

REPORT TO: Planning Committee

MEETING DATE: Tuesday 3 September 2013

BY: Depute Chief Executive
(Partnership and Services for Communities)

SUBJECT: Application for Planning Permission for Consideration

Note - this application was called off the Scheme of Delegation List by Councillor Trotter for the following reason: Because of the concern this application has raised locally this should be heard at Committee level.

Application No. **13/00499/P**

Proposal Erection of 1 house, fencing and gate and formation of vehicular access and turning area

Location **Land Adjacent To Post Office
Humbie
East Lothian
EH36 5PJ**

Applicant Mr Alex Clowes

Per Gary Anderson

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

The application site is within the predominantly residential area of the village of Humbie, as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008.

The land of the application site measures some 252 square metres and is generally level. It is undeveloped and is used informally for the parking of vehicles. It is bounded to the north by the driveway of the single storey house of Browseat House, with agricultural land beyond. It is bounded to the east by the land and building of a British Telecom telephone exchange, beyond which is the house and garden of Browseat House. To the west the land is bounded by the A6137 classified public road, on the opposite side of which are residential properties, and to the south are Humbie Post Office and Post Office House and its garden ground.

On 2nd October 2008 planning permission in principle 08/00531/OUT (formerly known as outline planning permission) was granted for the principle of the erection of 1 house on the land adjacent to Post Office and Post Office House, Humbie.

Condition 3 of planning permission 08/00531/OUT sets the following design principles for a house built on the site: (i) the house should be no higher than single storey or single storey with accommodation in its roof space in height; (ii) the house should be positioned on the site such that its front building line would be in line with the front building line of Post Office and Post Office House; (iii) the house should have a footprint no larger than that shown on the indicative layout drawing no. B.767/F docketed to planning permission in principle 08/00531/OUT; and (iv) the house should be designed to have a pitched roof clad with either natural slates or interlocking tiles. Condition 3 also set requirements for the standard of provision of on-site car parking and vehicular access and turning, for the means of enclosure of the site boundaries and to restrict the provision of windows and other glazed openings in the south elevation wall of the house. No subsequent application for the approval of matters specified in conditions of planning permission in principle 08/00531/OUT has been submitted.

On 27th September 2011 planning permission 11/00640/P was granted for the variation of Condition 1 of outline planning permission 08/00531/OUT to extend the time period for the submission of the approval of matters specified in conditions of planning permission in principle 08/00531/OUT by a further 3 years. Thus planning permission in principle 08/00531/OUT remains extant.

In February 2013 planning application 13/00074/P was submitted for the erection of 1 house, fencing and a gate and for the formation of a vehicular access and turning area. Planning application 13/00074/P was subsequently withdrawn, the reasons being that it became apparent that the applicant did not own all of the land of the application site, that a narrow strip of land along the northern side of the site was in the ownership of the owners of Browseat House and that there was insufficient space within the site to allow a vehicle to turn within the site and thus to enter and leave the public road in a forward gear.

The current planning application reflects the reduced site area through the removal of the narrow strip of land along the northern side of the site.

Full planning permission is now sought for the development of the smaller site for the erection of 1 house, the erection of boundary fencing, walls and a gate, and for the formation of a vehicular access and hardstanding area.

The proposed detached house would have a roughly rectangular footprint and would be positioned on the site so that its principal front (west) elevation wall would be in alignment with the front (west) elevation wall of Post Office and Post Office House. It would be single storey in height with accommodation in its roof space. Its roof ridge would be no higher than the roof ridge height of Post Office and Post Office House to the south.

The proposed house would generally be of a traditional architectural form but would have contemporary architectural features. It would have relatively large amounts of glazing on its north and east elevation walls. Its dual pitched roof would be clad with interlocking concrete roof tiles and its external walls would be finished with a combination of reconstituted stone and cream coloured pebbledash render, with horizontal timber board cladding feature panels. There would be two cat-slide roofed dormers on its front (west) elevation roof slope and one large cat-slide roofed dormer on its rear (east) elevation roof slope. The frames of its windows, patio doors and external doors would be of aluminium composite construction and would be coloured anthracite grey.

It is proposed that there would be a narrow strip of garden ground to the north side of the house and a larger area of garden ground to the east side of it. A driveway, turning area

and parking for at least two cars would be provided to the west and south sides of the house.

