scheme?

1. This is the Development Plan Scheme Number 16 (DPS16) for Midlothian. The DPS sets out Midlothian Council's programme for preparing the next Midlothian Local Development Plan (MLDP2). The DPS also includes a Participation Statement, which outlines future engagement on MLDP2.
2. The Development Plan Scheme was subject to engagement before it was approved by Midlothian Council. The Council still wishes to receive further comments and views on the DPS, including the Participation Statement and planned engagement activities. See the 'HAVE YOUR SAY' section on page 10 for further information on how to get involved. Comments received will be considered during MLDP2 preparation in the coming year and, where relevant, in production of DPS17 in 2025.

What is the Midlothian Development Plan?

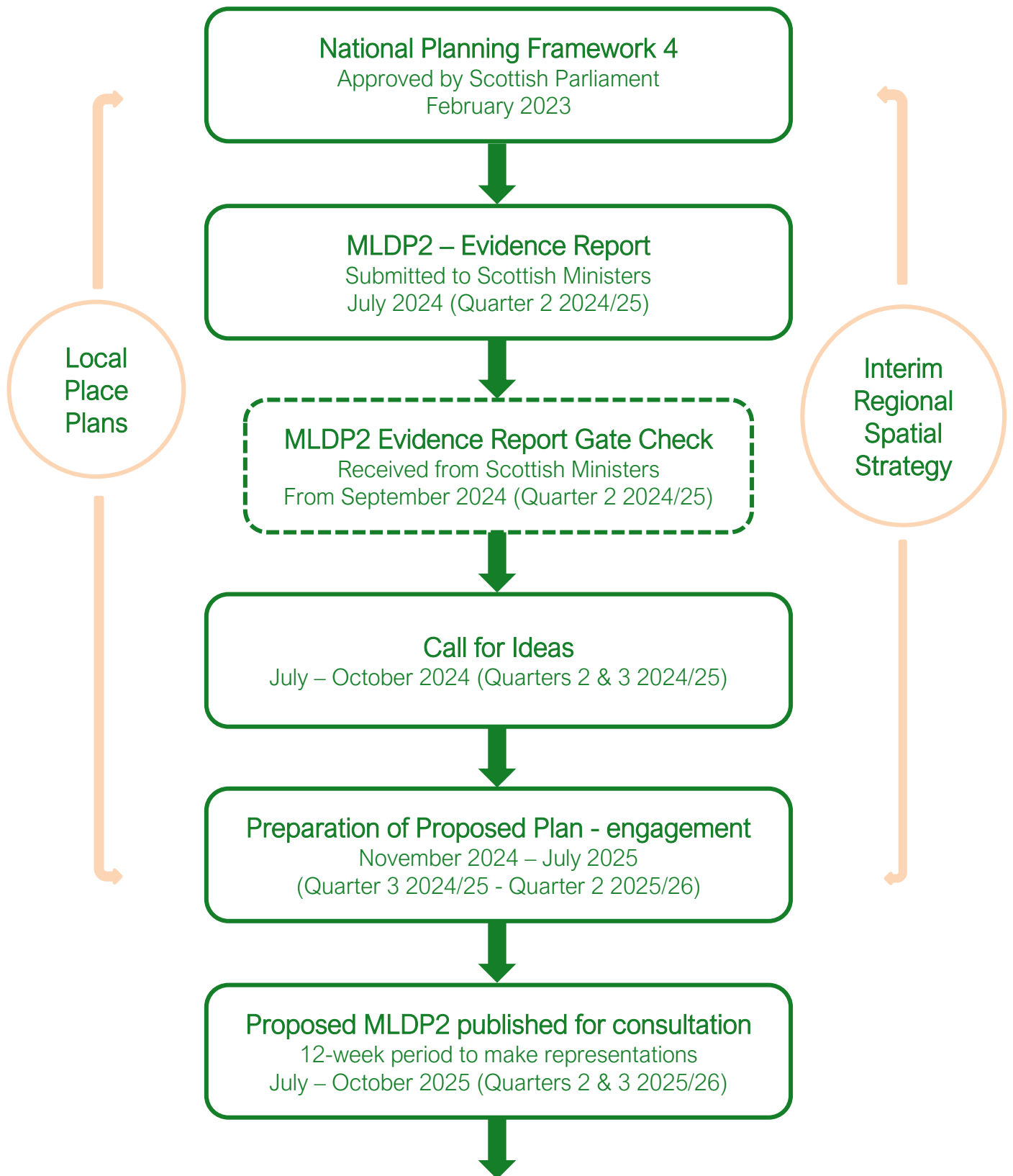
3. The approved development plan for Midlothian is the [National Planning Framework for Scotland 4 \(NPF4\)](#) and the [Midlothian Local Development Plan 2017 \(MLDP 2017\)](#). Copies of MLDP 2017 can also be viewed at any Midlothian Council Library. Development Plans allocate land for development, contain policies for assessing applications for planning permission and guide the future development of the area.
4. Approved Supplementary Guidance forms part of the Local Development Plan and is available to view [here](#). Midlothian Council does not intend bringing forward further Supplementary Guidance to help inform implementation of MLDP 2017. The Council will reflect on how the existing guidance will be taken forward through MLDP2.

