



**MINUTES OF THE MEETING OF THE  
PLANNING COMMITTEE**

**TUESDAY 3 JUNE 2014  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

Councillor N Hampshire (Convener)  
Councillor D Berry  
Councillor S Brown  
Councillor J Caldwell  
Councillor S Currie  
Councillor T Day  
Councillor J Gillies  
Councillor J Goodfellow  
Councillor D Grant  
Councillor P MacKenzie  
Councillor K McLeod  
Councillor J McMillan (Items 1 – 3)  
Councillor T Trotter  
Councillor J Williamson

**Other Councillors Present:**

Councillor F McAllister  
Councillor M Veitch

**Council Officials Present:**

Ms M Ferguson, Service Manager – Legal and Procurement  
Mr I McFarlane, Service Manager – Development Management

**Clerk:**

Ms F Currie, Committees Assistant

**Visitors Present:**

Item 2 – Mr Jamie Wylie  
Item 2 – Mr T Thomas, APT Planning & Development  
Item 3 – Mr A Duthie, Clarendon Planning & Development Ltd  
Item 3 – Ms E Edwardson, Old Craighall Residents & Tenants Association  
Item 4 – Mr D Carnegie

**Apologies:**

Provost L Broun-Lindsay  
Councillor A Forrest  
Councillor W Innes  
Councillor J McNeil

**Declarations of Interest:**

None

**1. MINUTE OF THE MEETING OF THE PLANNING COMMITTEE OF 6 MAY 2014**

The minute of the Planning Committee of 6 May 2014 was approved.

**2. PLANNING APPLICATION NO. 14/00127/P: CHANGE OF USE OF TECHNICAL BUILDING FOR ANAEROBIC DIGESTER TO AGRICULTURAL BUILDING AND REMOVAL OF CONDITION 7 ALL AS CHANGES TO THE SCHEME OF DEVELOPMENT THE SUBJECT OF PLANNING PERMISSION 10/00660/P AT RUCHLAW MAINS, STENTON**

A report was submitted in relation to Planning Application No. 14/00127/P. Iain McFarlane, the Service Manager-Development Management, presented the report, summarising the key points. The proposed decision set out in the report was to grant consent.

In response to questions from Members, Mr McFarlane advised that there had been no concerns expressed by SEPA and there was likely to be minimal impact on traffic to and from the site following the change of use.

The applicant, Mr Jamie Wylie, addressed the Committee. He explained that the anaerobic digester had originally been required to facilitate a food waste contract bid, supported by grant funding from the Scottish Government. Unfortunately, he had failed to win the contract and the digester was no longer needed. He now planned to erect a similar sized building on the same site but for use as a grain store. The new building would have less impact than the planned anaerobic digester and would be screened from the surrounding area by tree planting.

Mr Tony Thomas of APT Planning & Development, agent for Katherine Sigaroudinia, spoke against the application. He advised that his client owned Ruchlaw House; a category B listed building next to Mr Wylie's property. He pointed out that the original renewable energy aspects of the project no longer applied and the building was not required for its original purpose. He stated that the new building would be detrimental to the view from Ruchlaw House and the surrounding area and the application should be refused.

Local Member Councillor Veitch referred to the strength of the views expressed by local residents on these proposals. Although the original development would have compromised the landscape this would have been mitigated by the renewable energy aspects. He acknowledged that this was an important local business but urged the Committee to carefully consider the views of local residents.

The Convenor commented in his role as a local Member. He cited the importance of this business to the local rural economy and maintained that the objections were not sufficient to merit refusal. He would be supporting the report recommendation.

Councillor Berry indicated that, in his view, the objections were not justified. The site was screened by trees and a bund and the building would not impact on the surrounding area. There was no reason not to approve the application.

Councillor Currie noted that objections should be material and this did not appear to be the case here. He also pointed out the potential consequences of refusal for the business. He would be supporting the report recommendation.

Councillor MacKenzie concurred with the views of Councillor Currie. He noted that the new building would be lower than the previous proposals and there would be no flue or gas flare. He would be supporting the application.

Councillor McMillan echoed comments made by colleagues. He considered the proposals to be well balanced and he would be supporting the application.

