



# Development Plan Scheme 17 DRAFT FOR CONSULTATION February 2025

Midlothian Local Development Plan 2



Midlothian



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# Development Plan Scheme 17 Draft

## What is a Development Plan Scheme?

1. This is the **consultative draft** Development Plan Scheme Number 17 (DPS17) for Midlothian. The DPS sets out Midlothian Council's programme for preparing the next Midlothian Local Development Plan (MLDP2) to replace the current Midlothian Local Development Plan adopted in 2017. The DPS also includes a Participation Statement, which outlines future engagement on MLDP2.
2. As required this draft DPS is being consulted upon prior to it being adopted by Midlothian Council. The Council wishes to receive your comments and views on this draft DPS17, particularly the Participation Statement and its planned engagement activities. See the 'HAVE YOUR SAY' section on page 10 for further information on how to get involved. Midlothian Council will review comments received and after approval by the Council will issue the final DPS17 later in Spring 2025. **Comments on this draft DPS17 should be submitted to the Council by the end of Friday 14 March 2025.** Comments received after this date will be considered during MLDP2 preparation in the coming year and, where relevant, in production of DPS18 in 2026. The Contact Us section of this DPS sets out how comments can be submitted to the Council.

## 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 Library. Development Plans allocate land for development, contain policies for assessing applications for planning permission and guide the future development of an 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 DPS16

5. The Evidence Report was submitted as programmed in DPS16 July 2024, and passed Gate Check in September 2024. The Call for Ideas was also carried out as timetabled, and completed in October 2024. The level of participation in the Call for Ideas was very high, reflecting the level of interest from stakeholders in MLDP2.
6. The publication date for the MLDP2 Proposed Plan for public consultation is now programmed for November 2025, as opposed to July 2025 identified in DPS16. This has been done to allow further time to consider the outcome of the Evidence Report Gate Check and material received during the Call for Ideas exercise. This causes the submission of the Proposed Plan (and modification report, if required) to Scottish Ministers for Examination to be delayed until October 2026. This timescale for



