

PLANNING COMMITTEE

1 MARCH 2016

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

**TUESDAY 2 FEBRUARY 2016
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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Committee Members Present:

Councillor N Hampshire (Convener)
Councillor D Berry
Provost L Broun-Lindsay
Councillor S Brown
Councillor J Caldwell
Councillor S Currie
Councillor T Day
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 T Trotter
Councillor J Williamson

Council Officials Present:

Ms M Ferguson, Service Manager – Legal and Procurement
Mr I McFarlane, Service Manager – Planning
Mr K Dingwall, Principal Planner
Mr M Greenshields, Transportation Planning Officer
Mr E Bean, Graduate Planner
Mr C Clark, Principal Environmental Protection Officer
Ms C Molloy, Legal Team Leader
Ms P Bristow, Communications Officer

Clerk:

Ms A Smith

Visitors Present:

Item 4 – Mr R Gill, Ms S Jamieson, Mr D Peck, Mr D Slight

Apologies:

Councillor W Innes

Declarations of Interest:

Item 2 – Councillor Goodfellow stated that for previous Mains Farms applications he had declared an interest as the Council's representative on the North Berwick Trust however the Trust had sold its financial interests to the developer so he now considered that he had no interest to declare.

1. MINUTES FOR APPROVAL

The minutes of the meetings of the Planning Committee held on 1 December 2015 and 5 January 2016 were approved.

2. PLANNING APPLICATION NO. 15/00774/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION IN PRINCIPLE 13/00227/PPM – ERECTION OF 77 HOUSES, 28 FLATS AND ASSOCIATED WORKS AT LAND AT MAINS FARM, NORTH BERWICK

A report was submitted in relation to Planning Application No. 15/00774/AMM. Keith Dingwall, Principal Planner presented the report, summarising the key points. He highlighted an issue raised at the site visit regarding the proposed terraced housing for plots 16-19. As explained in the planning permission in principle applications, the whole terrace would front onto the road. There had been no objection in principle to those terraces but there was a view that something other than a blank gable should be considered; recommended condition 4 referred. This matter had been discussed with the architect and revised details submitted – instead of gabled roofs there would now be hipped roofs, instead of a blank gable 2 windows would be inserted. Given these alterations recommended condition 4 was no longer required. The report recommendation was to grant consent.

Mr Dingwall responded to questions from Councillor Berry about removal of this condition. In relation to queries about the outline, Mr Dingwall advised that the masterplan submitted with the planning permission in principle application set the design principals of the site, one of these was a terrace of properties, so it would be very difficult for the Council to say this was not now possible. Councillor Berry remarked that this particular development was the gateway to the rest of the Mains Farm development and asked why a more creative layout had not been proposed. Mr Dingwall replied that the proposal had been regarded as acceptable, adding that this part of the site would also be landscaped.

Councillor Day, referring to the Kingston junction and to interventions proposed previously by Road Services, queried progress. Mr Dingwall confirmed that work had commenced. Marshall Greenshields, Transportation Planning Officer, stated that the Road Safety Audit had been done; the results indicated that not many areas needed addressed. The junction would be made more conspicuous with additional signage and skid resistant surfacing would be laid. Councillor Day took issue with these findings; he asked about changing the priority of the junction. Mr Greenshields replied that the audit had considered this but results indicated this would make the junction worse as speeds would be higher and visibility splays would be compromised. Regarding completion timescales, Mr Dingwall confirmed this would be checked and local members informed.

Councillor Goodfellow queried the location chosen by the developer for the 2 storey housing. The agent, Kyle Kernohan of EMA Architecture and Design, stated that the reason for this was that in discussion with the housing association the single storey disabled properties needed to be close to the parking facilities.

Local Member Councillor Goodfellow welcomed this development. It was good to see affordable housing being built at the initial stage of a development rather than at the latter

stage. He also welcomed the mix of 1, 2 and 3 bedroom properties. He supported the application.

Local Member Councillor Day referred to the long stated intention to develop on this land; the principle of development had been established in the 2008 Local Plan. Progress after a number of years was welcomed; he expressed support for this detailed application.