The proposed hardstanding areas would comprise of a driveway, turning and parking area to be formed to the west and south sides of the proposed house and a footpath and patio area that would be formed to the east side within the rear garden area.

New 1.8 metres high timber close boarded fencing would enclose the boundaries of the rear garden of the proposed house and would also be erected along the majority of the south boundary of the site adjacent to the proposed driveway, with the exception of the first 2.8 metres of that boundary measured back from the west boundary of the site which would be enclosed by a 600mm high rendered wall. Part of the west (roadside) boundary of the site and the remaining part of the north boundary of the site would be enclosed by a 600mm high hedge.

It is intended that the vehicular access to the proposed new house plot would be taken from the B6137 public road. A parking and turning area would be provided within the proposed new house plot in the form of a driveway that would be positioned to the west and south sides of the house.

Since the application was registered the layout of the proposed development has been amended to show the retention of a sufficient width of public footpath space to be provided at the northwest corner of the proposed house plot and to provide details of the proposed 600mm high rendered boundary wall. These changes are shown on amended application drawings.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Plan 2008.

The proposed development would be infill housing development of land that is within a predominantly residential area of the village of Humbie. On this matter there are no policies of the approved South East Scotland Strategic Development Plan (SESplan) relevant to the determination of the application.

Relevant to the determination of the application are Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DP2 (Design), DP7 (Infill, Backland and Garden Ground Development), DP22 (Private Parking) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008.

Material to the determination of the application is the Scottish Government's policy on infill housing development given in Scottish Planning Policy: February 2010 and Planning Advice Note 67: Housing Quality.

Scottish Planning Policy on housing states in paragraph 82 that infill sites within existing settlements can often make a useful contribution to the supply of housing land. Proposals for infill sites should respect the scale, form and density of the surroundings and enhances the character and amenity of the community. The individual and cumulative effects of infill development should be sustainable in relation to social, economic, transport and other relevant physical infrastructure and should not lead to over development.

Planning Advice Note 67: Housing Quality explains how Designing Places should be applied to new housing. In PAN 67 it is stated that the planning process has an essential role to play in ensuring that: (i) the design of new housing reflects a full understanding of its context - in terms of both its physical location and market conditions, (ii) the design of new housing reinforces local and Scottish identity, and (iii) new housing is integrated into the movement and settlement patterns of the wider area. The creation of good places requires careful attention to detailed aspects of layout and movement. Developers should think about the qualities and the characteristics of places and not consider sites in isolation. New housing should take account of the wider context and be integrated into its wider neighbourhood. The quality of development can be spoilt by poor attention to detail. The development of a quality place requires careful consideration, not only to setting and layout and its setting, but also to detailed design, including finishes and materials. The development should reflect its setting, reflecting local forms of building and materials. The aim should be to have houses looking different without detracting from any sense of unity and coherence for the development or the wider neighbourhood.

Another material consideration in the determination of this application are the principles of development set for the site by the grant of planning permission in principle 08/00531/OUT (formerly known as outline planning permission).

Twenty written representations to the application have been received. They are from neighbouring properties. The representations all raise objections to the proposed development and the grounds of objection as summarised are that:

1. the building and development are inappropriate for this community and would not be in keeping with the village;
2. the application site still includes a narrow strip of land that is owned by the owner of the neighbouring house of Browseat;
3. the site is not of a sufficient size to build a house with parking and turning area;
4. the land of the site should be retained for community parking and other uses;
5. the application drawings do not show the position of a lamppost and telephone box;
6. there is no public footpath on the east side of the public road and the proposed development will prejudice the provision of one;
7. the development of the site for a house would prevent its use for any future community benefit;
8. the potential redevelopment of the post office/shop is of great importance to the community and this proposal may affect its viability;
9. the proposed development would obstruct views from the houses on the opposite side of the public road;
10. the proposal is to cram a big house on a tiny plot and is inappropriate within the village and community of Humbie;
11. the loss of this area of land for parking will make parking and turning at the shop more difficult and dangerous, which would mean loss of customers for the shop/post office and could mean the loss of the shop, which would make living in Humbie more difficult;

12. if the hedge along the front boundary of the site becomes overgrown it would block visibility for vehicles and children leaving the post office/shop;

13. there is insufficient garden ground for the proposed house;

14. construction vehicles would cause congestion and obstruction on the road;

15. the proposals may obstruct light to neighbouring properties; and

16. the proposed house would be two storeys in height and would not be in keeping with the locality.