The Convener moved to the vote on the report recommendation:

For: 14

Against: 0

Abstentions: 0

### **Decision**

The Committee agreed to grant planning permission.

### **3. PLANNING APPLICATION NO. 13/01020/PPM: PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF 52 RESIDENTIAL UNITS AND ASSOCIATED WORKS ON LAND AT OLD CRAIGHALL ROAD, OLD CRAIGHALL**

A report was submitted in relation to Planning Application No. 13/01020/PPM. Iain McFarlane, the Service Manager-Development Management, presented the report, summarising the key points. The report recommendation was for refusal of the application.

In response to a question from Councillor Berry, Mr McFarlane advised that there had been buildings on this site historically but the last of these was abandoned in the late 1800s.

Mr Antony Duthie of Clarendon Planning & Development Ltd, agent for the applicant, addressed the Committee. He stated that the application had been prepared in line with the Council's interim guidance and the layout would provide a range of units, including affordable housing stock. While it does include green belt land, one third of the site is brownfield and sits within an area designated for economic growth. He advised that the development would help facilitate the reintroduction of the bus service to the village and that appropriate contributions would be made to education, traffic-calming measures and provision of footpaths. He concluded that his client had worked with planning officers to address concerns and was willing to have further discussions if required.

Mr Duthie answered questions on the impact the development would have on the existing settlement in terms of size, local amenities, public consultation, site access and timescale for the build. He also confirmed that there had been interest from Barratt Homes who had indicated that the market conditions would support the sale of up to 25 units per year.

Ms Elaine Edwardson, Old Craighall Residents & Tenants Association, spoke against the application. She informed Members that the proposed development was not in

keeping with the character of the existing hamlet. It would result in its merger with the nearby area of Shawfair and would destroy its secluded nature; one of the attractions for many residents. She referred to the significant disruption to residents and danger to children during the construction phase, the lack of adequate public transport and the detrimental impact on catchment schools. She concluded that a survey of residents had indicated that the majority were against the proposals.

In response to questions from Members, Mr McFarlane confirmed that the school catchment for this development would be split between Campie and Whitecraig Primary Schools.

Local Member Councillor Williamson stated that this development would more than double the size of Old Craighall. He considered that the objections around transport, amenities and education were all well founded and he was particularly concerned about the proposals for a split school catchment. He would be supporting the report recommendation.

Local Member Councillor McAllister endorsed the views expressed by his colleague. He added that in light of the major Shawfair development, there was an argument for preserving this green belt land. He would be supporting the report recommendation.

Councillor Grant concurred with the local Members and the reasons for refusal stated in the report. He would not be supporting this application.

Councillor Currie agreed and pointed out that the loss of amenity from creating a through road in what was a cul de sac was also a significant concern. He would be supporting the report recommendation.

Councillor Caldwell acknowledged that there were some positives to the application; however these were outweighed by the negatives already stated by colleagues. He would be supporting the report recommendation.

Councillor Goodfellow considered that this application was inappropriate in scale and premature in terms of the wider Local Development Plan currently being prepared. He would be supporting the report recommendation.

Councillor Berry agreed that this development was premature. He could see the argument for additional houses in Old Craighall but not on this scale. He would not be supporting this application.

Councillor Day concurred with Members' comments. He would be supporting the report recommendation.

Councillor MacKenzie expressed concerns about the impact on the community, school catchments and the safety of children travelling to school. He would be supporting the report recommendation.

Councillor McMillan viewed the development as being inappropriate for this site. He would be supporting the report recommendation.

The Convener brought the discussion to a close. He advised Members that, in light of other major developments proposed in the area, this application needed careful consideration. It would represent another loss of green belt land. In his view, the proposals lacked coherence and would not benefit the community. He would be supporting the recommendation as set out in the report.

