

## 16 Policies and Plans

### 16.1 Introduction

The objective of this chapter is to provide an appraisal of the strategic and local planning context of the proposed road improvement scheme and to identify any associated potential planning constraints. Strategic Policies and their implications for the road improvement are set out based on current guidance in the form of National Planning Policy Guidelines (NPPGs) and more recent Scottish Planning Policies (SPPs). Relevant structure and local plan policies and proposals are then discussed together with an assessment on whether or not the proposed scheme complies with such policies.

This chapter is therefore structured differently to the other environmental parameters in that it presents an overview of relevant planning documents and guidance and then examines the policies and plans applicable to the scheme in tabular format.

### 16.2 National Planning Policy

#### 16.2.1 Introduction

In Scotland, the government issues national guidance to the local authorities, once they have undergone a consultation period and been agreed. The local authorities then use this guidance to assist them with their decision-making regarding development planning applications. This guidance assists them in ascertaining whether an application is acceptable in terms of the environment, planning legislation and economic aspects. On a regional and strategic level, each local authority produces structure and local plans, which interprets the guidance specifically for their area of authority. This national planning framework assists in ensuring that the majority of Scotland follows the same route of decision-making and that it is consistent.

National guidance for Scotland on planning is provided by the Government in the form of National Planning Policy Guidelines (NPPGs) (which are presently being replaced by Scottish Planning Policies (SPPs)). Planning Advice Notes (PANs) and circulars also provide guidance on planning issues. Structure and Local Plans form the basis on which decisions about development and future land use are made, and effectively incorporate national, regional and strategic policies within the local framework.

National Planning Policy Guidelines (NPPG) and Scottish Planning Policies (SPP) are prepared by the Scottish Executive and provide a statement of Government policy on land use and other planning related issues, which are considered to be of national importance. These statements of Government policy may, where appropriate, be material considerations that should be taken into account in the development control process. At present much of the relevant guidance is under review, and for this reason each of the existing and consultation documents are outlined and reviewed.

### 16.2.2 SPP 1: The Planning System (November 2002)

SPP1 identifies planning objectives in relation to sustainable development, the economy and transport. The guidance states that:

*“The planning system is important in delivering the Executive’s commitment to a more integrated transport system. Integrated and sustainable transport is necessary to help improve air quality, address climate change and protect environmental resources from the damage caused by pollution.”*

The guidance also states that the more limited transport options available in rural Scotland offer additional challenges to integrated transport that must be addressed through Local Transport Strategies and development plans.

### 16.2.3 SPP 15: Planning for Rural Development (February 2005)

SPP15 sets out the approach and key objectives that underpin planning policies and decisions affecting rural areas. Maintaining rural accessibility is an important aspect of SPP15 in order that communities remain viable in terms of economic development and housing allocation.

### 16.2.4 SPP 17 Planning for Transport (August 2005)

SPP17 replaced NPPG 9 (Provision of Roadside Facilities on Motorways and Other Trunk Roads in Scotland), NPPG 17 (Transport and Planning) and SPP 17 (Transport and Planning Maximum Parking Standards Addendum to NPPG17). SPP 17 is accompanied by a new Planning Advice Note (PAN) 75 which reinforces the principles and policy set out in SPP17.

The main objectives of SPP 17 are for:

- The transport network to support the economy, assist in reducing the need to travel, create the right conditions to promote sustainable transport modes and restrict adverse environmental impacts.
- The interaction of accessibility, transport and the development strategy to be considered early in the planning process with land allocations taking into account transport opportunities alongside economic competitiveness and sustainable development.
- Strategic land use plans to co-ordinate with Regional and Local Transport Strategies, and settlement strategies and identify where economic growth or regeneration requires additional transport infrastructure.
- Local plans to relate new land use allocations to transport opportunities and constraints and locate new development to maximise sustainable transport modes.