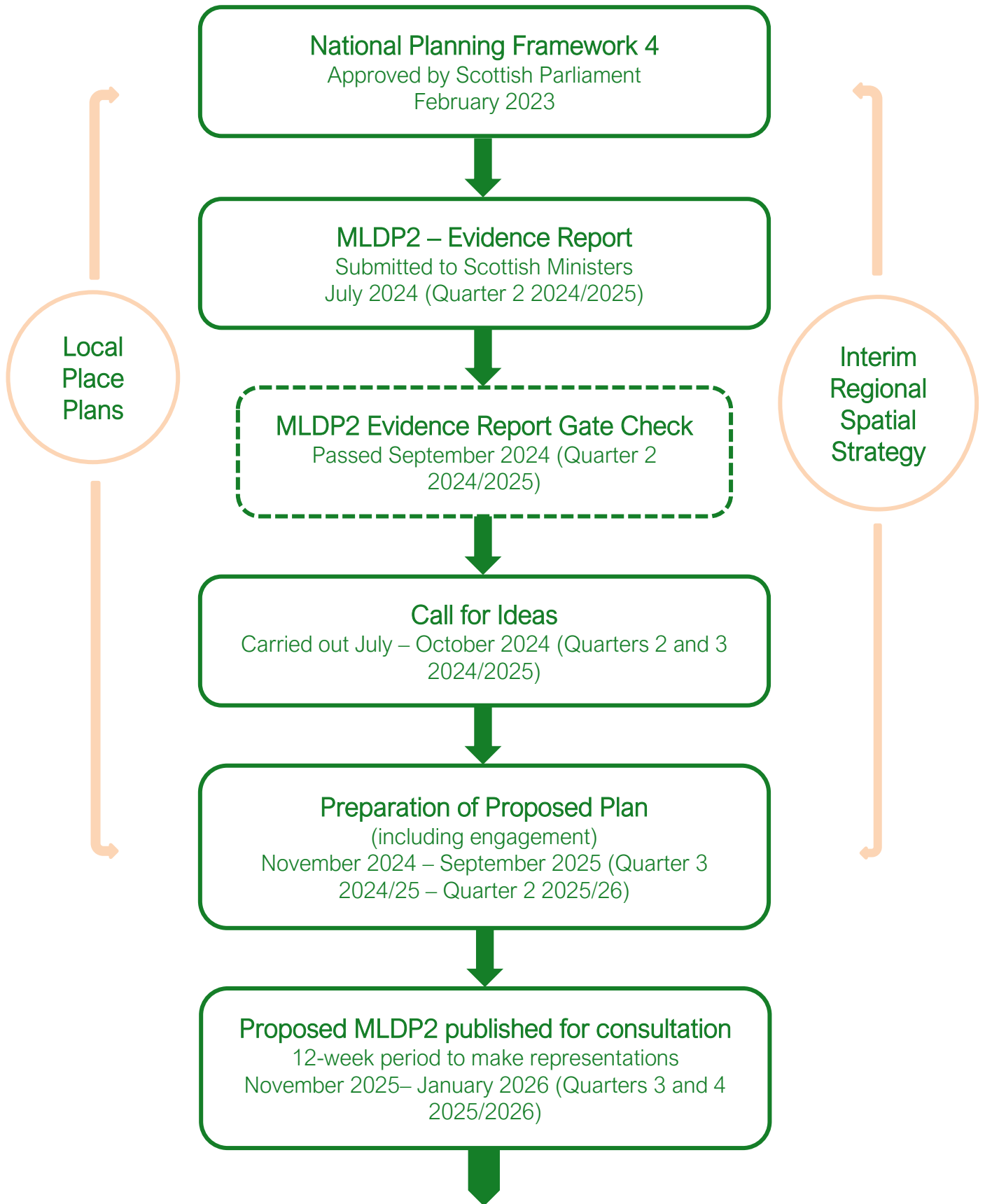


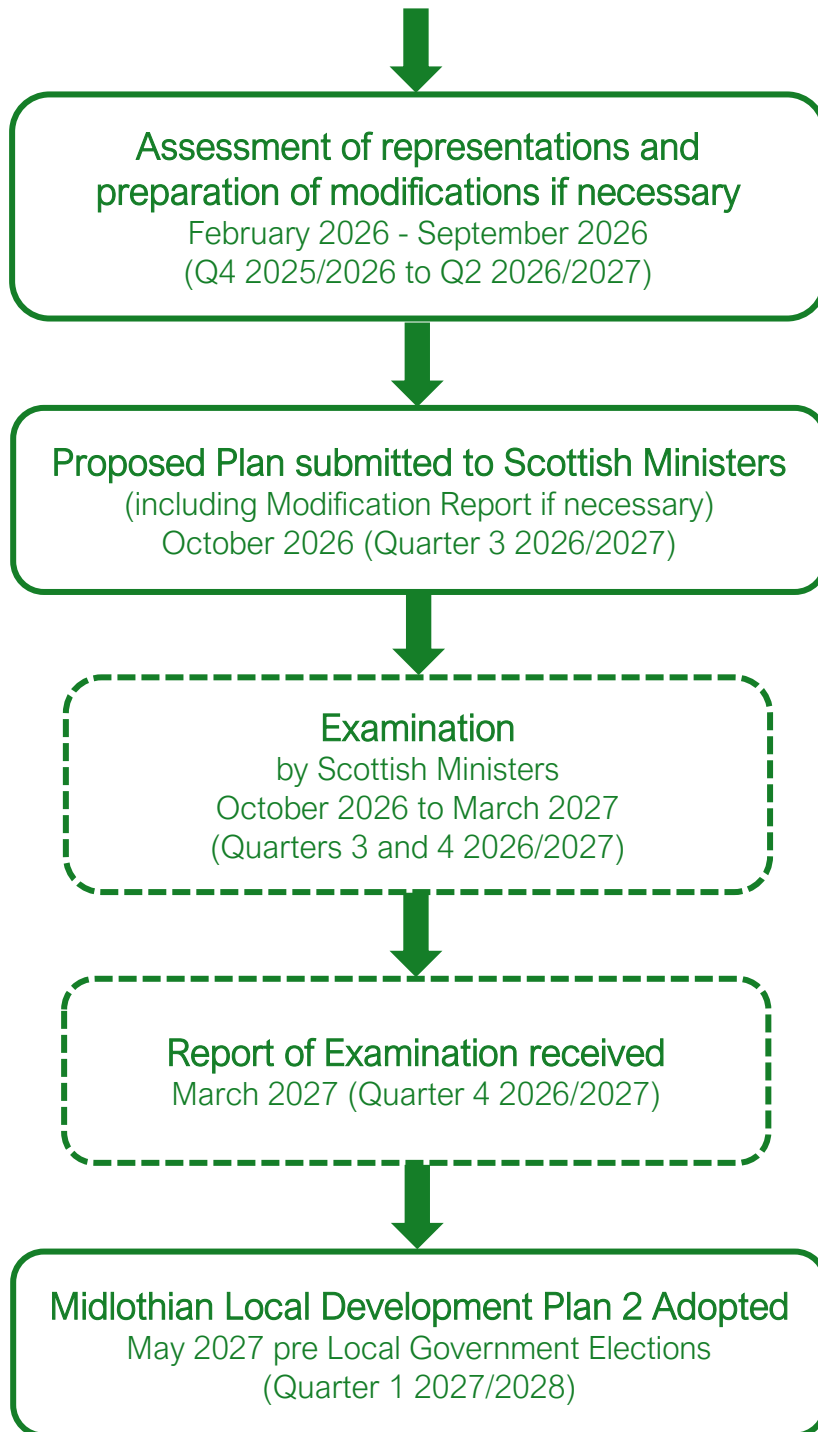
# Development Plan Scheme 17 Draft

submission of the Proposed Plan to Scottish Ministers for Examination has been partially set to help provide for additional time to consider consultation responses on the Proposed Plan. If no or only very limited modifications are required, it may be possible to accelerate this part of the timetable for submission of the Proposed Plan to Scottish Ministers for Examination. The programme is to adopt MLDP2 by May 2027, before the local government elections. This extended time to prepare the Proposed Plan for publication results in the delayed adoption of MLDP2, from the end of 2026 as set out in DPS16 to May 2027.



## Midlothian Local Development Plan 2 Timetable





## What is involved at each stage of plan preparation?

7. 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, which unlike Supplementary Guidance, will be non-statutory. 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.
8. 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.
9. Proposed Plan Publication: Approval will be sought from the full Council, to publish the Proposed Plan and to commence a 12-week public consultation period to lodge representations. This is identified in the timetable of this DPS. The Council will undertake wide publicity for this publication as well as notifying persons who have indicated an interest in MLDP2.
10. 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.
11. 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.
12. Examination: The Examination is the opportunity for independent consideration (by An appointed Scottish Government appointed DPEA (Planning and Environmental Appeals Division) 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 Reporter(s) will consider whether the requirements of the Participation Statement have been met.
13. 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. There are limited grounds for declining to make a modification. A report on the modifications will be prepared and advertised, and Scottish Ministers informed. The plan will be adopted through report to a full Council meeting.

## What has happened with MLDP2 over the last year?

14. The Evidence Report has passed the Gate Check. This means that the DPEA has concluded that Midlothian Council has a sound evidence base to prepare MLDP2, and that the Local Housing Land Requirement of 8,851 homes for MLDP2 is appropriate. A Call for Ideas was carried out in Summer



