

PLANNING COMMITTEE
TUESDAY 3 FEBRUARY 2015

PUBLIC DOCUMENT PACK

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

**TUESDAY 6 JANUARY 2015
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

1

Committee Members Present:

Councillor N Hampshire (Convener)
Councillor D Berry
Provost L Broun-Lindsay
Councillor S Brown
Councillor J Caldwell
Councillor S Currie
Councillor A Forrest
Councillor J Gillies
Councillor J Goodfellow
Councillor D Grant
Councillor P MacKenzie
Councillor K McLeod
Councillor J McMillan
Councillor J McNeil
Councillor J Williamson

Council Officials Present:

Ms M Ferguson, Service Manager – Legal and Procurement
Mr I McFarlane, Planning Service Manager – Development Management
Mr K Dingwall, Principal Planner
Ms C Molloy, Senior Solicitor
Ms S Greaves, Planner
Mr M Greenshields, Transportation Planning Officer
Mr G McLeod, Transportation Planning Officer
Ms P Bristow, Communications Officer

Clerk:

Ms A Smith

Visitors Present:

Item 2 – Mr G Patrick
Item 4 – Mr S Farrell, Mr J Frostwick
Item 5 – Mrs S Ainslie, Mrs S McManus

Apologies:

Councillor T Day
Councillor W Innes
Councillor T Trotter

Declarations of Interest:

Councillor Goodfellow declared an interest in Item 2 as the Council's representative on the North Berwick Trust, who owned the land in question. He would leave the Chamber for this item.

1. MINUTE OF THE MEETING OF THE PLANNING COMMITTEE OF 2 DECEMBER 2014

The minute of the Planning Committee of 2 December 2014 was approved.

Sederunt – Councillor Goodfellow left the Chamber

2. PLANNING APPLICATION NO. 14/00753/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION IN PRINCIPLE 13/00227/PPM – FOR INFRASTRUCTURE ASSOCIATED WITH THE RESIDENTIAL DEVELOPMENT INCLUDING THE CONSTRUCTION OF MEANS OF ACCESS JUNCTIONS AT GRANGE ROAD, SPINE ROAD, CYCLE/PEDESTRIAN FOOTPATHS, SUDS, LINEAR PARK, PLAY AREA, STRATEGIC LANDSCAPING/TREE PLANTING, LANDSCAPING OF COUNTRYSIDE PARK, TRAFFIC CALMING ON GRANGE ROAD AND 2 ELECTRIC SUB STATIONS AT LAND AT MAINS FARM, NORTH BERWICK

A report was submitted in relation to Planning Application No. 14/00753/AMM. Keith Dingwall, Principal Planner, presented the report, summarising the key points. The report recommendation was to grant consent.

Mr Dingwall responded to questions from Councillor Berry, clarifying issues in relation to the hedge to the north of the site and also ownership and future maintenance of the parkland.

Graeme Patrick, Strategic Land Director for Walker Group, the applicant, addressed the Committee. He informed Members that this was the first in a number of detailed applications which were required to commence the Mains Farm development; the intention was to start work on site in the next few weeks. The principal infrastructure and spine road would be completed in the early stages.

Mr Patrick responded to questions about factoring of the public open space. He confirmed that the Countryside Park would be retained by the North Berwick Trust, who would manage the maintenance arrangements. He also responded to questions about the play provision, informing Members that given the reported inadequate provision, the national UK play provider that had been engaged would be asked to submit revised details.

Local Member Councillor Berry welcomed the report; he was pleased that appropriate infrastructure and sufficient open space would be provided. The location was good; this was a positive development for North Berwick.

The Convener also welcomed progress on one of the strategic sites in East Lothian. He moved to the vote on the report recommendation:

For: 14
Against: 0
Abstentions: 0

Decision

The Committee agreed that approval of matters specified in conditions for the proposed infrastructure 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; and
- 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.

Reason:

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

- 2 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 shall 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.

- 3 The details of the LEAP play area is not hereby approved. Instead, revised details of the LEAP play area, including the equipment to be provided within it and a timetable for installation, shall be submitted to and approved in advance by the Planning Authority and the LEAP play area shall thereafter be installed in accordance with the details so approved. The revised details to be submitted shall show a greater range of play equipment suitable for children who are beginning to go out and play independently close to where they live. It shall also show seating for parents or carers.