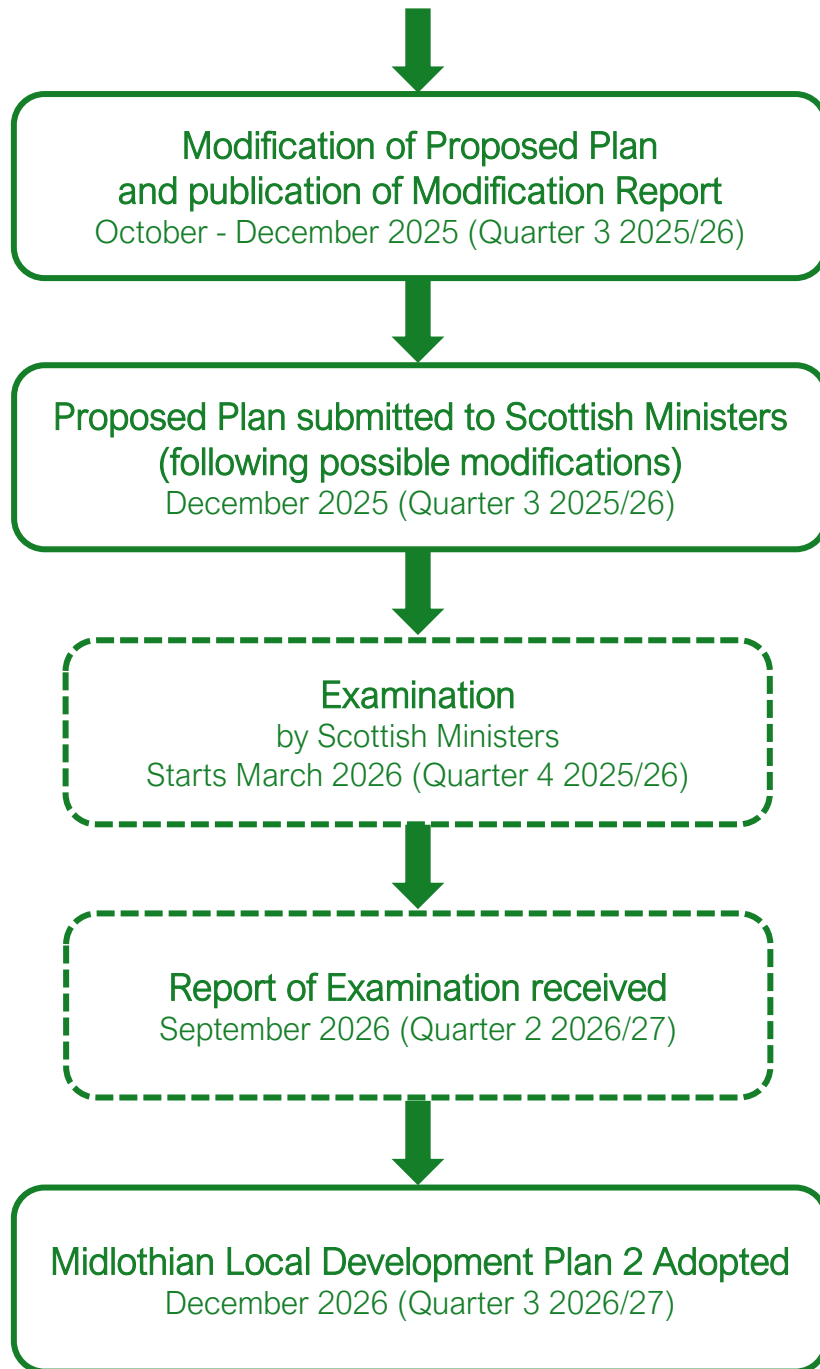
Changes in Timetable Since DPS15

5. The date for submission of the Evidence Report for "Gate Check" has been put back from January 2024 (the date identified in DPS15) to July 2024. This is because it has taken the Council longer than envisaged to engage with interested parties and gather, weigh and present evidence. The Gate Check process is undertaken by the Scottish Government Planning and Environmental Appeals Division (DPEA). The process is intended to check if a planning authority, Midlothian Council in this instance, has collected sufficient information on which to base preparation of its next local development plan.
6. The target date for completion of the Evidence Report following the Gate Check process has been put back to September 2024. DPS16 also identifies time for a 'Call for Ideas' exercise and further engagement as part of preparation of MLDP2. The publication of the Proposed Plan for public consultation has been put back 4 months to July 2025, with a 12-week period until the start of October 2025 to make representations. It is still intended to adopt MLDP2 in December 2026.



Midlothian Local Development Plan 2 Timetable





What is involved at each stage of preparation?

7. Evidence Report Preparation: The purpose of this stage is to gather the evidence required to prepare the plan. In preparing the Evidence Report, Midlothian Council has sought views from the public, Community Councils, children and young people, disabled people, and gypsies & travellers and other stakeholders. Site specific matters should not be included. Although the focus is on evidence, the Evidence Report is required to make an important decision for MLDP2, by setting out the Local Housing Land Requirement (LHLR) for the area. Work has been done to help identify an LHLR for MLDP2.
8. Evidence Report Gate Check: The purpose of the Gate Check is to consider and determine whether the Council has collected sufficient evidence and information to prepare MLDP2. The Gate Check is carried out by appointed Reporter(s) from the Scottish Government's Planning and Environmental Appeals Division (DPEA). It will focus on areas where Evidence is disputed.
9. Call for Ideas: The Council will carry out a 'Call for Ideas' open to everyone to propose ideas for any aspect of the plan, including potential development sites. To ensure that the MLDP is adopted as programmed it is proposed to commence the 'Call for Ideas' while the Gate Check is underway.