- Development likely to affect trunk and other strategic roads to be managed so as not to adversely impact on safe and efficient strategic traffic flows. New trunk road or motorway junctions will only be considered exceptionally and will require significant developer funding.
- Roadside facilities to be considered under a special case for development affecting strategic routes. The comfort and safety of drivers should be accommodated through opportunities to stop and rest.

PAN 75 provides good practice guidance which planning authorities, developers and others should carry out in their policy development, proposal assessment and project delivery. The document aims to create greater awareness of how linkages between planning and transport can be managed. It highlights the roles of different bodies and professions in the process and points to other sources of information.

The relevant objectives of SPP17 and PAN 75 have been integrated into the design of the proposed scheme wherever possible and are not expected to be negatively influenced by development of the scheme.

#### 16.2.5 NPPG14 Natural Heritage (January 1999)

NPPG14 sets out policy on the assessment of development proposals showing due concern for natural heritage. It deals, in detail, with requirements for development likely to affect sites of national and international importance. The assessment of ecological aspects (Chapter 8) has considered the objectives of NPPG14 and, where appropriate, incorporated these into proposed mitigation measures to address potential impacts and predicted adverse impacts on nature conservation value.

#### 16.2.6 NPPG5 Archaeology and Planning (October 1998) and NPPG18 Planning and the Historic Environment (April 1999)

NPPG5 and NPPG18 set out the requirements for developments likely to affect the historic environment. These have been considered in the assessment of impacts on cultural heritage (Chapter 6).

#### 16.2.7 SPP7 Planning and Flooding (February 2004)

SPP7 provides guidance relating to development and flooding. The proposed scheme is not expected to influence functioning of the existing floodplain in the vicinity and although the volume of road run-off will be increased due to the wider road surface this will be adequately accommodated and treated by the incorporation of new drainage in accordance with Sustainable Drainage Systems.

#### 16.2.8 Planning Advice Notes and Circulars

Relevant Planning Advice Notes and circulars include PAN 56 Planning and Noise (April 1999), PAN 58 Environmental Impact Assessment (September 1999), SEDD

Circular 24/1985 on Green Belt and SEDD Circular 18/1987 on Agricultural Land. The guidance provided in these documents has been taken into account during the assessment process.

### 16.3 Development Plan

#### 16.3.1 Edinburgh and the Lothians Structure Plan 2015 (Approved June 2004)

The Edinburgh and the Lothians Structure Plan 2015 covers the combined areas of Midlothian, East Lothian, West Lothian and Edinburgh. The main principle objective of the Structure Plan is 'to provide in full for the development needs of Edinburgh and the Lothians in accordance with the principle of sustainable development, whilst maintaining and enhancing the environmental heritage that underpins the area's quality of life. The four aims of the plan are:

- To maintain and enhance economic competitiveness.
- To promote a more inclusive society.
- To protect and enhance the natural and built environment.
- To integrate land use and transport.

In order to meet with these aims, the key themes of the overall development strategy are:

- Identify the main economic growth sectors that will require land for their future development.
- Identify new transport infrastructure required to support the development strategy.
- Provide an adequate supply of housing to meet the growing number of households.
- Provide a strategic context for investment in the regeneration of disadvantaged urban areas.
- Maintain a continuous Green Belt around the City and ensure that, where possible, brownfield land is developed in preference to greenfield land
- Protect the natural environment from inappropriate or damaging development.
- Locate new development so as to reduce the need to travel, particularly by private car, and reduce commuting to Edinburgh from the landward Council areas.

The Edinburgh and the Lothians Structure Plan estimates future demand for housing, transport, employment, and retail facilities, and aims to guide the development of the area to 2015. With relation to transport it states that '*...transport networks provide vital channels for social and commercial interactions, serving the needs of local people enabling Edinburgh and Lothians to function as a cohesive regional economy. They also connect the city – region with the outside world*', it goes on to say that '

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*...improvements in connectivity open up opportunities for local businesses to serve wider markets, and give consumers access to a wider choice of services and employment. However, it is essential that these improvements should not cause lasting damage to the environment.*

The Structure Plan specifies a number of relevant regional development policies and proposals with which the scheme has been assessed against and these are summarised in Table 16.1.