The Convener moved to the vote on the report recommendation:

For: 14

Against: 0

Abstentions: 0

### **Decision**

The Committee agreed to refuse planning permission for the following reasons:

- 1 On the following considerations the new build residential development proposed in principle in this application is contrary to the Council's Housing Land Supply: Interim Planning Guidance:
  - (i) The proposed development is of a scale inappropriate to this small settlement;
  - (ii) By virtue of its nature and scale is inappropriate development in the Green Belt and conflicts with Development Plan policies relating to development within the Green Belt;
  - (iii) It would not be served by public transport or any other facilities and services, therefore the need to travel would not be minimised;
  - (iv) Given the lack of existing facilities or services within Old Craighall the proposed housing would not make a demonstrable and necessary contribution to sustaining or improving educational, social or community facility provision within the local area;
  - (v) The south-eastern boundary of the application site is not contained within a robust, defensible boundary and the residential development of the application site would set a real precedent for subsequent future expansion to the southeast, the principle of which should be considered through the Local Development Plan process.
- 2 The type and scale of the proposed development would be inappropriate, highly visible development within the green belt which would undermine green belt objectives and as such is contrary to Scottish Planning Policy: February 2010, Policy 7 (Maintaining a Five Year Housing Land Supply) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies DC1 (parts 5) (Development in the Countryside and Undeveloped Coast), and DC2 (Development in the Edinburgh Green Belt).

*[Sederunt – Councillor McMillan left the meeting.]*

#### **4. PLANNING APPLICATION NO. 13/00650/P: ERECTION OF 2 HOUSES AND ASSOCIATED WORKS ON LAND ADJACENT TO THE STEADING, HIGH ROAD, SPOTT**

A report was submitted in relation to Planning Application No. 13/00650/P. Iain McFarlane, the Service Manager-Development Management, presented the report, summarising the key points. The proposed decision set out in the report was to grant consent.

In response to a question from Councillor Goodfellow, Mr McFarlane advised that education contributions were only required from developments of 5 houses or more.

Mr David Carnegie, the owner of Turner's House (also known as The Steading), a category C listed building, spoke against the application. He was firmly of the view that the proposals would have a negative impact on his home and the surrounding village which sits in a conservation area. He pointed out that the elevated nature of the site meant that there would be problems with overlooking and loss of daylight to his property. There were also concerns about proposals for access from the site to the road via a footpath.

Local Member Councillor Veitch commented that the character of the village was such that any development needed careful consideration. This proposal was not in keeping with the look or character of other buildings in the village and he urged Members to consider carefully the views of residents and objectors. He indicated that, if he had a vote, he would not support this application.

As a local Member, the Convenor was familiar with the village and the proposed site. In his view, the development would not detract from or impact upon the listed building. He would be supporting the report recommendation.

Councillor Berry pointed out that both the listed building and the proposed development site were screened from the road by trees. He acknowledged that the increased elevation of the site may lead to concerns about overlooking, however, on balance; he could find no justification for refusal. He would be supporting the application.

Councillor MacKenzie sympathised with concerns raised by objectors in relation to potential loss of daylight and the negative impact on the historical character of the area. He would not be supporting the report recommendation.

Councillor Goodfellow concurred with Councillor Berry's views. He would be supporting the application.

The Convenor brought the discussion to a close. As previously stated, he would be supporting the recommendation to grant planning permission as set out in the report.

The Convenor moved to the vote on the report recommendation:

For: 12  
Against: 1  
Abstentions: 0

**Decision**

The Committee agreed to grant planning permission subject to the following 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 Samples of the materials to be used as external finishes of the houses hereby approved shall be submitted to and approved by the Planning Authority prior to their use in the development. Only those materials approved by the Planning Authority shall be used as the external finishes of the houses.

Reason:

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

- 3 The house to be erected on the eastern part of the site (marked 'House 2' on the application drawings) as hereby approved shall not be occupied until the roof window to be installed in its east elevation roof slope is obscure glazed in accordance with a sample of such obscure glazing to be submitted to and approved in advance by the Planning Authority. Thereafter that roof window shall remain obscure glazed in accordance with the sample so approved unless otherwise approved by the Planning Authority.

Reason:

To safeguard the privacy and amenity of the occupiers of the neighbouring residential property to the east.