The loss of a view or outlook is not a material consideration in the determination of an application for planning permission.

The matter of the lamppost and telephone box not being shown on the application drawings does not have a material impact on the assessment of the application for planning permission.

The matter of the relocation of the lamppost is controlled by the Council's Street Lighting Officer and requires separate consent. It is not a material consideration in the determination of an application for planning permission.

The application site has been reduced in size following the withdrawal of planning application 13/00074/P in order to remove from it a narrow strip of land along the northern side of the site that was not owned by the applicant but is owned by the owners of the neighbouring residential property of Browseat House. A representation was received on behalf of the owners of Browseat commenting that the application site still includes land in their ownership. The Representor was contacted on this matter and it became apparent that the representation had been submitted based on the application site area shown on a neighbour notification plan not the application drawings. Upon investigation it was evident that the application site area shown on the neighbour notification plan had been plotted incorrectly. This has now been rectified and the neighbours have been re-notified with an amended plan attached. A further representation made on behalf of the landowner of the neighbouring property of Browseat has confirmed that the application site does not include land within their ownership.

Humbie, East and West Saltoun and Bolton Community Council, as a statutory consultee to the application, raise objection to the proposed development on the grounds that:

(i) the development of this site will compromise the future and viability of the village's only commercial hub as the site is used for parking by customers of the post office/shop, which is a facility critical to sustaining Humbie as a vigorous and thriving community;

(ii) the development will lead to traffic reversing onto the B6368 close to a series of bends with limited visibility;

(iii) the development would further reduce pedestrian access to the war memorial from this part of the village; and

(iv) the lack of garden space for the house makes the development inappropriate for this rural location.

The application site is comprised of brownfield land within the village of Humbie and is part of a predominantly residential area as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008. Policy ENV1 does not actively promote the development of land for new build residential development. The principal purpose of Policy ENV1 is to ensure that the predominantly residential use of its area of coverage is safeguarded against the impacts of uses other than housing. Policy ENV1 does however state that infill and backland development will be assessed against Policy DP7 of the adopted East Lothian Local Plan 2008.

As a brownfield site within the predominantly residential area of the village of Humbie the application site is bounded to the west, east and south by residential properties. The erection of a house on the site would amount to infill housing development within a predominantly residential area. As established by the grant of planning permission in principle 08/00531/OUT the principle of infill housing development of this urban site is supported by current Government planning policy guidance on urban infill housing development given in SPP and by Policy DP7 of the adopted East Lothian Local Plan 2008.

The grant of planning permission in principle 08/00531/OUT established the principle of an infill housing development of the site by the erection on it of one detached pitched roofed house, no greater than single storey in height with accommodation in its roof space, positioned on the site with its front elevation in alignment with the front elevation of Post Office and Post Office House and with natural slate or interlocking tile clad roof, all so as to be in keeping with the built form of the village.

Thereafter the considerations in this case are whether, having regard to national, strategic and local planning policies, guidance and other material considerations, and the principles of development set for the site by the grant of planning permission in principle 08/00531/OUT the design, positioning and layout of the proposed development and the works associated with this are acceptable, with due regard to their potential impact on the character and residential amenity of the area, including their impact on the amenity of neighbouring residential properties.

As the principle of infill housing development of the site for the erection of one house is already established by the grant of planning permission in principle 08/00531/OUT there can be no objection in principle to the development of the site as now proposed.

Policy DP7 of the adopted East Lothian Local Plan 2008 states that, amongst other principles of development, infill, backland and garden ground development must by its scale, design and density be sympathetic to its surroundings and should not an overdevelopment of the site. This is in line with the requirements of Scottish Planning Policy: February 2010 that planning authorities should ensure that where infill sites are assessed as suitable for development, proposals respect the scale, form and density of the surroundings and enhances the character and amenity of the community.