Reason:

To ensure that a satisfactory play area is provided in the interests of the amenity of future residents of the Mains Farm housing development.

- 4 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) an Independent Road Safety Audit shall be submitted for the proposed new infrastructure works within the site and shall include all the works proposed on Grange Road. The findings of this audit, which result in changes, shall be incorporated in the final design solutions;

(ii) the proposed new roads and footways/footpaths and shared cycle routes shall all be laid out as shown in the docketed drawings;

(iii) a Construction Method Statement for the works to Grange Road shall be submitted to and approved in advance by the Planning Authority. The Construction Method Statement shall seek to minimise the impact of construction activity on the amenity of the area and shall show that

when works take place directly on Grange Road itself (e.g. to form traffic calming), construction traffic shall only access Grange Road to and from Haddington Road;

(iv) the shared surface (i.e. cyclepath/footpath) through the linear park to the west of the site shall be at least 2.5 metres wide and be put forward for adoption and lit;

(v) at vehicle crossing points for the path referred to in point 4. above, the crossing over the roads shall either be raised to the path level or the crossing width narrowed;

(vi) on Grange Road, the raised table to the east of the proposed Bus Stop on the southern side of Grange Road is not approved. This shall be removed and replaced, potentially, with speed cushions to the east of the proposed raised table;

(vii) visibility splays of 2.5 metres by 70 metres shall be provided at all the access junction onto the main infrastructure spine roads and the junctions onto Grange Road. No obstruction shall lie within the splay above a height of 1.05 metres, measured from the adjacent carriageway surface;

(viii) additional traffic calming shall be installed on the main spine road leading north to south. This is to tie into/with the proposed speed table in the vicinity of the internal Bus Stops and 'Community Hub' area; and

(ix) wheel washing facilities shall be provided during the construction phase of the development.

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

Reason:

In the interests of road and pedestrian safety.

Sederunt – Councillor Goodfellow returned to the Chamber

3. PLANNING APPLICATION NO. 14/00778/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION IN PRINCIPLE 09/00486/OUT – ERECTION OF 131 RESIDENTIAL UNITS AND ASSOCIATED WORKS AT LAND TO THE WEST OF BRODIE ROAD, HALLHILL, DUNBAR

A report was submitted in relation to Planning Application No. 14/00778/AMM. Mr Dingwall presented the report, summarising the key points. The report recommendation was to grant consent.

The Convener, speaking as a local Member, welcomed progress on another strategic site. This application, for 131 residential units, all allocated for affordable housing, would benefit many families. He fully supported the report recommendation.

Councillor Currie also welcomed the report and progress on this site. He remarked however that in relation to affordable housing he had hoped that these units would be dispersed throughout the development and not contained in one area.

Mr Dingwall clarified that there would be three different phases of development of the site of the 525 residential units. The 131 affordable housing units would be built on three parts of the land as set out in the masterplan attached to planning permission in principle 09/00486/OUT.

Councillor Berry agreed with Councillor Currie; locating the affordable housing units across three parts of the site was not the same as having these units dispersed throughout the development.

Councillor MacKenzie made reference to the aesthetics of the development and to the specification of external finishes as detailed in condition 3; he welcomed this and trusted these standards would be adhered to.

The Convener brought the discussion to a close. He reiterated that the affordable housing units would be on three different sites. He moved to the vote on the report recommendation:

For: 15
Against: 0
Abstentions: 0

Decision

The Committee agreed 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 No development shall be commenced on site unless and until written evidence that a contract has been entered into for the provision as affordable housing of all of the 131 residential units hereby approved has been submitted to and agreed by the Planning Authority.

Reason:

In order to ensure the development is operated as affordable housing and is therefore compliant with Policy DP22 of the adopted East Lothian Local Plan 2008.

- 3 A detailed specification of all external finishes of the houses and flats 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 and flats 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 and flats. All such materials used in the construction of the houses and flats 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.

- 4 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.

- 5 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. 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.

- 6 Prior to the occupation of the last residential unit hereby 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 flats 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.

- 7 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.