10. Proposed Plan Preparation: The Proposed Plan will include a development strategy, planning policies, and identify allocations of land for development. It will differ in content and style from the adopted MLDP 2017. Reforms to the Planning system mean that MLDP2 should not replicate policies in NPF4 and focus more on local circumstances where appropriate. Supplementary Guidance can no longer be produced. Therefore, decisions will be required on what goes in MLDP2 itself, and what might go into planning guidance. MLDP2 will be a more visual and map-based document and contain greater information on what is likely to happen at particular sites and localities.
11. To prepare the Proposed Plan, information from the Evidence Report, Local Place Plans and the Call for Ideas will be used. The Council will use these to develop a spatial strategy and set out some key policy approaches. There will be further engagement on the spatial strategy and other emerging elements of the Proposed Plan, in advance of its publication for representations. This is detailed further in the Participation Statement.
12. Proposed Plan Publication: Approval will be sought from the full Council, to publish the Proposed Plan and to commence a 12-week period to lodge representations on the document. This is identified in the timetable of this DPS16. The Council will undertake wide publicity for this publication as well as notifying persons who have indicated an interest in the MLDP.
13. Potential Modification of Proposed Plan: On consideration of received representations, the Council may decide that there is a case for modifying the Proposed Plan. In this case a Modification Report will be prepared setting out modifications made and the reasons for making them.
14. Submission of Proposed Plan to Scottish Ministers: Where there are representations not resolved, the Council will request that the Ministers appoint a person to examine the Proposed Plan and these unresolved representations.
15. Examination: The Examination is the opportunity for independent consideration (by a Scottish Government appointed DPEA Reporter) of any issues raised during the formal consultation on the Proposed Plan that have not been resolved through modifications. The format of the Examination is unknown. It may vary to that which was in place for MLDP 2017, which included a hearing session



on one topic, with other matters considered through written submissions. As well as considering the contents of the Proposed Plan, the Reporters will consider whether the requirements of the Participation Statement have been met.