- 4 The house to be erected on the western part of the site (marked 'House 1' on the application drawings) as hereby approved shall not be occupied unless the beech hedging has been planted along the length of the north, east and south boundaries of its plot as shown on docketed drawing no.AL(0)101 Revision F. This beech hedging shall be planted as 90-150cm whips at 300mm centres in two rows and shall be protected by staked 'tubex' or similar until established. This beech hedging shall be allowed to grow to and thereafter be maintained at a minimum height of 1.8 metres above ground level where it is to be planted.

Reason:

To safeguard the privacy and amenity of the neighbouring residential properties and in the interest of the landscape character and appearance of the area.

- 5 The house to be erected on the eastern part of the site (marked 'House 2' on the application drawings) as hereby approved shall not be occupied unless the beech hedging has been planted along the length of the west, north, east and south boundaries of its plot as shown on docketed drawing no.AL(0)101 Revision F. This beech hedging shall be planted as 90-150cm whips at 300mm centres in two rows and shall be protected by staked 'tubex' or similar until established. This beech hedging shall be allowed to grow to and thereafter be maintained at a minimum height of 1.8 metres above ground level where it is to be planted.

Reason:

To safeguard the privacy and amenity of the neighbouring residential properties and in the interest of the landscape character and appearance of the area.

- 6 The occupation of each one of the two houses hereby approved shall not commence unless and until the proposed vehicle access, turning and parking arrangements for it has been laid out on site as shown on docketed drawing no.AL(0)101 Revision F and thereafter the vehicle access, turning and parking arrangements designated for each house respectively shall be retained for such uses for each house.

Reason:

In the interests of road safety.

- 7 Neither of the two houses hereby approved shall be occupied until the new pedestrian path on the western part of the application site connecting to High Road has been formed and been made available for use and thereafter the pedestrian path shall be retained for such use.

At the northern end of the pedestrian path a hard standing area shall be provided on the verge adjacent to the carriageway to enable pedestrians to cross the road from/to the existing

footway on the opposite side of High Road and a dropped kerb pedestrian crossing shall be provided over High Road by the provision of lowered kerbs on either side of High Road to enable level access for pedestrians crossing the road, all in accordance with details to be submitted to and approved in advance by the Planning Authority.

Reason:

In the interests of road and pedestrian safety.

- 8 The development hereby approved, the tree protection measures and the new tree planting shall all be carried out in strict accordance with Section 2 - TREES AND DEVELOPMENT, parts 3.1 and 3.2 of Section 3 - TREE AND HEDGE PLANTING and the Tree Proposals drawing no. 1347/1 of the Tree Protection, Management and Planting Proposals report by Donald Rodger Associates docketed to this planning permission, and also with the application drawings docketed to this planning permission.

In the first planting and seeding season following the last occupation of the two houses hereby approved or the completion of the development, whichever is the sooner the new tree planting indicated in the Tree Protection, Management and Planting Proposals report and shown on the Tree Proposals drawing no. 1347/1 of that report shall have been completed. If any of the new trees within a period of five years from the occupation of the last of the two new houses or the completion of the development, whichever is the sooner, die, are removed or become seriously damaged or diseased they shall be replaced in the next planting season with others of the same species and of a similar size, unless the Planning Authority gives written consent to any variation.

Reason:

To ensure the retention and maintenance of trees which are an important feature of the area.

Signed

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Councillor Norman Hampshire  
Convener of the Planning Committee



**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 19 August 2014

**BY:** Depute Chief Executive  
(Partnerships and Community Services)

**SUBJECT:** Application for Planning Permission for Consideration

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**2**

Application No. **14/00263/AMM**

Proposal Application for Matters specified in conditions 1 and 2 of planning permission in principle 09/00486/OUT - Erection of 81 houses and associated works

Location **Hallhill  
Dunbar  
East Lothian  
EH42 1RF**

Applicant Taylor Wimpey East Scotland

Per EMA Architecture + Design Limited

RECOMMENDATION Consent Granted

#### PLANNING ASSESSMENT

Although this application is for the approval of matters specified in conditions of planning permission in principle 09/00486/OUT it has to be determined as a major development type application because the area of the application site is greater than 2 hectares and the number of dwellings detailed is greater than 50. Accordingly the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

In January 2012 planning permission in principle 09/00486/OUT was granted for a residential development of some 525 houses on 22.2 hectares of agricultural land at Hallhill, to the southwest of Dunbar. That land is the strategic housing site of Proposal H2 of the adopted East Lothian Local Plan 2008.