- 8 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 131 residential units;

(iii) bus shelters and bus stops shall be provided, in the positions indicated as 'bus' on the Masterplan docketed to planning permission in principle 09/00486/OUT, prior to the occupation of any of the residential units within Phase 3A of the development hereby approved;

(iv) 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;

(v) 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;

(vi) 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;

(vii) 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;

(viii) all carriageway and footway/ footpath connections shall meet with existing links to adjacent sites, both horizontally and vertically;

(ix) the proposed 'Temporary Turning Area' in Site 2A, which is adjacent to plots 120/123, shall be provided and in place prior to the occupation of any of the residential units on plots 108 to 123. The 'Temporary Turning Area' shall remain in place, unless otherwise approved by the Planning Authority;

(x) proposed parking adjacent to prospectively public roads and contiguous with the carriageway surface shall only form public parking bays and shall form part of the public road (therefore being available for all road users); and

(xi) no flat shall be occupied unless cycle parking for that flat has been provided (at a rate of 1 space per flat). The parking shall be in the form of 1 locker per flat or communal provision in the form of a lockable room or shed.

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

Reason:

In the interests of road and pedestrian safety.

4. PLANNING APPLICATION NO. 14/00769/AMC: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION IN PRINCIPLE 13/00552/PP – ERECTION OF 1 HOUSE AND ASSOCIATED WORKS AT STAMFORD HALL, GOOSE GREEN ROAD, GULLANE

A report was submitted in relation to Planning Application No. 14/00769/AMC. Stephanie Greaves, Planner, presented the report, summarising the key points. The proposed decision set out in the report was for refusal of the application.

In response to questions from Members, Ms Greaves clarified that applications for planning permission in principle in a Conservation Area required submission of indicative design details, hence the elevation drawings submitted with the original application were indicative only.

Stephen Farrell, the applicant, addressed the Committee. He contested the reasons for refusal. Massing: the report stated that the proposal was in keeping with the range of properties in Gullane and, in terms of its footprint, would not be harmful to the character of the area; this was contradictory to the recommendation for refusal. Scale: the proposed house was bounded by four properties, two of which had three floors of accommodation. Height: there would be accommodation in the roof area; however there would be no attic in addition to this. He added that the objections from neighbours related to the access not to the proposed building.

Julian Frostwick, of Architecturejfltd, agent for the applicant, addressed the Committee. He displayed several drawings, illustrating the original planning permission in principle application and the current application. He referred to the

considerable mix of housing styles and massing in this area and stated that the proposed house would sit well in its location.

In response to questions from Councillor Goodfellow, Mr Frostwick confirmed that his client was agreeable to the erection of appropriate fencing along the southeast boundary of the application site and also to lowering the height of the chimneys.

Local Member Councillor Goodfellow indicated he had brought this application to Committee due to its complexity and the sensitivity of the Conservation Area. He made reference to the objections regarding access. Referring to the scale and massing reason for refusal, he was persuaded that the roof line of the proposed development was the same height as that on the indicative drawing of the original application. He had concerns about the second part of the reason for refusal, the positioning of the west elevation, and whether this was sufficient to warrant refusal.

Local Member Councillor Berry stated that Stamford Hall was an architectural gem and given this, considerable care was needed regarding development in its vicinity. He agreed with the officer's reasons for refusal regarding height, scale and massing and would be supporting their recommendation.

Councillor Currie remarked that this application was very similar to the previous application as shown in the drawings displayed; he could see no real grounds for refusal. The Gullane area had an eclectic mix of housing styles. He would be supporting the application.

Iain McFarlane, the Service Manager for Planning, clarified that the height of the building was the issue. The original application, approved under delegated procedures, had been approved with the specific design principle of a house, no more than a single storey in height, albeit with accommodation in the roof space but not with wallhead dormers. This application was for a two storey house or a one and a half storey house with wallhead dormers. However one interpreted the design proposed, it was not a one storey house as approved through the Scheme of Delegation and as such approved with the backing of Councillors. What mattered was not whether the ridge height now proposed was the same as that shown in the indicative drawings but that it met the design principles; it was significantly different to the original design principle and was recommended for refusal for the reasons given in the report.

Provost Broun-Lindsay stated that given the wide variety of housing styles in the immediate vicinity he was satisfied that there was sufficient variation to accommodate the slight difference between the original application and this one. He would therefore be supporting the application.