16. Adoption of MLDP2: On receiving the Examination Report, the planning authority are to make modifications to the Proposed Plan as recommended by the appointed Scottish Government Reporter(s). There are limited grounds for declining to make a modification. A report on the modifications will be prepared and advertised, and Scottish Ministers informed.

What has happened with MLDP2 over the last year?

17. Midlothian Council has been preparing its Evidence Report. Engagement was carried out in Summer and Autumn 2023 with Midlothian's communities and with stakeholders in specific subject areas to collect relevant information. Subject to approval at the meeting of Midlothian Council on 25 June 2024, the Evidence Report will be submitted to the DPEA at the Scottish Government for Gate Check.
18. Midlothian Council has established a list of individuals seeking self-build housing. This is housing where a person commissions or is personally involved in the design and construction of a dwelling that is intended to be the individual's main residence.
19. The Self-Build Housing Register may be found the Council's website and accessed through the following link.
https://www.midlothian.gov.uk/info/205/planning_policy/775/self-build_housing_register
20. Following the issue in March 2023 of an invitation to known community bodies to prepare Local Place Plans (LPP), Midlothian Council has assisted bodies in their production of the documents. This has been done through provision of an LPP 'starter pack' setting out information on LPPs, answering queries and requests, and attending meetings with community bodies on LPPs.

Programme for Impact Assessments to Support Preparation of MLDP2

21. A number of different assessments must be undertaken to support the preparation of MLDP2. These are:
 - Strategic Environmental Assessment.
 - Habitats Regulations Appraisal.
 - Equalities Impact Assessment.
 - Public Sector Equality Duty Assessment; and
 - Fairer Scotland Duty Assessment.
22. The Strategic Environmental Assessment (or SEA) of MLDP2 will look at policies or programmes and will seek to identify whether or not the policy or programme is likely to have significant environmental effects. The aim of the SEA process is to help avoid significant negative effects and maximise beneficial effects of the MLDP2.
23. A SEA scoping report and baseline environmental information will accompany the Evidence Report. The Scoping Report has been prepared in conjunction with the relevant Statutory Authorities, the SEA Gateway (SEPA, NatureScot and Historic Environment Scotland).



24. An Environmental Report (ER) will be prepared at MLDP2 Proposed Plan stage to review the policies and allocations of the Proposed Plan (including an assessment of reasonable alternatives to any proposed policies and allocations in the Proposed Plan). The ER will be published alongside the Proposed Plan for consultation. If the Council decide to make modifications to the Proposed Plan, the ER will be reviewed to assess the impact of the changes on the environment. The ER will be submitted to the DPEA alongside other relevant documents for any Examination into unresolved objections to the Proposed Plan. If modifications to the Proposed Plan are required, the ER will be revised.
25. A Habitats Regulations Assessment will be carried out at Proposed Plan stage once any development site allocations and policies are identified. This will involve screening to determine whether the Proposed Plan is likely to have significant effects on the defined habitat sites (i.e. identified protected European nature conservation sites). Where the potential for such effects cannot be excluded, an appropriate assessment of the implications will be carried out. This assessment will be revised if required depending on the nature of any modifications made to the plan.
26. The Equalities Impact Assessment, Public Sector Equality Duty Assessment and Fairer Scotland Duty Assessment will be considered by Midlothian Council under an approach known as Integrated Impact Assessment.
27. Scoping for the Integrated Impact Assessment (IIA) has taken place at Evidence Report stage. The assessment will be undertaken at the MLDP2 Proposed Plan stage when policies and allocations are known. The IIA will be revised to take into account any changes resulting from modifications to the Proposed Plan before and after the Examination of the Proposed Plan.