The originally approved phasing plans of the docketed Masterplan Document split the housing development of the site of 525 houses into 7 Phases of development.

In March 2013 approval of matters specified in conditions of planning permission in principle 09/00486/OUT (Ref: 12/00660/AMM) was granted for the details of:

(i) the siting, design and external appearance of 198 housing units, accessing and landscaping and of other principles of development of Phases 1, 2 and 3 of a housing development of the site of 525 houses; and

(ii) the formation of a length of distributor road to the north of Phase 3 to serve Phases 5, 6 and 7 of the overall housing development of 525 houses, and the provision of a SUDS pond and an area of open space in the northeast corner of the larger housing development site of 525 houses.

Development of the site has not yet commenced.

The approval of matters specified in conditions now sought is for the erection of 81 houses on part of the land to which planning permission in principle 09/00486/OUT and the Masterplan docketed to that permission apply.

Of the 81 houses, 38 would be detached, 24 semi-detached and 19 terraced. The submitted details also include for the internal access roads, parking courts, landscaped open space and structural planting.

The application site has an irregularly shaped footprint. It is mainly bounded by agricultural land. That agricultural land forms the remainder of the larger site the subject of planning permission in principle 09/00486/OUT. At its nearest point the A1 trunk road is some 120 metres to the south of the application site. The site is bounded partly to the northeast by a housing site that is being developed by the applicant, Taylor Wimpey, for 139 houses (a development approved by the grant of planning permissions 09/00623/FUL, 12/00671/P and 14/00187/P). The application site has a gently rolling topography. It is enclosed along its southern boundary by a stone wall, which is in parts some 2 metres high.

Vehicular access to the 81 houses would be taken from the western end of Brodie Road at the southern end of the housing site that is being developed by Taylor Wimpey. Additionally, vehicular access would be taken from the A1 trunk road via the unclassified road that is immediately to the south of the site.

As a conditional requirement of planning permission in principle 09/00486/OUT the existing junction of the unclassified road with the A1 trunk road (the Eweford junction) has to be upgraded.

Amended plans have been submitted showing:

(i) revisions to the access, parking and street layout of the proposed housing development; and

(ii) revisions to some of the proposed house types and a reduction in the number of proposed houses from 82 down to 81.

Additionally a Noise Assessment Report has been submitted to address concerns raised by the Council's Principal Environmental Protection Officer.

Planning permission is separately sought through applications 14/00355/AMC and 14/00358/AMC for the erection of a total of 73 houses on land immediately to the east of the application site. Those applications are pending consideration and no decision has

been taken on them.

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.

Relevant to the determination of the application is Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies H1 (Housing Quality and Design), DP1 (Landscape and Streetscape Character), DP2 (Design), C1 (Minimum Open Space Standard for new General Needs Housing Development), C2 (Play Space Provision in new General Needs Housing Development), T2 (General Transport Impact), DP20 (Pedestrians and Cyclists), DP22 (Private Parking) and DP24 (Home Zones) of the adopted East Lothian Local Plan 2008.

A material consideration is the supplementary planning guidance of "Design Standards for New Housing Areas" approved by the Council on 10th March 2008. This guidance requires that a more flexible approach be taken in road layout and design for proposed housing developments and sets core design requirements for the creation of new urban structures that will support Home Zone development as well as establishing design requirements for the layout of and space between buildings. Developers must provide adequate information to the satisfaction of the Council to demonstrate the merits of their design.

Also material to the determination of the application is the approved development framework for Hallhill South West, Dunbar. The framework sets out the land uses expected for the allocated site and how the Council requires the site to be developed.

There is no public objection to the application.

Dunbar Community Council, a consultee, do not object to the proposals.

By the grant of planning permission in principle 09/00486/OUT, approval has been given for the principle of the erection of up to 525 houses on the allocated land of Hallhill South West. There can therefore be no objection in principle to the erection of 81 houses on the application site.

Therefore, in the determination of this application the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the development and the landscaping of and means of access to the site. In this regard the detailed proposals have to be considered against relevant development plan policy, the Council's approved development framework for Hallhill South West and the Masterplan and conditions attached to planning permission in principle 09/00486/OUT.

