

**Enforcement Report  
Land At Ingliston Road  
Midlothian  
Newbridge  
EH28 8AU**

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**Development Quality Sub-Committee  
of the Planning Committee**

**Owner:** Joint Properties Limited  
**Occupier:** Park and Fly  
**Reference No:** O4/00221/E29

**1 Purpose of report**

**Breach of Control**

Unauthorised use of site as a car park

**Recommendation**

To recommend that enforcement action is taken under Sections 127 and/or 145 of the Town and Country Planning (Scotland) Act.

## **2 Main report**

### **Site Description**

The site lies between Ingliston Road to the west and an existing park and ride car park to the east. It comprises an area of land of 0.66 acres, covered with a hardcore surface and bounded by a 2-metre high mesh fencing. There is a portacabin used as an office.

### **Site history**

Planning permission (reference 97/00400) was granted in 1998 for the construction of car parking and park and ride facilities. The site, the subject of this report, formed part of that consent and was designated "overflow parking" on the approved plans. Condition HP3 of the permission states that: -

"The park and ride areas A, B, and C shall not be accessed or egressed by vehicular traffic through the western area designated "overflow parking" on the approved drawing, planning ref. 293619, except in cases of emergency."

In February 2003, a planning application (reference 02/02936/FUL) to modify condition HP3 to allow vehicular access to and from Ingliston Road through the overflow parking area, was refused.

A planning application (reference 03/04068) for an 80 space park and ride car park was recently withdrawn.

The site is currently being operated by a company called 'Park and Fly', who offer secure airport parking. They also operate a site in Newbridge Industrial Estate.

### **Consultations**

#### **Transport**

Transport were consulted on the recently withdrawn application (reference 03/04068/FUL). They requested that the application be refused on the grounds that:-

The additional traffic attracted to the proposed development would have unacceptable road safety implications at the junction of Ingliston Road and the A8.

These comments are equally applicable to the current operation of the site.

## **Representations**

Two complaints have been received. The issues raised relate to road safety and the fact that the business is operating without the benefit of planning permission.

## **Policy**

The site lies within the adopted Ratho, Newbridge and Kirkliston Local Plan area and the Finalised Rural West Edinburgh Local Plan Area. The area is designated as green belt.

The most up to date draft plan is the Finalised Rural West Edinburgh Local Plan. The relevant policy is:

Policy TRA2 states that proposals will not be permitted where the traffic associated with development would have an unacceptable impact on the capacity of the existing road network, or have an unacceptable impact on public transport operations or adversely affect air quality, road safety or residential amenity.

## **3 Conclusions and Recommendations**

### **Assessment**

The determining issues are whether the unauthorised use is in keeping with the character of the greenbelt and its surroundings and whether it is detrimental to road safety.

The 1998 planning permission for car parking and park and ride facilities has already established the principle of allowing the use of the land for car parking. The area was designated, as an overflow car park and the current use would not significantly alter the development character in relation to its surroundings. However, the current use breaches the planning condition that seeks to ensure an access to Ingliston Road is only taken in an emergency.

Transport advise that the use of the site for car parking would have unacceptable road safety implications at the junction of Ingliston Road and the A8.

In view of the above it is recommended that Committee authorises enforcement action to bring about the cessation of the unauthorised use of the site.

*Alan Henderson*

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**Ward affected** 03 -Dalmeny/Kirkliston

**Local Plan** Ratho, Newbridge and Kirkliston

**Statutory Development  
Plan Provision** Green Belt

**File**

**Date registered** 10 December 2003

**Drawing numbers/  
Scheme** 01-02