

REPORT TO: Planning Committee

MEETING DATE: Tuesday 1 March 2016

BY: Depute Chief Executive
(Partnerships and Community Services)

SUBJECT: Application for Planning Permission for Consideration

Application No. **15/00048/AMM**

Proposal Approval of matters specified in conditions of planning permission in principle 09/00486/OUT- Erection of 240 houses and associated works

Location **Land To The West Of Brodie Road
Hallhill
Dunbar
East Lothian**

Applicant Hallhill Developments 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 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 residential units 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 development of the site of 525 residential units 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 development of the site of 525 residential units; 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 development of 525 residential units, 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 residential units.

In August 2014 approval of matters specified in conditions of planning permission in principle 09/00486/OUT (Ref: 14/00263/AMM) was granted for the details of the erection of 81 houses within the larger housing development site. The site for the 81 houses is to the south and east of the site the subject of this application.

In October 2014 two applications for the approval of matters specified in conditions of planning permission in principle 09/00486/OUT (Refs: 14/00355/AMC and 14/00358/AMC) were granted for the details of the erection of a total of 73 houses within the larger housing development site. The sites for the 73 houses are also to the south and east of the site the subject of this application.

In January 2015 approval was granted for matters specified in conditions of planning permission in principle 09/00486/OUT (Ref: 14/00778/AMM) for the details of the erection of 131 residential units on three parts of the larger housing development site.

Development of the site has commenced and some of the houses are occupied.

The approval of matters specified in conditions now sought is for the erection of 240 houses on the land to which planning permission in principle 09/00486/OUT and the Masterplan docketed to that permission apply.

Of the 240 houses, 142 would be detached, 48 would be semi-detached and 50 would be terraced. In terms of size, 13 of the proposed 240 houses would contain 2 bedrooms, 113 would contain 3 bedrooms, 109 would contain 4 bedrooms, and 5 would contain 5 bedrooms.

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 mainly forms the western half of the larger site the subject of planning permission in principle 09/00486/OUT. It also includes an area of land that forms part of the eastern half of the larger site. At its nearest point the A1 trunk road is some 160 metres to the south of the application site.

Vehicular access to the 240 residential units 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.

In December 2015 the applicant submitted revised drawings showing changes to the proposal. These changes include repositioning some of the proposed houses and revised access proposals. All relevant neighbour re-notifications, re-advertisements in the press and re-consultations in respect of the changes have been duly undertaken.

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 residential units on the allocated land of Hallhill South West. Approval of matters specified in conditions has already been granted for the erection of a total of 285 residential units on the allocated housing site. There can therefore be no objection in principle to the erection of 240 residential units now proposed.

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 (28 different house types), with all of the proposed 240 residential units being two storey in height.

The residential units 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 residential units. 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. Thus to require the front gardens of the proposed 240 residential units 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 residential units, 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 residential units 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 residential units 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 residential development.

The proposed residential development would provide an attractive residential environment. The residential units 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 residential units 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 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 and should tie in with the neighbouring housing sites to provide continuity of design across the larger housing 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 fastigate tree species to street frontages and parking areas, with appropriate tree pit details including root barriers to protect service strips. 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.

At its nearest, the A1 trunk road is some 160 metres to the south of the application site. In this regard the Council's Environmental Health Service Manager recommends that the south facing windows serving noise sensitive rooms (living rooms and bedrooms) of the houses proposed for plots 152-155 be fitted with 6/12/6 glazing with acoustic trickle vents. He further recommends that an acoustic barrier be provided along the southern boundary of the development. Given this, it would be prudent to impose a planning condition securing the recommended noise mitigation measures, including details of the acoustic barrier, unless otherwise approved in writing by the Planning Authority.

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 principal area of open space adjacent to Lochend Woods. The proposed development does however include the other principal area of open space, as well as other, smaller, areas of open space. The proposed open space is consistent with Policy C1 of the adopted East Lothian Local Plan 2008 and 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. Consistent with the docketed Masterplan and Masterplan Document, one of these play areas is shown within the site that is the subject of this approval of matters specified in conditions application. A condition should be imposed on the grant of approval of matters specified in conditions for the proposed development requiring submission of further details of the play areas, including the play equipment to be installed and a timetable for their installation, to be submitted to and approved in advance by the Planning Authority.