Local Member Councillor Berry agreed with colleagues' comments but had a couple of issues. The presentation of the gateway of this site was a missed opportunity. In relation to Kingston junction he disagreed with the officer's evaluation; this was a dangerous junction and the measures proposed were not sufficient. He did not however feel there were enough reasons to object so he would be supporting the application.

Councillor Currie welcomed this application. Affordable housing was obviously particularly welcome and he hoped that local people would have the opportunity to acquire this housing. He also hoped that the affordable housing would not be clustered separately but integrated throughout the site. He supported the application.

The Convener welcomed this development. He would be supporting the recommendation to grant planning permission as set out in the report. He moved to the vote on the report recommendation (to grant consent):

For: 17
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 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 promote render as the predominant finish to the walls of the houses and flats, 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. 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.

- 3 Prior to the commencement of development details of the position and type of all boundary enclosures to be erected on the application site and a timescale for their provision 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 and flats 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 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 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.

- 5 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.

- 6 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) a supplementary construction method statement shall be provided for the site to expand on that already provided and controlled through planning permission in principle 13/00227/PPM. This shall take account of routes to the site from the main access onto Haddington Road and include potential delivery restrictions to take account of the new access to be formed to the Law Primary School, also from Haddington Road;

(ii) cycle parking shall be provided at the rate of 1 space per flat. This shall be provided in a secure/undercover area;

(iii) localised widening of the carriageway width in the vicinity of the junctions adjacent to (i) plots 34 to 38; and (ii) 68 to 69 shall be undertaken to enable large vehicles to manoeuvre without encroachment into pedestrian areas (including vehicle overhang);

(iv) all footpaths and cycle paths from a zone under construction to their connections 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;

(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; and

(viii) 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.

Reasons:

In the interests of road and pedestrian safety.

- 7 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. PLANNING APPLICATION NO. 15/00794/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION IN PRINCIPLE 13/00227/PPM – ERECTION OF 110 HOUSES AND ASSOCIATED WORKS AT LAND AT MAINS FARM, NORTH BERWICK

A report was submitted in relation to Planning Application No. 15/00794/AMM. Mr Dingwall presented the report, summarising the key points. The report recommendation was to grant consent.

Local Member Councillor Day indicated he would be supporting the application.

Local Member Councillor Goodfellow also expressed support for the application.

Local Member Councillor Berry stated he had no objections but made reference to issues regarding infrastructure, raised at previous North Berwick development applications, with specific reference to the situation at GP surgeries, which were already at capacity.

Councillor Currie made reference to discussions on this specific issue at the Integration Joint Board and to advice from the Director of Health and Social Care David Small. He would be supporting the application.

Iain McFarlane, Planning Service Manager, informed Members that the Planning service worked with Mr Small and his team looking at the NHS estate across East Lothian as a whole. The NHS recognised there were operational issues and ways to address these were being considered.

Councillor Grant, Chair of the Integration Joint Board, added his reassurance to colleagues, reiterating that work was being carried out with Mr Small and colleagues; progress was being made.

The Convener moved to the vote on the report recommendation (to grant consent):

For: 17

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 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. 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 timescales for the provision 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 provision 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 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 shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

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

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

Reason:

In the interests of road safety.

- 7 Prior to the commencement of development, details showing compliance with the following transportation requirements shall be submitted to and approved in writing in advance by the Planning Authority.
- (i) a supplementary construction method statement shall be provided for the site to expand on that already provided and controlled through planning permission in principle 13/00227/PPM. This shall take account of routes to the site from the main access onto Haddington Road and include potential delivery restrictions to take account of the new access to be formed to the Law Primary School, also from Haddington Road;
 - (ii) access to the private parking courtyards serving plots 89 to 95 and 124 to 126 shall be widened to 5 metres to enable adequate two way movement of vehicles over the access's;
 - (iii) three additional visitor parking bays shall be provided in the vicinity of plots 119 to 126;
 - (iv) all footpaths and cycle paths from a zone under construction to their connections 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;
 - (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; and
 - (viii) 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.

Reasons:

In the interests of road and pedestrian safety.