Councillor Grant acknowledged the variance of housing styles in this part of Gullane. He would be supporting the application as he did not feel that the proposed house was very different to other properties in the area or to the original application. With regard to the chimney size he did not think any alteration was required.

The Convener brought the discussion to a close. The difference between the proposal previously granted outline planning permission and this proposal was not significant. He also made reference to the huge range of house designs in this area; he felt this application would enhance the Conservation Area. He would therefore not be supporting the officer's recommendation for refusal.

The Convener moved to the vote on the report recommendation:

For: 1
Against: 14
Abstentions: 0

Decision

The Committee agreed to grant planning permission subject to conditions to be determined by officers in conjunction with the Convener.

5. PLANNING APPLICATION NO. 13/00677/P: ERECTION OF 1 HOUSE, CHANGE OF USE OF FORMER AMENITY SPACE TO DOMESTIC GARDEN GROUND AND ASSOCIATED WORKS AT LAND ADJACENT TO THORNLBY, THORNTONLOCH, DUNBAR

A report was submitted in relation to Planning Application No. 13/00677/P. Ms Greaves presented the report, summarising the key points. The proposed decision set out in the report was to grant consent.

Sheila Ainslie, wife of the main applicant, addressed the Committee. She outlined reasons in support of the application. The house would be occupied by the applicant's son and his family; the son had a key role in this modern farming enterprise. Livestock was a major part of the business and required at least 2 experienced stock handlers on site at short notice. The location for the house had been chosen as there was already development on the site, existing services, close proximity to the existing farm and it had low agricultural value.

Mr McFarlane responded to questions from Members regarding the Section 75 Agreement.

Shona McManus, neighbouring resident, spoke against the application. Her main concern was the access from the A1. It was a dangerous, very narrow entrance, and this, combined with the potential increase in traffic, caused road safety concerns.

Mr McFarlane provided clarification of the access arrangements, referring Members to comments from Transport Scotland and the Council's Road Services, as detailed in the report.

The Convener indicated that Councillor Veitch had called this application off the Scheme of Delegation list. He was unfortunately unable to attend the meeting today but his comments had been circulated to Members of the Committee.

Speaking as a local Member the Convener stated that the proposed house would be beneficial to the applicant's business and there was no reason why this house could not be built in the specified location. The only concern was the access but the conditions attached to the grant of planning permission would deal with this matter. He supported the report recommendation.

Councillor Currie agreed there was an issue regarding the access. There was however justification in terms of business need for this application and he would be supporting the officer's recommendation.

Councillor Berry reiterated that the business operational case had been made and he could see no reason why the application should not be granted. He would be supporting the recommendation in the report.

The Convener moved to the vote on the report recommendation:

For: 15

Against: 0

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 There shall be no development on the site below the level of 3.83 metres AOD as set out in docketed drawing nos. 83/165/2/P/02/Rev.B and 83/165/2/P/08/Rev.B unless otherwise approved by the Planning Authority in consultation with the Scottish Environment Protection Agency.

Reason:

In the interest of the prevention of flood risk.

- 3 Prior to the occupation of the house hereby approved the junction of the private access track with the A1 Trunk Road shall be widened to a minimum of 5.5 metres wide for a distance of 10 metres measured back from the nearest edge of the trunk road carriageway, in accordance with the details shown for it on docketed drawing nos. 83/165/2/P/010/Rev.A and 83/165/2/P/011, and the parking and turning areas shown on docketed drawing nos. 83/165/2/P/02/Rev.B and 83/165/2/P/07 shall have been formed and thereafter the widened access, parking and turning areas shall be retained for such uses unless otherwise approved in advance by the Planning Authority.

Prior to any use being made of the widened access with the A1 Trunk Road a minimum of the first 5 metres of the access and the access track measured from the back edge of the adjacent trunk road carriageway and for the full width of the access and access track shall be hardsurfaced with a bituminous surface and thereafter retained as such.

Prior to any use being made of the widened access a visibility splay measuring 4.5 metres by 215 metres shall be provided to the northwest and southeast sides of the widened access junction such that no obstruction lies within the visibility splay above a height of 1.05 metres measured from the surface of the adjacent trunk road carriageway.

The gradient of the access track shall not exceed 1 in 40 for a distance of 5 metres measured from the nearest edge of the trunk road carriageway.

Measures shall be adopted to ensure that all drainage from the site does not discharge onto the trunk road carriageway.