The village of Humbie mostly has a single sided layout on the northwest side of the A6137 road, and otherwise is comprised of the small grouping of buildings of the Post Office, Post Office House and Browseat House and the land of the application site, all of which are on the southeast side of the A6137. There is some backland development to the rear of the properties of the northwest part of the village that have frontages with the A6137. The houses and other buildings of the village are of a varied layout and density. The ratio of built form to undeveloped garden ground of the properties immediately surrounding and opposite the application site varies between 17% and 25%. There is no distinct building line on the southeast side of the A6137 public road, however, as the Post Office and Post Office House are attached to one another they provide a guide for the

positioning of a house on the application site. The houses adjacent to and opposite the application site are single storey in height, some with accommodation in their roof spaces. The building materials in the village vary between natural stone, painted render and dry dash render finishes to walls and natural slate or tiles to roofs.

The proposed detached house would be single storey in height with accommodation in its roof space. At some 6.45 metres high it would be no higher than the neighbouring buildings of the Post Office and Post Office House to the south. The proposed house would be orientated with its main frontage facing west towards the B6137 public road. The front (west) elevation wall of the proposed house would be positioned so that it would be in alignment with the front (west) elevation wall of the Post Office and Post Office House to the south. As so positioned and orientated and by virtue of its height, the proposed house would be in keeping with the height and positioning of the neighbouring built form of Humbie village.

The houses and other buildings of Humbie village are of a varied layout and density. The ratio of built form to undeveloped garden ground of the properties immediately surrounding and opposite the application site varies between 17% and 25%. One of the design principles of the grant of planning permission in principle 08/00531/OUT was that the proposed house should have a footprint no larger than that shown on the indicative layout drawing no. B.767/F docketed to planning permission in principle 08/00531/OUT. That indicative footprint was some 73 square metres in area and amounted to some 27% of the application site.

The proposed house would have a footprint of some 80.8 square metres which would amount to a ratio of built form to undeveloped garden ground of some 32% of the application site. This increase in the ratio of built form to undeveloped garden ground is partly due to the reduction in the size of the application site. The footprint of the proposed house would be only some 7.8 square metres larger than that of the indicative footprint of planning permission in principle 08/00531/OUT. The 32% ratio of built form to undeveloped garden ground would be somewhat greater than that of the surrounding properties. However, due to the openness of the agricultural land to the north and the British Telecom exchange site to the east, this extent of greater density would not be so significant as to result in it appearing to be of such a higher density than the surrounding properties so as to be harmful to the pattern and density of the built form of the village.

In keeping with the built form and architectural design of the houses and other buildings of Humbie, the proposed house would have a dual pitched roofed form. The houses and buildings of the village are of varied architectural designs. The design of the proposed house combines both traditional and contemporary features in a manner that would sit comfortably with the architectural form and design of the existing neighbouring houses and buildings. Its dormers would be of a traditional proportion and cat-slide roofed form. There are a variety of dormers on some of the houses of the village, including a large flat roofed dormer positioned high up on the front (west) elevation roof slope of the neighbouring Post Office House. In such context the cat-slide roofed dormers of the front (west) elevation roof slope of the proposed house would not appear dominant on the roof slope of the proposed house and would not be harmfully intrusive, dominant or incongruous within the context of the built form of the village or the wider landscape setting. Due to its positioning on the rear (east) elevation of the proposed house, where only its north side cheek would be visible in public views, the large cat-slide roofed dormer would also not be harmfully intrusive, dominant or incongruous within the context of the built form of the village or the wider landscape setting. With its traditional dual pitched roofed form and architectural features of dormers and window and door bands, the architectural form and design of the proposed house would be sufficiently in keeping

with the built form and architectural design of the houses and other buildings of Humber so as not to appear harmfully incongruous with its landscape setting.

In addition to its traditional proportionality the proposed house would be finished externally in a palette of external finishes (mainly pebbledash rendered walls with reconstituted stone base course and quoins and a roof clad with dark grey interlocking tiles) that would sit comfortably with and be in keeping with the external finishes of the neighbouring houses and buildings.

Furthermore the frames of the windows of the neighbouring building of Post Office and Post Office House to the south are painted/stained a dark brown colour therefore, the dark colouring of the frames of the windows and external doors of the proposed house would not appear incongruous within the context of such finishes in the village.