**Table 16.1. Edinburgh and the Lothians Structure Plan Policies.**

<b>STRUCTURE PLAN POLICIES</b>		
<b>Policy number</b>	<b>Policy Content</b>	<b>Scheme Compliance with Policy</b>
ENV 1A	<p><b>International Natural Heritage Designations</b></p> <p>A development which would have an adverse effect on the conservation interests for which a Natura 2000 area has been designated should only be permitted where:</p> <ul style="list-style-type: none"> <li>• there is no alternative solution; and</li> <li>• there are imperative reasons of over-riding public interest, including those of a social or economic nature.</li> </ul> <p>Where a priority habitat or species (as defined in Article 1 of The Habitats Directive) would be affected, prior consultation with the European Commission is required unless the development is necessary for public health or safety reasons.</p> <p>Local plans should include policies and, where appropriate, proposals for their protection and enhancement.</p>	<p>Yes – no Natura 2000 sites will be affected by the proposed scheme.</p> <p>Chapter 8 of this report considers potential impacts on features of nature conservation value.</p>
ENV 1B	<p><b>National Natural Heritage Designations</b></p> <p>Development which would affect national designations, including Sites of Special Scientific Interest not designated as international sites, will only be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>a) the objectives of designation and overall integrity of the site will not be compromised; or</li> <li>b) any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.</li> </ol> <p>Local plans should include policies and, where appropriate, proposals for their protection and enhancement.</p>	<p>Yes – no nationally designated sites will be affected by the proposed scheme.</p> <p>Chapter 8 of this report considers potential impacts on features of nature conservation value.</p>
ENV 1C	<p><b>International and National Historic or Built Environment Designations</b></p> <p>Development which would harm the character, appearance and setting of the following designated built or cultural heritage sites, and/or the specific features which justify their</p>	<p>Yes – no known designated sites of cultural heritage significance will be affected by the proposed scheme.</p> <p>Chapter 7 of this report considers</p>

STRUCTURE PLAN POLICIES		
Policy number	Policy Content	Scheme Compliance with Policy
	<p>designation, should be resisted.</p> <ul style="list-style-type: none"> <li>• World Heritage Sites</li> <li>• Listed Buildings</li> <li>• Scheduled Ancient Monuments</li> <li>• Royal Parks</li> <li>• Sites listed in the Inventory of Gardens and Designed Landscapes</li> </ul> <p>Local plans should include policies, and where appropriate proposals for their protection and enhancement.</p>	<p>potential impacts on features of cultural heritage value.</p> <p>Consultation with Historic Scotland and other relevant bodies has been undertaken.</p>
ENV 1D	<p><b>Regional and Local Natural And Built Environment Interests</b></p> <p>Development affecting the following regional or local areas of natural heritage and built environmental interest, or their settings, will only be permitted where it can be demonstrated that:</p> <ol style="list-style-type: none"> <li>a) The objectives and overall integrity of the designated area will not be compromised; or</li> <li>b) The social or economic benefits to be gained from the proposed development outweigh the conservation or other interest of the site.                             <ul style="list-style-type: none"> <li>• Conservation Areas</li> <li>• Areas of Great Landscape Value or other local landscape designations defined in local plans</li> <li>• Pentland Hills Regional Park</li> <li>• Country Parks</li> <li>• Defined core and local path networks</li> <li>• Local Nature Reserves</li> <li>• Regionally Important Geological and Geomorphological Features</li> </ul> </li> </ol>	<p>Yes – the value of the natural and built heritage has been evaluated and potential impacts assessed (Chapters 7, 8 and 9). Appropriate mitigation has been recommended where deemed necessary.</p>