4. PLANNING APPLICATION NO. 15/00541/P: ERECTION OF POULTRY BUILDING AT HOWDEN FARM, GIFFORD

A report was submitted in relation to Planning Application No. 15/00541/P. Mr McFarlane presented the report, summarising the key points. He clarified several matters. Page 43 of the report – the residential property of Muirwood was 280 metres from the site, not 350 metres as stated. Page 49/51 – British Standard 4142 date should be 2014, not 1997 as stated. The proposed decision set out in the report was to grant consent.

Mr McFarlane and Colin Clark, Principal Environmental Protection Officer, responded to questions from Members. Mr Clark stated that the Environmental Health service was satisfied that the proposals had been adequately assessed and any issues that might arise had been addressed; the Odour Management Plan submitted by the applicant had been approved. The Environmental Protection team had statutory powers to deal with any potential issues that may arise. Regarding avoiding sites less than the 400 metres from residential properties, Mr McFarlane stated this was guidance, not national policy; locating a site within 400 metres was not precluded. He confirmed that the tree belt would be higher than the proposed shed. He clarified that this application required planning permission due to the proposed size and use.

Roger Gill, speaking on behalf of the applicant, informed the Committee that he represented the Lakes Free Range Egg Company, who had the egg contract. The company had 100 flocks over 50 farms and had never received any complaints about noise, odour or dust. He advised that when considering a site the company always considered measures to limit the environmental impact; this area had been chosen as it was close to the road and was screened by the tree belt. Any objections raised had been addressed as detailed in the report.

Mr Gill clarified, in response to questions from Councillor MacKenzie that the chickens would be able to roam freely from dawn to dusk. He informed Members that the company was audited by Freedom Foods.

Shena Jamieson spoke against the application on behalf of Bolton Community Association. This planning application contained errors and inconsistencies; there had been many revisions, with misleading and inaccurate drawings. She made reference to planning online, taking Members through a timeline of events and submissions, highlighting issues. Referring to Scottish Government guidance she stated there were 13 houses within 400 metres of the site, 11 of these downwind of the poultry shed. She urged refusal of this application.

David Peck, joint owner of Muirwood, the nearest property, spoke against the application. He took issue with many of the assessments in the report. Policy DC1: visual impact would be significant; the shed would be considerably larger than the existing building and would sit in an elevated position. Nature and scale: this huge imposing building would not integrate into the landscape. Impact: there were serious concerns about the environmental impact; there would be significant adverse impact on nearby uses. Several residents had visited other similar facilities, negative effects were difficult to mitigate. With regard to good planning practice there had been no attempt to engage with the local community. The applicant could find an alternative site on his land. Inconsistencies in the report had not been addressed.

Following allegations by speakers Councillor Trotter asked Mr McFarlane to comment. Mr McFarlane advised that the process with this application had been complicated, officers had questioned a number of aspects of the application and amendments had been made as required; all efforts had been made to notify the community council and others when new documents were submitted. Environmental Protection officers had been consulted as stated. The report, as with all reports to Committee, contained all the relevant information to enable Members to determine the application; all the correct procedures had been followed.

Douglas Slight spoke against the application. He also raised a number of concerns in relation to odour, dust, noise and light pollution. He remarked that it would be many years before the trees would be of sufficient height to screen the shed. He stated that refusal of this application would not stop the applicant building a poultry shed; it could be built at a different, more appropriate, location on his land.

Local Member Councillor McMillan outlined his reasons for bringing this application to Committee. He referred to Policy DC1, Part 5(c) regarding the nature and scale of a new development integrating into the landscape. According to this policy a proposal must have no significant impact on nearby uses, including residential use. He referred to the number of objections, stressing that when 80% of residents objected this had to be taken into account. Concerns had been raised about the potential environmental impact; issues of noise, dust and odour. He felt the proposal would have a negative impact on the landscape; it would be detrimental to the nearby steading. It was not compatible with the immediate area; it would be a visual intrusion. Given all the risks, he would not be supporting the application.

Local Member Provost Broun-Lindsay disagreed with his colleague. He understood the objections of residents however change was part of agricultural practice and farmers had to reinvest as required. The key was to make sure that such changes were not incompatible

with the surrounding area. The poultry shed, in its proposed location, surrounded by trees, was acceptable. The proposal was significantly below the bird threshold requiring a SEPA permit. The report had addressed all the concerns raised. He would be supporting the application.