In its roadside location the proposed house would be readily visible in public views from the B6137 public road. By virtue of its size, height, positioning, form, massing and external finishes the proposed house would not appear intrusive, incongruous or exposed within its wider setting. It would sit comfortably in its positional relationship with neighbouring houses and buildings, would not be an incongruous addition to the pattern and density of the built form of the village and would not be harmful to the character of the built form of the village or of the wider area.

There is sufficient land within the site to accommodate the proposed house, with a sufficient sized garden and adequate parking provision and vehicular access without there being an overdevelopment of it. Development of the site would not result in any loss of open space important to recreation or amenity requirements.

The proposed hardstanding areas to be formed to the west, south and east of the proposed house would provide off-street parking spaces for at least two cars, a turning area, a footpath and a paved patio. The parking and turning areas and the footpath would be surfaced with mono-block paving. The patio area would be surfaced with paving slabs. These hardstanding areas, in their relationship with the proposed house, would not be untypical features for the garden of a house. The proposed footpath and patio would not be readily visible due to being enclosed within the rear garden of the proposed house. The proposed driveway and turning area would be readily visible in public views from the B6137 public road. In such views the proposed driveway and turning area would not be harmful to the character and appearance of the house, the built form of the village or of the wider area.

Boundary enclosures to the roadside frontages of the houses on the opposite side of the B6137 public road are generally under 1 metre in height. The proposed boundary enclosures to the roadside frontage of the proposed house, part of the south boundary and along much of the north boundary of the site would be only some 600mm high and thus would be in keeping with the character of the roadside boundary enclosures of this part of the village. The 1.8 metres high timber screen fencing to be erected around the rear garden of the proposed house would be set well back from the public road and in such position it would be seen in its close relationship with the proposed house. As so positioned it would not appear intrusive and incongruous within its wider landscape setting and would not be harmful to the character and appearance of the area.

The 1.8 metres high timber screen fencing to be erected along part of the south boundary of the site would not extend all the way to the west boundary of the site but would stop some 2.8 metres back from that boundary. Although such fencing would project forward of the front elevation of the proposed house it would be seen in the context of the greater height and massing of the proposed house and the neighbouring buildings of Post Office

and Post Office House and of the existing telephone box that it would be positioned adjacent to. In such context it would not appear intrusive or incongruous within its wider landscape setting and would not be harmful to the character and appearance of the area.

On these matters of design, layout and density of development the proposed development complies with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies DP2 and DP7 of the adopted East Lothian Local Plan 2008, Scottish Planning Policy: February 2010 and Planning Advice Note 67: Housing Quality.

Policies DP2 and DP7 require, amongst other considerations, that new development should not result in any significant loss of daylight, sunlight or privacy to adjoining properties as a result of overshadowing or overlooking.

On the matter of the impact of the proposed house on daylight and sunlight on neighbouring properties, guidance is taken from "Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice" by P.J. Littlefair. By virtue of its height, positioning and distance away from the neighbouring properties, the proposed house would not, in accordance with such guidance, give rise to harmful loss of daylight or sunlight to them and therefore would not have a harmful affect on the residential amenity of those properties. The proposed house should also receive a sufficient amount of daylight (skylight) and the garden of it a sufficient amount of sunlight. On this matter of residential amenity the proposed development is consistent with Policies DP2 and DP7 of the adopted East Lothian Local Plan 2008.

In assessing whether or not a proposed new development would result in harmful overlooking and therefore loss of privacy to existing neighbouring residential properties it is the practice of the Council, as Planning Authority to apply the general rule of a 9 metres separation distance between the windows of a proposed new building and the garden boundaries of neighbouring residential properties and an 18 metres separation distance between directly facing windows of the proposed new building and the windows of existing neighbouring residential properties.

There are no residential properties to the north of the application site, only the driveway of the house of Browseat House. That driveway is already visible in public views and is not afforded the same degree of privacy as would an area of private residential amenity space. Thus the proposed house would not allow for harmful overlooking of any neighbouring residential property to the north.

The houses to the west on the opposite side of the B6137 public road would be some 25 metres away from the front (west) elevation wall of the proposed house and their gardens would be some 18 metres away from that elevation wall of the proposed house. Thus the proposed house would not allow for any harmful overlooking of any neighbouring residential property to the west.