STRUCTURE PLAN POLICIES		
Policy number	Policy Content	Scheme Compliance with Policy
	<ul style="list-style-type: none"> <li>• Sites of archaeological interest</li> <li>• Designated Wildlife Sites</li> <li>• Peatland</li> <li>• Prime agricultural land</li> <li>• Water supply catchment areas</li> <li>• Areas of significant open space within urban areas</li> </ul> <p>Local plans should define the extent of these interests and include policies and where appropriate proposals, for their protection and enhancement.</p>	
ENV 1F	<p><b>Environmental or Biodiversity Assessments</b></p> <p>Development proposals that would affect any designated natural heritage site, protected priority habitat or species or other important non-statutory locations will require an appropriate level of environmental or biodiversity assessment. Where development is permitted, proposals must include measures for mitigation and, where appropriate, enhancement to reduce any adverse impact and/or to provide for sustainable habitat replacement.</p>	Yes – the value of habitats has been evaluated and potential impacts of the scheme options on ecology and nature conservation assessed (Chapter 8). Mitigation measures have been developed as necessary.
ENV 1G	<p><b>Design of New Development</b></p> <p>Local plans should include policies, and where appropriate proposals, to promote a high quality of design in all new development.</p>	Yes - the siting, scale, form and layout of the road improvement scheme within the existing landscape has been considered during the assessment process.
ENV 4	<p><b>Landscape</b></p> <p>Local plans should take account of landscape designations in accordance with new guidance produced by Scottish Natural Heritage.</p>	Yes - a landscape and visual assessment has been undertaken (Chapter 9) and measures recommended ensuring that existing landscape character is not adversely affected. A landscape mitigation/enhancement strategy has also been developed.
ENV 12	<p><b>Water Management and Flooding</b></p> <p>The Lothian Councils, in consultation with SEPA, Scottish Water and development industry interests, will review the risk of flooding in the structure plan area and consider altering the</p>	Yes - culverts modifications will be designed to ensure that there is no flooding of the carriageways.



STRUCTURE PLAN POLICIES		
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	<p>plan if the review shows that strategic development allocations are affected. The potential for flooding inland and on the coast will be considered in every local plan and policies set out in accord with SPP7.</p> <p>Development, individually and/or cumulatively, that may lead to a significant increase in the risk of flooding, or that may itself be at risk from flooding, should not be permitted.</p> <p>Development proposals for greenfield and brownfield sites should include sustainable drainage systems for the attenuation and treatment of surface water and to assist in reducing the risk of flooding unless local conditions prevent this approach.</p>	<p>The scheme will be designed to ensure that flood risks upstream or downstream are not increased.</p>

### 16.3.2 Midlothian Local Plan, (Adopted, December 2003)

The Midlothian Local Plan sets out the local policies that are applicable within the Midlothian area. The aims and objectives of the Local Plan are the same as those for the Structure Plan, the main difference being that the Local Plan is specific to the Midlothian area and aims to 'provide opportunities for the growth, of both the economy and that of local communities in terms of housing supply and supporting business development'.

The Midlothian Local Plan specifies a number of relevant local development policies and proposals which the scheme has been assessed against and this is summarised in Table 16.2.

Consultation with Midlothian Council indicates that there are no current or emerging planning developments within the immediate vicinity of the scheme options.

### 16.4 Evaluation

As the preferred scheme complies fully with current development planning policies and proposals there are no overriding reasons in this respect why it cannot proceed.