The details now submitted for approval are for a scheme of development comprising a mix of detached, semi-detached and terraced houses (15 types of residential units), with all of the proposed 81 houses being two storey in height.

The houses and associated areas of ground, in their proposed groupings, orientations, and layout would mainly be consistent with the principles of 'Home Zones' as set out in the Council's Design Standards for New Housing Areas, as would be the proposed layout of roads, pathways, parking courts and parking spaces. The only significant

exception relates to the proposed open plan form of the front gardens of the houses. In respect of this, open plan front gardens are an integral design feature of the existing housing developments at Hallhill/Lochend as developed to date. The front gardens of the existing houses of Moray Avenue and Steadings Gardens, which are to the east of the application site, are open plan. The front gardens of the 139 houses currently being built by Taylor Wimpey on the land immediately to the northeast of the application site are also open plan. Thus to require the front gardens of the proposed 81 houses to be enclosed by a boundary treatment would be at odds with this existing characteristic of the Hallhill/Lochend housing development area.

The layout proposed is generally informal and has designed into it some intrinsic interest. It embodies an appropriate mix of detached, semi-detached and terraced houses. The proposed houses, due to their positioning on the application site and by virtue of their height, size and scale would integrate with the two storey houses they would be in proximity to and thus would be appropriate to their location. The proposed houses would be of a similar form and design to the already approved houses that have been built within the Hallhill/Lochend area, and they would not therefore appear as a disjointed and inharmonious grouping of buildings. The proposed houses would not cause any incongruous change to the architectural harmony, integrity and character of the Hallhill/Lochend area. In this regard, the predominant external wall finish should be render, as is predominantly the case with existing houses at Hallhill/Lochend. This planning control can be secured by a condition imposed on the approval of matters specified in conditions for the proposed housing development.

The proposed housing development would provide an attractive residential environment. The houses are shown to be laid out in such a way that adheres to the normally accepted privacy and amenity criteria on overlooking and overshadowing, whilst affording the future occupants of the houses an appropriate level of privacy and residential amenity.

The application site is capable of accommodating all of the development detailed for it to a pattern and of a density consistent with existing patterns and densities of housing development at Hallhill/Lochend.

The proposed positioning of the 81 houses and other components of the development would not prejudice the form of development of the remainder of the 525 houses approved in principle by the grant of planning permission in principle 09/00486/OUT.

The Council's Landscape Project officer recommends that a detailed scheme of landscaping should be submitted in respect of the application site. The scheme of landscaping should be based on the 'Hallhill Landscape Strategy', which is docketed to planning permission in principle 09/00486/OUT. The submission of the detailed scheme of landscaping and thereafter its implementation can be secured by a condition imposed on the approval of matters specified in conditions for the proposed housing development.

At its nearest, the A1 trunk road is some 30 metres to the south of the application site. The nearest of the proposed residential units would be some 45 metres from the road. In this regard the Council's Principal Environmental Protection Officer initially recommended that noise mitigation measures be required in respect of this, however, he accepts the findings of the Noise Assessment Report submitted by the applicant and that such measures cannot be reasonably required. He raises no objection to the proposed housing development.

On all of these foregoing findings on matters of design, density, layout, landscaping and amenity the details submitted for approval are consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies DP1, DP2 and

DP24 of the adopted East Lothian Local Plan 2008, the Council's Design Standards for New Housing Areas and generally with the approved development framework for Hallhill South West, Dunbar.

The Masterplan and Masterplan Document docketed to planning permission in principle 09/00486/OUT indicate how areas of formal and informal open space could be located throughout the allocated housing site. This includes two principal areas of open space, one which would be centrally located within the site and the other which would be adjacent to Lochend Woods, in the northeast part of the site.

The site that is the subject of this approval of matters specified in conditions application does not include the land shown on the docketed Masterplan and Masterplan Document as being the locations for the two principal areas of open space. The proposed development does however include areas of open space, consistent with the docketed Masterplan and Masterplan Document.