2024, which generated nearly 180 site specific proposals as well as other policy ideas. In June 2024 the Council has also validated and registered eight local place plans, prepared by local communities. Midlothian Council assisted bodies in their production of the local place plans (LPPs). This assistance was by way of provision of an LPP 'starter pack' setting out information on LPPs, answering queries and requests, and attending meetings with community bodies on LPPs.

15. Midlothian Council has maintained 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. The Self-Build Housing Register may be found on the Council's website and accessed through the following link.  
[https://www.midlothian.gov.uk/info/205/planning\\_policy/775/self-build\\_housing\\_register](https://www.midlothian.gov.uk/info/205/planning_policy/775/self-build_housing_register)

## Programme for Impact Assessments to Support Preparation of MLDP2

16. 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.
17. 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.
18. A SEA scoping report and baseline environmental information accompanied the Evidence Report. The Scoping Report was prepared in conjunction with the relevant Statutory Authorities, the SEA Gateway (SEPA, NatureScot and Historic Environment Scotland).
19. 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. Work has commenced on site assessment, and the information recorded will also inform the SEA process.
20. 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.





21. 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.
22. Scoping for the Integrated Impact Assessment (IIA) took 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

23. In June 2024 Midlothian Council registered eight 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
24. The LPPs were helpful for informing production of the Evidence Report, and must be taken into account when preparing the LDP. Two further draft LPPs were received (from Penicuik and District and Loanhead and District Community Councils). In addition, Tynewater and Moorfoot Community Councils carried out community engagement on the matter. The Council will seek to ensure that communities that do not have an LPP are fully engaged in the process.