**Table 16.2. Midlothian Local Plan Policies.**

<b>LOCAL PLAN POLICIES</b>		
<b>Policy Number</b>	<b>Policy Content</b>	<b>Scheme Compliance</b>
Resource Protection 1	<p>Protection of the Countryside</p> <p>Development in the countryside will only be permitted if it is essential for the furtherance of agriculture, including farm related diversification, forestry, countryside recreation, tourism, or waste disposal where this is shown to be essential as a method of site restoration or if it is within a designated non-conforming use in the Green Belt. In certain locations, new or expanded rural business development, the winning of mineral resources or renewable energy developments may be appropriate (refer to ECON9, MIN1 and UTIL2). Development complying with the terms of Policy DP1 (Section 4 – Detailed Development Policies) will also be permitted.</p>	Yes – the proposed scheme will enhance road transportation links with expected benefits for business and residents alike.
Resource Protection 4	<p>Prime Agricultural Land</p> <p>Development will not be permitted which leads to the permanent loss of prime agricultural land (Classes 1, 2 and 3.1 of the Macaulay Institute Land Classification for Agriculture system) unless:</p> <p>A. the site is allocated within this Local Plan to meet Structure Plan requirements; and</p> <p>B. it meets with all other relevant Local Plan policies.</p>	Yes – no prime agricultural land will be lost to the scheme.
Resource Protection 5	<p>Woodland, Trees and Hedges</p> <p>Development will not be permitted where it could lead directly or indirectly to the loss of, or damage to, woodland, groups of trees, individual trees (including areas covered by a Tree Preservation Order) and hedges which have particular amenity, nature conservation, recreation, landscape character, shelter, or other importance.</p>	Where existing trees will be affected, replacement/additional planting is recommended. No TPO's to be affected.
Resource Protection 6	<p>Area of Great Landscape Value</p> <p>Development will not be permitted where it may adversely affect the special scenic qualities and integrity of the Areas of Great Landscape Value. The scale, position, design, form, materials and impact on important landscape features are all aspects of a proposal that could have an adverse effect on the AGLV.</p>	Yes – only the southern extent of the scheme is situated at the edge of an AGLV. Its scenic qualities and integrity will not be affected due to the on-line nature of the scheme.
Resource	Landscape Character	Yes – a landscape and visual assessment

LOCAL PLAN POLICIES		
Policy Number	Policy Content	Scheme Compliance
Protection 7	<p>Development will not be permitted where it may adversely affect the quality of the local landscape. Where development is acceptable it shall respect the local landscape character and contribute towards its maintenance and enhancement.</p> <p>New developments shall incorporate proposals to:</p> <p>A. maintain the local diversity and distinctiveness of landscape character including natural and built heritage features of landscape value such as woodland, hedges, ponds, stone walls and historical sites; and</p> <p>B. enhance landscape characteristics where they have been weakened and need improvement.</p>	<p>has been undertaken (Chapter 9) and measures recommended ensuring that existing landscape character is not adversely affected. A landscape mitigation/enhancement strategy has also been developed.</p>
Resource Protection 8	<p>Water Environment</p> <p>Development will not be permitted which could adversely affect the water environment by:</p> <p>A. having a damaging impact on fisheries, nature conservation, landscape, recreation or public access in a river corridor or other waterside area;</p> <p>B. polluting surface or underground water (including water supply catchment areas) as a result of the nature of the surface, waste water discharge or leachate;</p> <p>C. giving rise to pollution problems resulting from the disturbance of contaminated land;</p> <p>D. causing an unacceptable flooding risk or exacerbating existing flooding problems either within the site, upstream or downstream; or</p> <p>E. failing to take into account SEPA's guide on Sustainable Urban Drainage.</p>	<p>Yes – the water environment is considered as part of the Environmental Assessment in line with the DMRB process. SEPA have been/will continue to be consulted regarding measures to protect water quality during construction and for the completed scheme.</p>
Resource Protection 9	<p>Internationally Important Conservation Sites</p> <p>Development will not be permitted where it could adversely affect, either directly or indirectly, the integrity of a conservation site of international importance, unless it can be demonstrated that:</p> <p>A. the proposed development would have no significant effect on the habitats or species being safeguarded; or</p> <p>B. there are no alternative solutions; and</p>	<p>Yes – no internationally important conservation sites will be affected by the proposed scheme.</p> <p>Chapter 8 of this report considers potential impacts on features of nature conservation value.</p>