The south elevation wall of the proposed house would be only some 3.2 metres away from the south boundary of the site with the garden of the buildings of Post Office and Post Office House. However, there would be no windows in the south elevation wall of the proposed house. Thus the proposed house would not allow for any harmful overlooking of any neighbouring residential property to the south.

However, further windows or other glazed openings could be formed in the south elevation wall of the proposed house at a later date with permitted development rights and thus without the need for planning permission. If formed they could cause harmful overlooking of the neighbouring property to the south. The 1.8 metres high timber screen

fence that is proposed to be erected along the south boundary of the site at the side of the proposed house would be sufficient to prevent harmful overlooking of the neighbouring garden ground from any ground floor windows or other glazed openings however, first floor windows would still allow for harmful overlooking of the neighbouring garden ground. Accordingly conditions should be imposed on a grant of planning permission to withdraw those permitted development rights for the formation of first floor windows or other glazed openings in the south gable of the proposed house, and for the formation of ground floor windows in the south gable of the proposed house unless there is a 1.8 metres high screen fence or other solid boundary enclosure in place along the length of south boundary of the site at least coterminous with the south elevation wall of the proposed house.

The east elevation wall of the proposed house would be a minimum of some 3.4 metres and a maximum of 5.2 metres away from the east boundary of the site with the land of the British Telecom exchange site. That elevation wall of the proposed house would be some 11 to 12.5 metres away from the garden of the residential property of Browseat House beyond the British Telecom exchange site. Due to the shape of the proposed site some of the windows of the east elevation wall of the proposed house would be less than 9 metres away from the driveway of the residential property of Browseat House, however that driveway is already visible in public views and is not afforded the same degree of privacy as would an area of private residential amenity space. The windows of the east elevation of the proposed house would not be within 18 metres of any directly facing windows of the west elevation wall of the house of Browseat House to the east.

In all of the above the proposed house would not allow for any harmful overlooking of any neighbouring residential property to the east.

The occupiers of the proposed house would also benefit from sufficient privacy and residential amenity.

On the foregoing considerations of overshadowing and overlooking the proposed house is consistent with Policies DP2 and DP7 of the adopted East Lothian Local Plan 2008.

Vehicular access would be taken from the B6137 public road. A parking and turning area would be provided within the site in the form of a driveway that would be positioned to the west and south sides of the house.

The Council's Transportation service advises that the proposed house would be provided with a safe means of vehicular access subject to: (i) the vehicular access being provided with a visibility splay of 2.0 metres by 90.0 metres in both directions so that no obstruction lies within it above a height of 1.05 metres measured from the adjacent road surface; (ii) the first 2 metres of the driveway being hard formed to prevent loose materials entering the public road; and (iii) any gates installed at the access opening into the site. These matters can be made conditional on the grant of planning permission.

Transportation advise that the visibility splay is achievable and that the 600mm high boundary wall and hedging within its extent would be acceptable. Transportation is also satisfied that the proposed driveway to the west and south sides of the proposed house would provide an acceptable standard of on-site parking provision and would allow vehicles to turn so that they would be capable of entering and leaving the public road in a forward gear. Thus, the proposed house can be safely accessed and provided with an acceptable standard of in-curtilage parking and turning provision.

Transportation also advises that the 1.5 metres width of footpath space provided between the west boundary of the site and the back edge of the B6137 public road and

extending around the northwest corner of the site would provide a sufficient width of footpath.

The Council's Transportation service further advises that in order to ensure that the impact of construction traffic would not cause a hazard to road or pedestrian safety due to the proximity of the site to the public road a construction traffic method statement should be submitted for the prior approval of the Planning Authority. This can be controlled by a condition attached to a grant of planning permission. Subject to this planning control Transportation are satisfied that the proposed development would not result in any road or pedestrian safety hazard.

On these considerations the proposed development is consistent with Policies T2 and DP22 of the adopted East Lothian Local Plan 2008.

On the matter of the land of the application site being used for parking by customers of the post office/shop, Transportation advises that this is an informal arrangement, which could end at any time should the land owner choose to enclose the area of land in question whether or not it was then subsequently developed. Transportation further comments that the lay-by on the opposite side of the road has been observed to have spare capacity to accommodate parking for customers visiting the post office/shop.