Local Place Plans

28. In March 2023, Midlothian Council issued an invitation to known Midlothian community bodies to prepare Local Place Plans. The Council has received eight draft LPPs. They are all from Midlothian community councils and are listed below:
 - Bonnyrigg and District Community Council
 - Damhead and District Community Council
 - Eskbank and Newbattle Community Council
 - Gorebridge Community Council
 - Mayfield and Easthouses Community Council
 - Newtongrange Community Council
 - Rosewell and District Community Council
 - Roslin and Bilston Community Council
29. These LPPs have been very helpful for informing production of the Evidence Report. The Council has timetabled taking LPPs to the 30 April 2024 Planning Committee with, where appropriate, recommendations for registering LPPs. The Council shall engage closely with Community Councils, and will seek to ensure that communities that do not have an LPP are fully engaged in the process.

Participation Statement

30. A Participation Statement sets out how, when and with whom the Council will consult and engage on when preparing its Development Plan. Prior to adoption of MLDP2, at the Examination stage of plan production, Reporters from the DPEA, appointed by Scottish Ministers, will review the Council's engagement activities to see that they match what the Council said it would do in the Participation Statement.
31. Engagement is at its most effective at the early stages of plan preparation. Within the framework of the new planning system, the Council will seek to maintain open channels of communication so that a wide range of ideas on policy can be exchanged in advance of publication of the Proposed Plan. Interested parties are and will continue to be encouraged to register an interest with the Council so they can be updated as the plan is developed.
32. As DPS16 was being prepared, the Council was finalising its Evidence Report for DPEA Gate Check. The next steps of MLDP2 preparation and how engagement will occur are listed below and further details are provided in the table.
- DPEA Gate Check of Midlothian Council Evidence Report.
 - Call for Ideas.
 - Engagement for preparation of Proposed Plan.
 - Publication of Proposed Plan.
 - Modification of Proposed Plan (if required).
 - Examination into unresolved objections (if required); and
 - Adoption of MLDP2 by Midlothian Council.

Table 1

Activity	What engagement activities do we plan?	Timescale
DPEA Gate Check of Midlothian Council Evidence Report	This is not a time of engagement, unless the appointed Scottish Government Reporter(s) requests the Council submits further information that would require the Council to contact other parties. The engagement would be targeted and not open to all parties.	July - September 2024 (Quarter 2 2024/2025)
Call for Ideas	We will prepare information to help stimulate ideas. Invitations to contribute will be sent to all registered interested parties. The Call for Ideas will be placed on the Council's website, in Council libraries and publicised through Council social media. The Planning Service will seek to identify other parties who may wish to contribute and extend invitations to contribute to them.	July - October 2024 (Quarters 2 and 3 2024/2025)

Engagement for preparation of Proposed Plan	Using the Evidence Report, Local Place Plans and information from the Call for Ideas, the Planning Service will prepare a spatial strategy and other early outlines of its Proposed Plan. This may also include reasonable alternatives as the content of the plan will still be emerging at this stage. Notification of the engagement activities will be sent to all registered interested parties. Engagement will occur with Children and Young People. The Planning Service will notify schools, youth Councils and youth parliament representatives and seek access to schools, colleges and youth clubs to discuss the emerging proposals in the Proposed Plan. The Planning Service will hold engagement events in the main communities in Midlothian. The Planning Service will seek to engage with identified communities of interest (for example the business community) and those identified in Planning legislation. The Planning Service will seek to engage with Midlothian Community Councils on the emerging Proposed Plan	November 2024 - July 2025 (Quarters 3 and 4 2024/25, 1 and 2 2025/26)
Publication of Proposed Plan	This will be a minimum 12-week period in which to lodge formal representations on the published Proposed Plan. This will be an opportunity to respond formally to the content of the Proposed Plan and the Strategic Environmental Assessment (SEA) Environmental Report. The Proposed Plan will be published on the Council's website, placed in Council libraries, the Council's main office, and publicised through Council social media channels. An advertisement will be placed in the local paper, the Midlothian Advertiser. Notification will be sent to registered interested parties, all Midlothian Community Councils and to Scottish Government identified Key Agencies, Scottish Ministers, adjoining planning authorities to the plan area, and the Green Action Trust.	July - October 2025 (Quarter 2 and 3 2025/26)