LOCAL PLAN POLICIES		
Policy Number	Policy Content	Scheme Compliance
	<p>C. there are imperative reasons of overriding public interest.</p> <p>The above policy should be read as A+C; or B+C.</p> <p>Sites of International Importance are:</p> <p>A. a classified Special Protection Area (SPA) or designated Special Area of Conservation (SAC) or any site which the Government identify as a potential SPA or candidate SAC;</p> <p>B. a designated or proposed Wetland of International Importance (Ramsar site); or</p> <p>C. any other site which is proposed or designated as of international importance during the lifetime of the Plan.</p>	
Resource Protection 10	<p>Nationally Important Conservation Sites</p> <p>Development will not be permitted where it could adversely affect, either directly or indirectly, the integrity of a conservation site of national importance unless it can be demonstrated that:</p> <p>A. the objectives of designation and the overall integrity of the area will not be compromised; or</p> <p>B. any significant adverse effects on the qualities for which the area has been designated are clearly outweighed by social or economic benefits of national importance.</p> <p>Sites of National Importance are:</p> <p>A. a National Nature Reserve (NNR);</p> <p>B. any other Site of Special Scientific Interest (SSSI); or</p> <p>C. any other site which is proposed or designated as of national importance during the lifetime of the Plan.</p>	<p>Yes – no nationally important conservation sites will be affected by the proposed scheme.</p> <p>Chapter 8 of this report considers potential impacts on features of nature conservation value.</p>
Resource Protection 11	<p>Regionally and Locally Important Conservation Sites</p> <p>Development will not be permitted where it could have an adverse effect, either directly or indirectly, on the particular importance of any of the following sites unless the applicant can show that:</p> <p>A. the development has been positioned and designed to minimise damage to the value of the site and includes measures that will appropriately compensate for any damage which cannot</p>	<p>Yes – the value of habitats has been evaluated and potential impacts of the scheme on ecology and nature conservation assessed (Chapter 8). Appropriate mitigation has been recommended. Land-take will be minimised where possible through the implementation of a defined working</p>

LOCAL PLAN POLICIES		
Policy Number	Policy Content	Scheme Compliance
	<p>be avoided; or</p> <p>B. a public interest will be gained from the proposal that should override the conservation interest of the site.</p> <p>Sites of Importance are:</p> <p>a) a Local Nature Reserve (LNR);</p> <p>b) any other nature reserve (including SWT, RSPB and Woodland Trust reserves);</p> <p>c) a Wildlife Site (SWT non-statutory wildlife site);</p> <p>d) a peatland site identified in the National Peatland Resource Inventory as having valuable nature conservation status;</p> <p>e) woodland identified in the Inventory of Ancient and Semi-Natural Woodland;</p> <p>f) a Regionally Important Geological Site; or</p> <p>g) any site which is proposed for inclusion in the above categories (including Listed Wildlife Sites) or any other locally important designation during the lifetime of the Plan.</p> <p>Planning conditions will be used and planning agreements sought to secure arrangements for protecting the site and managing it in the long term.</p>	<p>corridor and careful road construction techniques applied. Proposals and measures to enhance biodiversity have been incorporated, and this includes replacement planting of any wooded areas and scattered trees/hedges affected by the scheme.</p>
Resource Protection 13	<p>Species Protection</p> <p>Development will not be permitted where it could adversely affect a species protected by law.</p>	<p>Yes – appropriate field survey has been undertaken and the value of habitats has been evaluated. Potential impacts of the scheme on ecology and nature have been conservation assessed (Chapter 8) and appropriate mitigation developed where required.</p>
Resource Protection 23	<p>Scheduled Ancient Monuments</p> <p>Development which could have an adverse effect on a Scheduled Ancient Monument or the integrity of its setting will not be permitted.</p>	<p>Yes – no Scheduled Ancient Monuments will be adversely affected by the scheme.</p>
Resource	<p>Public Rights of way and other Access Routes</p> <p>Development which could lead to the loss of a right of way, cycle path, bridleway, or other</p>	<p>Yes - implications for pedestrians and others are discussed in detail in Chapter</p>