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 240 residential units 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) the proposed footway connection running to the north of plots 221 to 232 should be provided to connect to the, now existing, link through Lochend Woods. This should be in place and lit and be provided prior to the occupation of any of the 240 houses;

(iii) all path 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;

(iv) the bus shelters and bus stops required on the main infrastructure spine road leading north to south should be provided, in the positions indicated as 'bus stop' and 'futureproofed bus shelter location' on the site layout plan, prior to the occupation of any of the houses in plots 1 – 134 and/ or plots 196 to 240. Details of the bus shelters and bus stops should be submitted to and approved by the Planning Authority;

(v) all carriageway, footway/footpath and cycleway/cyclepath connections must meet with existing links in adjacent sites, both horizontally and vertically;

(vi) a supplementary construction method statement should be provided for the site to expand on that already provided and controlled through planning permission in principle 09/00486/OUT. This should take account of routes to the site from the main access's onto Brodie Road and the A1; and

(vii) 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. Roads services recommend that:

(i) an additional public visitors parking bay is necessary next to plot 159. Details shall be submitted to and approved by the Planning Authority;

(ii) 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;

(iii) 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;

(iv) 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; and

(v) proposed parking adjacent to prospectively public roads and contiguous with the carriageway surface should only form public parking bays and must form part of the public road (therefore being available for all road users).

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 Council's Waste Services Manager initially confirmed that he was satisfied with the proposed site layout. In a response on the revised site layout submitted in December 2015

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 residential units 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 240 residential units 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 approval of matters specified in conditions, 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.

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 and shall tie in with the neighbouring housing sites to provide continuity of design across the larger housing site. It 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 fastigate tree species to street frontages and parking areas, with appropriate tree pit details including root barriers to protect service strips. 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 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 The residential scheme of development shall comply with the following transportation requirements:

(i) all path connections from a zone under construction to existing pedestrian/cycle routes shall 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;

(v) all carriageway, footway/footpath and cycleway/cyclepath connections must meet with existing links in adjacent sites, both horizontally and vertically;

(vi) 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;

(vii) the proposed footway connection running to the north of plots 221 to 232 shall be provided to connect to the, now existing, link through Lochend Woods. This connection shall be in place and lit and be provided prior to the occupation of any of the 240 houses. Details of the footway connection shall be submitted to and approved by the Planning Authority in advance of its provision;

(viii) bus shelters and bus stops shall be provided on the main infrastructure spine road leading north to south, in the positions indicated as 'bus stop' and 'futureproofed bus shelter location' on the docketed site layout plan, prior to the occupation of any of the houses in plots 1 to 134 and/ or plots 196 to 240. Details of the bus shelters and bus stops shall be submitted to and approved by the Planning Authority in advance of their provision;

(ix) an additional public visitors parking bay shall be formed next to plot 159. Details of the additional parking bay shall be submitted to and approved by the Planning Authority in advance of its formation; and

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

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

Reason:

In the interests of road and pedestrian safety.

- 8 A Supplementary Construction Method Statement to expand on that already provided and controlled through planning permission in principle 09/00486/OUT shall be submitted to and approved by the Planning Authority prior to the commencement of development. The Supplementary Construction Method Statement shall take account of routes to the site from the main access's onto Brodie Road and the A1.

The recommendations of the Supplementary Construction Method Statement shall be implemented prior to the commencement of development. Development shall thereafter be undertaken in accordance with the details so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

To minimise the impact of construction activity in the interests of the amenity of the area and in the interests of road safety.

- 9 Prior to the commencement of the development hereby approved, details of the 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. The play area shall thereafter be installed in accordance with the details so approved.

Reason:

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

development and of the wider environment.

- 10 Prior to any use being made of the residential units hereby approved for plots 152-155, any windows of those residential units serving noise sensitive rooms (living rooms and bedrooms) and facing towards the A1 trunk road shall be provided with 6/12/6 glazed units with acoustic trickle vents for ventilation purposes, unless otherwise approved in writing by the Planning Authority.

Reason:

In order to protect the privacy and amenity of the residential units approved for plots 152-155 of the housing development.

- 11 Unless otherwise approved in writing by the Planning Authority, no house shall be occupied until an acoustic barrier has been erected that runs along the entire length of the southern boundary of the application site. The details of the acoustic barrier shall be submitted to and approved by the Planning Authority prior to its erection.

Reason:

To ensure an appropriate level of acoustic screening in the interests of the amenity of the future occupants of the site.