	The Planning Service will notify neighbours that may be significantly affected by development allocation proposals. The Planning Service will notify children and young people and representative organisations. The Planning Service will also seek to notify further and higher education establishments, parents and carers, and families with young children; disabled persons; and Gypsies & Travellers.	
Modification of Proposed Plan (if required)	Following the 12-week consultation period on the Proposed Plan, the Planning Service may modify the plan. This would be done through a Modification Report. There may be some degree of direct liaison with respondents to identify satisfactory changes and modifications that could be made to resolve their objections to the Proposed Plan. The Council will consider the degree of further engagement required depending on the scale of any modifications. If modifications are made, a Modification Report will be published setting out the modifications and the reasons for making them. There is no opportunity for engagement comment on the Modification Report once it is produced.	December 2025 (Quarter 3 2025/26)
Examination into unresolved objections to Proposed Plan	The form of the Examination will be led by the appointed DPEA Reporter but may include a hearing session. The Planning Service will advertise the Examination in a local newspaper, the Midlothian Advertiser, in Council libraries, and notification will be sent to registered interested parties who made representations to the Proposed Plan. The Reporter will publish an Examination Report, including recommendations for modifications to the proposed Local Development Plan. This will inform those who have made representations of how these have been addressed at Examination and about the recommended further modifications to the Proposed Plan. A Modification Report will be issued by the Council to inform communities and interested parties of the modifications made in response	Commencing March 2026 (Quarter 4 2025/26)

	to representations made on the Proposed Plan, or a Direction from Scottish Ministers on the content of the Proposed Plan.	
Adoption of MLDP2	The Planning Service will publish MLDP2 and associated documents, and place them on the Council's website, at libraries and at the Council's main office. It will be publicised through all Council social media channels and through an advertisement in the local paper, the Midlothian Advertiser.	December 2026 (Quarter 3 2026/27)

Have Your Say

33. Midlothian Council wishes to receive your comments and views on DPS16.

- A. Do you have any views on our proposed timetable for MLDP2?
- B. Do you have any views on our proposed Participation Statement and engagement activities?
- C. Do you have any other views on Development Plan Scheme 16?

Comments can be submitted to the Council to be taken into account in the next DPS in 2025 - DPS17. This can be done:

Online by completing our survey <https://midlothiancouncil.citizenspace.com/>

By email to ldp@midlothian.gov.uk

Or by writing to Midlothian Council, Planning Sustainable Growth and Investment Service, Fairfield House, 8 Lothian Road, Dalkeith, EH22 3AA.

Contact Us

34. If you have any questions about the Local Development Plan or this Development Plan Scheme, please get in touch.

by email to ldp@midlothian.gov.uk

or by writing to Midlothian Council, Planning Sustainable Growth and Investment Service, Fairfield House, 8 Lothian Road, Dalkeith, EH22 3AA.

Please provide us with an email contact address if you wish to be informed of future events and progress with Midlothian Local Development Plan 2.



COMMUNICATING CLEARLY

We are happy to translate on request and provide information and publications in other formats, including Braille, tape or large print.

اگر آپ ہم سے درخواست کریں، تو ہم آپ کو دیگر شکلوں میں معلومات اور مواد فراہم کر سکتے ہیں۔

Zapewnimy tłumaczenie na żądanie oraz dostarczymy informacje i publikacje w innych formatach, w tym Braillem, na kasie magnetofonowej lub dużym drukiem.

ਅਸੀਂ ਮੰਗ ਕਰਨ ਤੇ ਖੁਸ਼ੀ ਨਾਲ ਅਨੁਵਾਦ ਅਤੇ ਜਾਣਕਾਰੀ ਤੇ ਹੋਰ ਰੂਪ ਵਿੱਚ ਪੁਸ਼ਟਤਾ ਪ੍ਰਦਾਨ ਕਰਾਂਗੇ, ਜਿਨ੍ਹਾਂ ਵਿੱਚੋਂ ਬਰੈਲ, ਟੇਪ ਜਾਂ ਵੱਡੀ ਛਪਾਈ ਸ਼ਾਮਲ ਹਨ।

Körler için kabartma yazılar, kaset ve büyük nüshalar da dahil olmak üzere, istenilen bilgileri sağlamak ve tercüme etmekten memnuniyet duyuyoruz.

اگر آپ چاہیں تو ہم خوشی سے آپ کو ہر قسم کے مواد اور معلومات فراہم کر سکتے ہیں۔

اگر آپ ہم سے درخواست کریں، تو ہم آپ کو دیگر شکلوں میں معلومات اور مواد فراہم کر سکتے ہیں۔