The Development Framework requires the provision of suitably sized and designed equipped play facilities for toddlers, 5-10 year olds, and teenage age groups. The docketed Masterplan and Masterplan Document show that a total of five equipped play areas could be provided within the housing site. None of these play areas are shown within the site that is the subject of this approval of matters specified in conditions application. Consequently, although the proposed development does not include the provision of a play area, this is consistent with the docketed Masterplan and Masterplan Document.

Paragraph 2.6 of the "Design Standards for New Housing Areas", approved by the Council on 10th March 2008, states that new housing development must create a hierarchical, permeable and interconnected street layout that complements and should extend the surrounding street pattern. Such layouts spread vehicle traffic evenly through a site and to the surroundings, help prevent localised traffic congestion, and encourage walking and cycling. Proposed street layouts must maximise connections within the site and to surrounding streets, and ensure the movement requirements of the development strategy are met. By the design and arrangement of street types, street layouts must influence vehicle drivers preferred route choice to ensure the tertiary streets between residential blocks are less busy. In paragraph 2.9 it is stated that Home Zones must be introduced to new development as part of a hierarchical, permeable and interconnected street layout.

The principles of the means of accessing of the proposed housing are already decided by the grant of planning permission in principle 09/00486/OUT. These are that vehicular access to the housing development of 525 houses should be taken from Brodie Road, by way of a westwards extension of Brodie Road and from the A1 trunk road via the unclassified road that is immediately to the south of the site and that the existing junction with the A1 trunk road should be upgraded.

The submitted details for accessing the proposed 81 houses are in accordance with these established principles of the means of accessing the housing development of 525 houses.

The Council's Road Services raise no objection to the submitted details. They do however make recommendations on the standards of provision.

They recommend that:

(i) vehicle accesses to private parking areas (i.e. other than driveways) shall be via

reinforced footway crossings and shall have adequate width to enable two way movement of vehicles at the accesses;

(ii) in accordance with the phasing plans docketed to planning permission in principle 09/00486/OUT, the new off-site pedestrian/cycle routes through the woodland of Lochend Woods to the north east of the site should be constructed, lit and available for use prior to the occupation of any of the 81 houses. Details of the pedestrian/ cycle route should be submitted to and approved by the Planning Authority;

(iii) all footpaths and cycle paths as connections from a zone under construction to existing pedestrian/cycle routes should be constructed to an adoptable standard before the occupation of any of the residential units of the particular zone; and

(iv) wheel washing facilities are provided during the construction phase of the housing development.

All of these requirements can reasonably be made conditions of the approval of matters specified in conditions for the proposed housing development

Roads Services are generally satisfied with the number and layout of car parking spaces proposed for the housing development. Some amendments have been made to the parking arrangements for specific plots and in relation to visitor parking. Roads services recommend that:

(i) driveways should have minimum dimensions of 6 metres by 2.5 metres. Double driveways should have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length;

(ii) within private parking areas, the minimum dimensions of a single parking space should be 2.5 metres by 5 metres. All visitor parking spaces within these areas should be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings; and

(iii) all prospectively adoptable parking bays (i.e. that will form part of the public road) should have minimum dimensions of 2.5 metres by 6 metres. This can be reduced to a minimum length of 5 metres on the proviso that there is adequate road space to manoeuvre in adjacent to the parking bay.

On these foregoing transportation and other access considerations the proposed residential development is consistent with Policies T2, DP20 and DP22 of the adopted East Lothian Local Plan 2008.

The mechanism of a financial contribution towards additional educational provision in Dunbar for a housing development of 525 houses has already been secured through the grant of planning permission in principle 09/00486/OUT.

The mechanism of the provision within the residential development of 525 houses of 25% affordable housing (i.e. 131 units of the proposed 525 units) is already secured through the grant of planning permission in principle 09/00486/OUT.

The matter of site drainage was considered through the determination of previous application 09/00486/OUT. The Masterplan and Masterplan Document docketed to planning permission in principle 09/00486/OUT indicate how two sustainable urban drainage scheme (SUDS) ponds would be formed within the site to attenuate the flow of surface water run-off. The Scottish Environment Protection Agency raise no objection to

the details of the 81 houses now proposed.