Local Member Councillor Trotter remarked that whilst he had sympathy with the residents, living in the countryside, close to a farm, meant encountering changes to agricultural working methods. He felt the report recommendation was correct and the report had addressed all the objections. He would be supporting the application.

Councillor MacKenzie, referring to his personal experience in relation to a similar operation near his home, stated there were no issues regarding noise or odour or dust. The appropriate safeguards were in place. He was satisfied in terms of animal husbandry and environmental impact. The application was a significant economic development in the heart of the countryside and as such was welcomed. He supported the report recommendation.

Councillor Currie stated that the guidelines took into account the flexibility required for economic development in the countryside; job creation was also important. East Lothian was primarily an agricultural county. The Council's Environmental Protection officers would take the necessary action if the appropriate regulations were not adhered to. He supported the application, there were no material grounds to refuse and all objections had been addressed.

Councillor Berry believed there were shortcomings in this application. If 80% of residents objected to an application this was significant and had to be taken seriously. He agreed with Councillor McMillan; this proposal was too close to residential properties, too big and especially intrusive. He did not support the officer's recommendation.

Councillor Grant felt the objectors had presented a powerful case but unfortunately he could not support their objections; the appropriate measures were in place and the Environmental Health service was satisfied. He would therefore be supporting the application.

Councillor McNeil stated that the operation of the development would be monitored by Environmental Health officers; the necessary guidelines were in place. This proposal would be beneficial for agricultural development in the countryside. He supported the application.

The Convener brought the discussion to a close. He noted the difference of opinion in the Chamber. He would be supporting the recommendation to grant planning permission as set out in the report. He moved to the vote on the report recommendation (to grant consent):

For: 15
Against: 2
Abstentions: 0

Decision

The Committee agreed to grant planning permission subject to the following conditions:

- 1 All planting comprised in the "Tree planting specification – Planting stock requirement" schedule docketed to this planning permission shall be carried out in the first planting and seeding season following the completion of the building 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.

- 2 No external lighting shall be installed within the application site unless in accordance with details of it submitted to and approved in advance by the Planning Authority. Any such lighting shall be positioned and designed to ensure that no light from within the site spills beyond the boundaries of the site and shall meet the following requirement:

Light Trespass (into windows) of neighbouring residential properties, measured as Vertical Illuminance in Lux, (Ev), shall not exceed 5 between the hours of 0700-2300 and shall not exceed 1 between the hours of 2300-0700.

Reason:

In order to minimise the possibility of loss of amenity for occupiers of residential properties in the area due to light pollution.

- 3 The noise rating level, measured as LArTr of noise associated with any plant or equipment within the proposed building, when measured 3.5 metres from the facade of any neighbouring residential property, shall be no more than 10 dB(A) above the background noise level LA90T, all in accordance with BS 4142:2014 Method for rating industrial noise affecting mixed residential and industrial areas; and

(ii) any plant or equipment within the proposed building shall be designed and constructed so that noise emanating from there shall not exceed Noise Rating Curve NR20 at any octave band frequency when measured within any neighbouring residential property, assuming windows open at least 50 mm.

Reason:

In order to minimise the possibility of loss of amenity for occupiers of residential properties in the area due to operational plant or machinery noise.

- 4 The poultry shed hereby approved shall be operated in strict accordance with the Noise, Odour and Dust Management Plans docketed to this planning permission, unless otherwise approved by the Planning Authority.

Reason:

In the interests of the amenity of residents of the area.

- 5 No use shall be made of the access hereby approved unless and until the first 15 metres of the access onto the public road of the B6368 has been hardsurfaced to prevent loose materials entering the public road and thereafter shall remain hard surfaced.

Reason:

In the interests of road safety.

- 6 A Construction Method Statement to minimise the impact of construction activity on the amenity of the area shall be submitted to and approved by the Planning Authority prior to the commencement of development. The Construction Method Statement shall recommend mitigation measures to control noise, dust, construction traffic and shall include hours of construction work.

Reason:

In the interests of road safety.