Reason:

To ensure that adequate and satisfactory provision is made for access, parking and turning in the interests of road safety and to ensure water run-off from the site does not enter the trunk road.

- 4 A schedule of materials and finishes and samples of such finishes, including colours, for the walls, roof, windows and doors of the house hereby approved and for the surface of the hard standing areas also hereby approved shall be submitted to and approved in writing by the Planning Authority prior to the use of the finishes in the development.

The slate to be used to clad the roof of the house hereby approved shall be natural slate.

Thereafter, the materials and finishes used in the development shall accord with the schedule and samples of them so approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 5 Prior to the occupation of the house hereby approved, the windows of any noise sensitive rooms (bedrooms and living rooms) of the southwest and southeast elevations of the house shall be fitted with double glazed windows of 6mm float glass - 12mm cavity - 6mm float glass and acoustic trickle vents or equivalent in accordance with details to be submitted for the written approval of the Planning Authority prior to the installation of the windows. Such acoustic glazing shall thereafter be retained in the windows of the house unless otherwise approved by the Planning Authority.

Reason:

In the interests of protecting the residential amenity of the occupiers of the house to be erected on the site from noise from the nearby A1 Trunk Road.

Signed

.....

Councillor Norman Hampshire
Convener of the Planning Committee

REPORT TO: Planning Committee
MEETING DATE: Tuesday 3 February 2015
BY: Depute Chief Executive
(Partnerships and Community Services)
SUBJECT: Application for Planning Permission for Consideration

2

Application No. **14/00788/AMM**

Proposal Application for approval of matters specified in conditions of planning permission in principle 13/00227/PPM - erection of 113 houses and associated works

Location **Land At Mains Farm
North Berwick
East Lothian**

Applicant Walker Group (Scotland) Ltd

Per EMA Architecture and Design

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

Although this application is for the approval of matters specified in conditions of planning permission in principle 13/00227/PPM 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 May 2014 planning permission in principle 13/00227/PPM was granted for the erection of 420 houses, community facilities, employment uses and for associated infrastructure including roads and footpaths, open space, and landscaping on some 38 hectares of agricultural land at Mains Farm, on the southern edge of North Berwick. That land is the strategic housing site of Proposal H5 of the adopted East Lothian Local Plan 2008.

The approved phasing plans of the docketed Masterplan Document splits the development of the site of 420 houses into 8 Phases of development.

Condition 1 of planning permission in principle 13/00227/PPM requires that the development of the site should generally accord with the Indicative Master Plan and Masterplan Document docketed to this planning permission in principle.

Development of the allocated housing site has not yet commenced.

The allocated housing site is bounded to the north by Grange Road, beyond which are residential properties. To the northwest of the application site, on the other side of Grange Road, is the former northern part of Gilsland Caravan Park and, beyond that, an area of agricultural land. That land is currently being developed by CALA Management Ltd for a housing development consisting of a total of 120 residential units.

To the south and partly to the west of the allocated housing site is agricultural land. It is otherwise bounded to the west by Gilsland Caravan Park and by the residential property of Gilsland House. It is partly bounded to the east by agricultural land.

The agricultural land immediately to the northeast of the allocated housing site forms part of a larger area of agricultural land that is allocated for an expansion to the campuses of Law Primary School and North Berwick High School by Proposals ED9 and ED10 (Law Primary School, North Berwick and North Berwick High School) of the adopted East Lothian Local Plan 2008.

The allocated housing site is otherwise bounded to the east by the public road of Haddington Road (the B1347 road).

In August 2013 planning permission (Ref: 13/00505/P) was granted for the realignment of Haddington Road and for the formation of accesses to the land of Mains Farm, to Law Primary School and to North Berwick Law car park. Development of the realigned road has not yet commenced.

In January 2015 planning permission (Ref: 14/00935/P) was granted for the formation of a shared footway/cycleway and erection of fencing on part of the northern end of the allocated housing site at Mains Farm. Development of the shared footway/cycleway and fencing has not yet commenced.

In January 2015 planning permission (Ref: 14/00931/P) was granted for the formation of a construction access from Haddington Road to the Mains Farm housing site for a temporary period of up to 9 years. Development of the shared temporary construction access has not yet commenced.