Scottish Water were consulted on the planning application but have not commented on it.

Condition 3 of planning permission in principle 09/00486/OUT requires that the phasing of the development of the site shall be carried out in strict accordance with the phasing plans that are in the Masterplan Document docketed to planning permission in principle 09/00486/OUT, unless otherwise approved in writing in advance by the Planning Authority.

The originally approved phasing plans of the docketed Masterplan Document split the housing development of the site of 525 houses into 7 Phases of development.

In August 2014 East Lothian Council approved an alternative phasing plan for the site. The approved phasing plan splits the housing development of the site of 525 houses into 12 Phases of development.

What is detailed for the application site in this current application for approval of matters specified in conditions is consistent with the alternative phasing plans for the site that were approved by the Council in August 2014 and, thereby, is also consistent with the grant of planning permission in principle 09/00486/OUT.

## RECOMMENDATION

That approval of matters specified in conditions for the proposed housing development be granted subject to the following 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 A detailed specification of all external finishes of the houses of the proposed development shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. The external finishes of the houses shall be in accordance with a co-ordinated scheme of materials and colours that shall be submitted to and approved in advance by the Planning Authority. This co-ordinated scheme shall in detail respect the layout of the development and shall promote render as the predominant finish to the walls of the houses. All such materials used in the construction of the houses shall conform to the details so approved.

Reason:

To ensure the development is of a satisfactory appearance in the interest of the amenity of the locality.

- 3 Prior to the commencement of development details of the position and type of all boundary enclosures to be erected on the application site shall be submitted to and approved in advance by the Planning Authority. Development shall thereafter be carried out in full accordance with the details so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure the satisfactory appearance of the fencing in the interest of safeguarding the visual amenity of the area and to safeguard the privacy and amenity of residential properties nearby.

- 4 No development shall take place until there has been submitted to and approved in writing by the Planning Authority a scheme of landscaping. The scheme shall provide details of : the height and slopes of any mounding on or recontouring of, the site; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. The scheme of landscaping shall be based on the 'Hallhill Landscape Strategy', which is docketed to planning permission in principle 09/00486/OUT. It shall also show specimen tree planting within the areas of open space adjacent to the two SUDS ponds and the area of open space to the north of plots 132 and 161 of the proposed housing development. The scheme shall also include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area and to improve the biodiversity value of the area.

- 5 Prior to the occupation of the last house approved, the proposed access roads, parking spaces, and footpaths shall have been constructed on site, in accordance with the docketed drawings and the transportation conditions specified below. Those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles in connection with the residential use of the houses and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

To ensure that adequate and satisfactory provision is made for access and for off-street parking in the interests of road safety.

- 6 No work shall be carried out on the site unless and until an effective vehicle wheel washing facility has been installed in accordance with details to be submitted to and approved by the Planning Authority prior to its installation. Such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.

Reason

In the interests of road safety.

- 7 Prior to the commencement of development, details showing compliance with the following transportation requirements shall be submitted to and approved in writing in advance by the Planning Authority.

(i) vehicle accesses to private parking areas (i.e. other than driveways) being via a reinforced footway crossing and shall have adequate width to enable two way movement of vehicles at the accesses;

(ii) in accordance with the phasing plans docketed to planning permission in principle 09/00486/OUT, the new off-site pedestrian/cycle routes through the woodland of Lochend Woods to the north east of the site should be constructed, lit and available for use prior to the occupation of any of the 81 houses;

(iii) all footpaths and cycle paths from a zone under construction to their connections to existing



pedestrian/cycle routes should be constructed to an adoptable standard before the occupation of any of the residential units of the particular zone;

(iv) driveways shall have minimum dimensions of 6 metres by 2.5 metres. Double driveways shall have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length;

(v) within private parking areas, the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres. All visitor parking spaces within these areas shall be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings; and

(vi) all prospectively adoptable parking bays (i.e. that will form part of the public road) shall have minimum dimensions of 2.5 metres by 6 metres. This can be reduced to a minimum length of 5 metres on the proviso that there is adequate road space to manoeuvre in adjacent to the parking bay.

The housing development shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road and pedestrian safety.

**Letters From:**

There were no representations received on this application.