LOCAL PLAN POLICIES		
Policy Number	Policy Content	Scheme Compliance
Protection 28	access route will not be permitted except where the developer makes arrangements for an alternative access that is acceptable to all the parties involved, including those who use the existing route.	11 (Pedestrians, Cyclists, Equestrians and Community Effects). A footway will be provided to improve cyclist and pedestrian access.
Tran 7	Cycle Route 1 (Proposal) The Council supports the implementation of the National Cycle Route 1 from Edinburgh to Berwick-Upon-Tweed through Midlothian.	Yes - this proposal will not be compromised by the proposed scheme.
Tran 8	Cycling Midlothian Council will continue to introduce measures to encourage cycling including traffic management, on-road facilities, purpose built cycling tracks and the provision of cycle facilities.	Yes - consultation has been carried out with Sustrans and Cyclists' Touring Club. Implications for pedestrians and others are discussed in detail in Chapter 11 (Pedestrians, Cyclists, Equestrians and Community Effects). A footway will be provided to improve cyclist and pedestrian access.

### Updated Finalised Midlothian Local Plan ("on deposit" edition) May 2006 – Policy Amendments

LOCAL PLAN POLICIES		
Policy Number	Policy Content	Scheme Compliance
Resource Protection 14	Habitat Protection Outwith Formally Designated Areas In the assessment of planning applications for development that would affect sites which contain habitat of some significance (although insufficient to justify a formal natural heritage designation), effects on the habitat, including the expected results of mitigation measures, will be taken into account.	Yes – the value of habitats has been evaluated and potential impacts of the scheme on ecology and nature conservation assessed (Chapter 8). Appropriate mitigation has been recommended. Land-take will be minimised where possible through the implementation of a defined working

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		corridor and careful road construction techniques applied. Proposals and measures to enhance biodiversity have been incorporated.
Resource Protection 15	<p>Biodiversity Action Plan</p> <p>Development proposals shall be expected to demonstrate compatibility with the aims and objectives of the Midlothian Local Biodiversity Action Plan and related plans, by identifying appropriate measures to protect, enhance and promote existing habitats and/or the creation of new habitats, and provide for the effective management of these habitats.</p>	Yes – the Local Biodiversity Action Plan has been reviewed during the ecology and nature conservation impact assessment process (Chapter 8). Mitigation measures have been developed as necessary.
Resource Protection 27	<p>Other Important Archaeological or Historic Sites</p> <p>Development will not be permitted where it could adversely affect an identified regionally or locally important archaeological or historic site or its setting unless the applicant can show that:</p> <p>A. there is a public interest to be gained from the proposed development which outweighs the archaeological importance of the site;</p> <p>B. there is no alternative location for the proposal; and</p> <p>C. the proposal has been sited and designed to minimise damage to the archaeological interest.</p>	<p>Yes – no known designated sites of cultural heritage significance will be affected by the proposed scheme.</p> <p>Chapter 7 of this report considers potential impacts on features of cultural heritage value.</p> <p>Consultation with Historic Scotland and other relevant bodies has been undertaken.</p>
Tran 7	<p>Cycling</p> <p>Midlothian Council will continue to support cyclepath proposals that contribute towards the completion and/or maintenance of National Cycle Route 1 from Edinburgh to Berwick-upon-Tweed through Midlothian, and other locally important cycle routes.</p>	Yes - this proposal will not be compromised by the proposed scheme.

Furthermore, the following policies have been renumbered in the “on-deposit” version:

Internationally Important Nature Conservation Sites: now **RP10**

Nationally Important Nature Conservation Sites: now **RP11**

Species Protection: now **RP13**

Scheduled Ancient Monuments: now **RP26**

Public Rights of Way and Other Access Routes: now **RP32**

(Tran 7 and Tran 8 have been combined on this version).