Also in January 2015 approval of matters specified in conditions (Ref: 14/00753/AMM) was granted for infrastructure associated with the residential development of the Mains Farm site. The approved infrastructure consists of (i) the construction of two access junctions at Grange Road; (ii) the formation of a spine road; (iii) the formation of cycle/pedestrian footpaths; (iv) the formation of a SUDS pond; (v) the creation of and landscaping of a linear park and a countryside park; (vi) the installation of a play area; (vii) the landscaping of parts of the site; (viii) the installation of traffic calming on Grange Road; and (ix) the erection of two electric sub stations. The site that is the subject of that approval has an area of 22 hectares, amounting to just over half of the allocated housing site at Mains Farm. Development of the approved infrastructure has not yet commenced.

The approval of matters specified in conditions now sought is for the erection of 113 houses on part of the land to which planning permission in principle 13/00227/PPM and the Masterplan docketed to that permission apply.

The proposed housing would be split into two groups of houses, which would be separated by part of the linear park approved by approval of matters specified in conditions 14/00753/AMM. The group of housing to the east of the linear park would consist of 36 houses, with the remaining 77 houses being located in a group to the west

of the linear park.

Of the 113 houses, 6 would be semi-detached. The remaining 107 houses would be detached.

The submitted details also include for garages, internal access roads, car parking and informal areas of open space.

Vehicular access to the 113 houses would be taken from Grange Road at two new access points, one being a priority junction positioned close to the northeast corner of the site, the other a priority junction positioned opposite the existing junction of Grange Road and Green Apron Park. Additionally, vehicular access would be taken from the realigned Haddington Road, at the eastern part of the site. These access points, together with the spine road that would serve the proposed housing and which would run in a north-south alignment between the new northeast access junction and the proposed access junction with the realigned Haddington Road, have already been approved by approval of matters specified in conditions 14/00753/AMM.

The application site has an irregularly shaped footprint. It is bounded by agricultural land that forms the remainder of the larger site the subject of planning permission in principle 13/00227/PPM.

Amended plans have been submitted showing revisions to the access, parking and street layout of the proposed residential development. Amended house type plans have also been submitted.

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 joint development framework for Mains Farm and Gilsland, North Berwick. The framework sets out the land uses expected for the allocated sites and how the Council requires the sites to be developed.

There is no public objection to the application.

The Royal Burgh of North Berwick Community Council, a consultee, do not object to the proposals. They advise that it is difficult to see any deviation from the conditions set out in planning permission in principle 13/00227/PPM. The only questions they raised related to the safety measures at pedestrian crossings and the type of street lighting proposed.

The type of street lighting would be decided through the Council's subsequent determination of a Roads Construction Consent for the development of the site.

By the grant of planning permission in principle 13/00227/PPM, approval has been given for the principle of the erection of 420 houses on the allocated land of Mains Farm. There can therefore be no objection in principle to the erection of 113 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 joint development framework for Mains Farm and Gilsland, North Berwick and the Masterplan and conditions attached to planning permission in principle 13/00227/PPM.

The details now submitted for approval are for a scheme of development comprising predominantly detached houses with a limited number of semi-detached houses (18 different house types), with 109 of the proposed 113 houses being two storey in height. The other 4 houses would be single storey in height.

The residential areas to the north of Grange Road are characterised by a high proportion of detached houses. Notwithstanding this characteristic, on its own, the proposed development does not provide a sufficient mix of detached, semi-detached and terraced houses. The application site does however form only part of the larger allocated housing site of Mains Farm. Through the determination of subsequent detailed planning applications for the remaining parts of Mains Farm, it would be possible to ensure that a sufficient mix of detached, semi-detached and terraced houses are provided within the allocated site. Moreover, the range of 18 different house types would help to provide a distinctive layout and streetscapes with identity.

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, and parking spaces. The only significant exception relates to the proposed open plan form of most of the front gardens of the houses. The Council's Design Standards for New Housing Areas states that plot frontage boundary treatments such as walls, hedges, fences or railings must be provided to define front gardens and to focus attention on the streets. This requirement can be secured by the imposition of a planning condition.

