

Adam Thomson
Senior Planning Officer
Planning
Midlothian Council
Fairfield House
8 Lothian Road
Dalkeith
EH22 3ZN



Your ref: 10/00339/PPP
Our ref: NOD/MLN/001

3 November 2011

Dear Sir,

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
THE TOWN AND COUNTRY PLANNING (REFERENCE OF APPLICATIONS)
(MIDLOTHIAN COUNCIL) (PROPOSED RETAIL AND TOURIST FACILITIES AT FORDEL
MAINS, ADJACENT TO THE A68 DALKEITH BYPASS) DIRECTION 2011**

I refer to your Council's e-mail and attachments of 27 September 2011 notifying the above application to the Scottish Ministers in line with the Notification Direction dated 2 September 2011.

Having considered the proposal, the Scottish Ministers have decided, in terms of Section 46 of the Town and Country Planning (Scotland) Act 1997, to require the application to be referred to them for determination. Accordingly, a Direction, given in terms of Section 46, is enclosed.

The Scottish Ministers have given this Direction in view of the proposed development's possible implications for the policies contained in the approved Edinburgh & the Lothians Structure Plan (2004), the adopted Midlothian Local Plan (2008) and Scottish Planning Policy in relation to retail, transport, landscape and visual impact.

Article 34 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 requires the planning authority to serve notice on the applicant for planning permission of the terms of the Direction, of the reasons for issuing it, that the application has been referred to Scottish Ministers and that the decision of Ministers will be final. In connection with the service of notice, your attention is drawn to section 271 of the 1997 Act. I should be glad if your Council would serve the required notice and let me have a copy.

In terms of the Town and Country Planning (Appeals) (Scotland) Regulations 2008, the application is being submitted directly to the Directorate for Planning and Environmental

Appeals (DPEA) in Falkirk for an examination by a reporter of all the evidence submitted. Thereafter the appointed reporter has been asked to submit a report with recommendations to Scottish Ministers for their consideration and determination.

Accordingly the papers are now being referred to the Directorate for Planning and Environmental Appeals (Inquiry Reporters) who will make arrangements for processing the case. Any future correspondence should be addressed to the Directorate for Planning and Environmental Appeals at 4 The Courtyard, Callendar Business Park, Callendar Road, Falkirk, FK1 1XR

Yours faithfully,

DEREK GRANT

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
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MAINS, ADJACENT TO THE A68 DALKEITH BYPASS) DIRECTION 2011**

The Scottish Ministers, in exercise of the powers conferred on them by Section 46(1) of the Town and Country Planning (Scotland) Act 1997, and of all other powers enabling them in that behalf, hereby direct that Midlothian Council refer to them for determination the application for planning permission under the Town and Country Planning (Scotland) Act 1997 received by them from Oakridge Property Ltd. for the erection of a hotel, retail space and a tourist orientation centre at Fordel Mains, adjacent to the A68 Dalkeith Bypass.

This Direction is given in view of the proposed development's possible implications for the policies contained in the approved Edinburgh & the Lothians Structure Plan (2004), the adopted Midlothian Local Plan (2008) and Scottish Planning Policy in relation to retail, transport, landscape and visual impact.

This Direction may be cited as the Town and Country Planning (Reference of Applications) (Midlothian Council) (Proposed Retail and Tourist Facilities at Fordel Mains, Adjacent to the A68 Dalkeith Bypass) Direction 2011.

J E SWANNEY
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3 November 2011