## Participation Statement

25. A Participation Statement sets out how, when and with whom the Council will consult and engage on when preparing its local development plan. Prior to adoption of MLDP2, at the Examination stage of plan production, Reporters from the Scottish Government's DPEA (Planning and Environmental Appeals Division), 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.
26. 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.
27. As DPS17 was being prepared, the Council was assessing responses received in the Call for Ideas. The next steps of MLDP2 preparation and how engagement will occur are listed below and further details are provided in the table.
- 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   |
|---|---|---|
| Engagement for preparation of Proposed Plan | <p>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.</p> <p>Notification of the engagement activities will be sent to registered interested parties.</p> <p>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.</p> <p>The Planning Service will hold engagement events in the main communities in Midlothian.</p> <p>The Planning Service will seek to engage with identified communities of interest (for example the business community) and those identified in Planning legislation.</p> <p>The Planning Service will seek to engage with Midlothian Community Councils on the emerging Proposed Plan.</p> | November 2024 to September 2025 (Quarter 3 2024/2025 – Quarter 2 2025/2026) |
| Publication of Proposed Plan                | <p>This will be a minimum 12-week period in which to lodge formal representations on the published Proposed Plan.</p> <p>This will be an opportunity to respond formally to the content of the Proposed Plan and the Strategic Environmental Assessment (SEA) Environmental Report.</p> <p>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.</p> <p>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.</p>   | November 2025 to January 2026 (Quarters 3 and Quarter 4 2025/26)            |



|   |   |   |
|---|---|---|
|   | <p>The Planning Service will notify neighbours that may be significantly affected by development allocation proposals.</p> <p>The Planning Service will notify children and young people and representative organisations.</p> <p>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 &amp; Travellers.</p>  |   |
| Modification of Proposed Plan (if required)             | <p>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.</p> <p>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.</p> <p>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 or comment on the Modification Report once it is produced.</p>   | February 2026 to September 2026<br>(Quarter 4 2025/2026 to Quarter 2 2026/2027) |
| Examination into unresolved objections to Proposed Plan | <p>The form of the Examination will be led by the appointed DPEA Reporter(s) 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.</p> <p>The Reporter will publish an Examination Report, including recommendations for modifications to the proposed Local Development Plan (the Proposed 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.</p> <p>A Modification Report will be issued by the Council to inform communities and interested</p> | October 2026 to March 2027<br>(Quarters 3 and 4 2026/2027)                      |



|                   |  |   |
|-------------------|--|---|
|                   | <p>parties of the modifications made in response to representations made on the Proposed Plan, or a Direction from Scottish Ministers on the content of the Proposed Plan.</p> <p>The Council has considered the potential role of mediation, as required by Development Planning Guidance and Circular 2/2021. Midlothian Council is unlikely to use mediation due to the challenging timescales for preparation of MLDP2. There is potential for the Council to make modifications in response to comments received on the Proposed Plan before submitting the plan to Scottish Ministers, and the Examination offers an independent process for the resolution of disputes.</p> |   |
| Adoption of MLDP2 | <p>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.</p> <p>It will be publicised through all Council social media channels and through an advertisement in the local paper, the Midlothian Advertiser.</p>  | May 2027 pre Local Government Elections (Quarter 1 2027/2028) |

## Have Your Say

28. Midlothian Council wishes to receive your comments and views on this draft DPS17.

- 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 draft Development Plan Scheme 17?

Comments submitted to the Council by the end of Friday 14 March 2025 will be considered by the Council before preparation of the final DPS17 later in Spring 2025. We will also enable comments to be made on DPS17 after it has been approved, to be considered in preparing the next DPS (number 18) in 2026.

This can be done:

**Online** by completing our survey

<https://midlothiancouncil.citizenspace.com/planning/development-plan-scheme-17-draft>

**By email** to [ldp@midlothian.gov.uk](mailto: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

29. 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](mailto: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 کو ہماری معلومات اور خدمات اور کتابوں میں اضافہ بریل،  
(تاریخ افراد کے لیے) ہر طرف کی کھائی) میں، نیچے پر پڑے ہر طرف کی کھائی میں فراہم کر سکتے ہیں۔

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(تاریخ افراد کے لیے) ہر طرف کی کھائی) میں، نیچے پر پڑے ہر طرف کی کھائی میں فراہم کر سکتے ہیں۔