The layout proposed is generally informal and has designed into it some intrinsic interest. The proposed houses, due to their positioning on the application site and by virtue of their height, size and scale would integrate with the existing houses to the north of Grange Road and thus would be appropriate to their location. The use of render as the predominant wall finish would respect the existing built form of the housing to the north of Grange Road, which features render as the predominant wall finish. However, some use

of a contrasting wall finish (i.e. reconstituted stone or facing brick) would be acceptable providing it is limited to a distinctively complete feature of the houses and respectful of their design integrity. A condition can be imposed on the approval of matters specified in conditions for the proposed development to address these matters of wall finishes.

The proposed residential 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 in the area.

The proposed positioning of the 113 houses and other components of the development would not prejudice the form of development of the remainder of the 420 houses approved in principle by the grant of planning permission in principle 13/00227/PPM.

The Council's Landscape Project officer recommends that a detailed scheme of landscaping should be submitted in respect of the application site. It should include large tree species in communal central green spaces and corner sites, where space allows, to break up the built layout. It should also include small to medium fastigate tree species to street frontages and parking areas. The submission of such a 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.

The Council's Environmental Protection Manager raises no objection to the proposed development, although she recommends that a Construction Method Statement should be provided prior to commencement of development. The requirement for a Construction Method Statement to be submitted to and approved in advance by the Planning Authority prior to the commencement of development is already secured by condition 9 of planning permission in principle 13/00227/PPM.

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 joint development framework for Mains Farm and Gilsland, North Berwick.

The Masterplan and Masterplan Document docketed to planning permission in principle 13/00227/PPM 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: a linear park that would be centrally located to the south of Grange Road and a countryside park that would be formed over the southern 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 small informal areas of open space, consistent with the docketed Masterplan and Masterplan Document.

The Development Framework requires the provision of equipped play facilities for toddlers, 5-10 year olds, and teenage age groups. In response to this, the docketed

Masterplan and Masterplan Document show that a Neighbourhood Area Equipped for Play could be located on the eastern part of the site and a Local Area Equipped for Play could be provided on the northern edge of the countryside park. Neither 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 13/00227/PPM. These are that vehicular access to the housing development of 420 houses should be taken from Grange Road, by way of two new access points, one being a priority junction positioned close to the northeast corner of the site, the other a priority junction positioned opposite the existing junction of Grange Road and Green Apron Park. Additionally vehicular access to the housing development should be taken directly from the realigned Haddington Road.

The submitted details for accessing the proposed 113 houses are in accordance with these established principles of the means of accessing the housing development of 420 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) 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;
- (ii) all carriageway and footway/ footpath connections must meet with existing links to adjacent sites, both horizontally and vertically; and
- (iii) 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.

Road 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. Road 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 North Berwick for a housing development of 420 houses has already been secured through the grant of planning permission in principle 13/00227/PPM.

The mechanism of the provision within the residential development of 25% affordable housing (i.e. 105 units from the total of 420) is already secured through the grant of planning permission in principle 13/00227/PPM.

The matter of site drainage was considered through the determination of previous application 13/00227/PPM. The Masterplan and Masterplan Document docketed to planning permission in principle 13/00227/PPM indicate how a sustainable urban drainage scheme (SUDS) pond would be formed within the northern part of the site to attenuate the flow of surface water run-off. The Scottish Environment Protection Agency raise no objection to the details of the 113 houses now proposed.

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

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 Notwithstanding that which is stated on the drawings docketed to this planning permission, 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 promote render as the predominant finish to the walls of the houses, with a use of more than one render colour and with a strongly contrasting difference in the colours such that they will not each be of a light colour. However, some use of a contrasting wall finish (i.e. reconstituted stone or facing brick) would be acceptable providing it is limited to a distinctively complete feature of the houses and respectful of their design integrity. 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. The submitted details shall include the provision of plot frontage boundary treatments such as walls, hedges, fences or railings to enclose the front gardens of the houses hereby approved.

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 boundary enclosures 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 include large tree species in communal central green spaces and corner sites, where space allows, to break up the built layout. It shall also include small to medium fastigiate tree species to street frontages and parking areas. 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 residential unit hereby 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 flats 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 Unless the applicant can demonstrate that it is not necessary, 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) 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;

(ii) 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;

(iii) 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;

(iv) 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; and

(v) all carriageway and footway/ footpath connections shall meet with existing links to adjacent sites, both horizontally and vertically.

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

Reason:

In the interests of road and pedestrian safety.