The Council's Access Officer advises that a new core footpath is proposed to be formed along the western side of the agricultural field that is to the north of the application site. The provision of the 1.5 metres wide footpath space between the west boundary of the site and the back edge of the B6137 public road and extending around the northwest corner of the site would provide a sufficient width of footpath and allow connection between the new core footpath and the village.

The Council's Environmental Protection Manager raises no objection to the proposed development.

Scottish Water raises no objection to the proposed development.

CONDITIONS:

- 1 No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed shown in relation to the finished ground and floor levels on the site.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

- 2 Prior to the house hereby approved being brought into use the proposed vehicle access, turning and parking arrangements shall be laid out as shown in docketed drawing no. CH_PL_003/Rev G and thereafter the access, turning and parking areas shall be retained for such uses.

The vehicular access with the B6137 public road shall have a minimum visibility splay of at least 2.0

metres by 90.0 metres in both directions so that no obstruction lies within it above a height of 1.05 metres measured from the adjacent road surface, and each of the two visibility splays shall be maintained thereafter.

No use shall be made of the new vehicular access driveway with the B6137 public road unless the first 2 metres of ground over the full width of the access and measured from the back edge of the adjacent B6137 public road is hard surfaced to prevent loose materials entering the public road, and thereafter shall be retained as such.

Any gates to be installed at the new vehicular access hereby approved shall only open inwards into the application site.

Reason:

In the interests of road safety.

- 3 A Construction Traffic Method Statement designed to minimise the impact of the movements of construction traffic to and from the application site shall be submitted to and approved by the Planning Authority prior to the commencement of development on the site and shall include hours of construction work and any recommended mitigation measures for the control of construction traffic, which shall, as may be applicable, be implemented prior to the commencement of development and during the period of development works being carried out on the application site.

Reason:

To minimise the impact of construction traffic in the interests of road and pedestrian safety in the locality.

- 4 A schedule and samples of the materials to be used as external finishes of the roof and walls of the house, including the base course, timber feature panels, quoins and window and doors bands, and the new 600mm high rendered boundary wall hereby approved shall be submitted to and approved by the Planning Authority prior to their use in the development and thereafter the materials used shall accord with the samples so approved.

If the timber gates, gate posts and fencing hereby approved to be erected on the boundaries of the site are to be painted or stained a colour or finished in a timber preservative, a sample(s) of that paint, stain or timber preservative shall be submitted to and approved in advance in writing by the Planning Authority, and the colour of the paint, stain or timber preservative applied to the gates, gate posts and fencing shall accord with the sample(s) so approved.

Samples of the materials to be used to surface the hardstanding areas to be used as paved patio, footpaths and vehicular parking and turning areas shall be submitted to and approved by the Planning Authority prior to their use in the development and thereafter the materials used shall accord with the samples so approved.

Reason:

To ensure that the external finishes are appropriate in the interest of safeguarding the character and appearance of the area.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, as amended by The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, or any subsequent Order amending, revoking or re-enacting that Order, no windows or other glazed openings shall be formed at first floor level within the south elevation of the house hereby approved, unless otherwise approved by the Planning Authority.

Reason:

To safeguard the privacy and amenity of the neighbouring residential properties to the south.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, as amended by The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, or any subsequent Order amending, revoking or re-enacting that Order, no windows or other glazed openings shall be formed at ground floor level within the south elevation of the house hereby approved unless the part of the south boundary of the site that is coterminous with the south elevation of the house is enclosed by a solid means of enclosure of a minimum height of 1.8 metres, unless otherwise approved by the Planning Authority.

Reason:

To safeguard the privacy and amenity of the neighbouring residential properties to the south.

- 7 The house hereby approved shall not be occupied until the 1.8 metres high timber screen fencing to be erected on part of the south boundary of the site and the 1.8 metres high timber screen fencing and gate to be erected around the boundaries of the rear garden of the house, all as shown on docketed drawing no. CH_PL_003/Rev G have been erected. Thereafter those boundary enclosures shall be retained in situ at those heights unless otherwise approved by the Planning Authority.

Reason:

To safeguard the privacy and amenity of the occupiers of the neighbouring residential properties to the south and the privacy and amenity of the occupiers of the proposed house.