- 7 Prior to the chicken shed development hereby approved being brought into operation, the 2 metres high stock proof fencing as indicated on the plans docketed to this planning permission shall be installed in accordance with those plans and thereafter will be retained for the duration of the poultry shed operation

Reason:

In order to protect the biodiversity of the area of ancient woodland known as Howden Wood from erosion through scratching and pecking of free range chickens.

Signed

Councillor Norman Hampshire
Convener of the Planning Committee

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

2

Application No. **15/00824/PM**

Proposal Erection of Community Hospital with ancillary retail, cafe, parking and associated works

Location **Roodlands General Hospital
Hospital Road
Haddington
East Lothian
EH41 3PF**

Applicant NHS Lothian

Per CBRE

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

As the area of the application site is greater than 5 hectares, the development proposed in this application is, under the provisions of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, defined as a major development and thus it cannot be decided through the Council's Scheme of Delegation. The application is therefore brought before the Planning Committee for a decision.

As a statutory requirement of major development type proposals this development proposal was the subject of a Proposal of Application Notice (Ref: 15/00001/PAN) and thus of community consultation prior to this application for planning permission being made to the Council.

As an outcome of that and as a statutory requirement for dealing with major development type applications a pre-application consultation report is submitted with this application. The report informs that approximately 145 people attended an exhibition on the proposals which was held over the course of three days at Haddington Town House between Thursday 14th May and Saturday 16th May. Further public exhibitions were held in Musselburgh, North Berwick and Dunbar which were attended by 44, 32 and 26 people respectively and an event for Third Sector Organisations was held in Tranent

which 32 people attended. A series of other group consultation events and workshops were also held with a number of community groups throughout East Lothian. Over 50 feedback forms were completed at the events or following the events and further comments were submitted by email to the applicant's agents following the events. The pre-application consultation report informs that some 21% of respondents were supportive of the proposals, some 65% were supportive with suggestions, 9% did not support the proposals and 5% were undecided. A number of queries and suggestions were raised which included comments on the parking proposals, transport and access, the hospital services, public realm and landscaping, flooding, design, construction and community involvement. Amendments have been made to the proposal following the community consultation. The development for which planning permission is now sought is, however, of the same character as that which was the subject of the community engagement undertaken through the statutory pre-application consultation of the proposal.

The application relates to some 5.77 hectares of land which is the site of the existing, operational Roodlands Hospital located in the north western part of the town of Haddington. The application site encompasses all of the existing Roodlands Hospital building complex and associated vehicles access, parking areas and grounds. The site is bounded to the west by the public road of Alderston Road with the residential streets of Alderston Gardens and Alderston Meadows beyond; to the south by a disused railway line over which trees are planted and at the eastern end of its southern boundary by business and industrial units; to its east by the public road of Hospital Road with the residential streets of Davidson Terrace and Queens Avenue beyond and to the north in part by the residential cul-de-sac of Roodlands Court (at the eastern end of the north boundary of the site) and also by a length of the A199 classified public road with the residential properties of Haldane Avenue beyond.

The existing Roodlands Hospital complex currently occupies the central and northeastern parts of the site, comprising numerous single storey buildings, portacabins, tarmac car parks and access roads, and areas of soft landscaping. Vehicle and pedestrian access to the existing hospital is taken from Hospital Road to the east of the site. The vehicle access takes the form of a single track tarmac road which forms a one-way loop system round the hospital complex with two exits bringing vehicles and pedestrians back to exit onto Hospital Road.

The north western part of the hospital grounds is currently a grassed area which has within it six trees which are protected by Tree Preservation Orders while the south eastern area of the site comprises undeveloped, landscaped grassland along with an overspill car park with a compacted hardcore surface. The south western part of the site comprises an area of dense overgrown vegetation. Trees are also located at various different points around the centre of the site and along its eastern boundary with Hospital Road.

The land of the application site generally slopes downhill from north to south although it slopes uphill again slightly at the southwestern corner of the site.

No surface watercourses are present within the site boundary. The nearest surface watercourse to the site is the St Laurence House Burn which is located approximately 70 metres southwest of the site.

The nearest bus stops serving the hospital site are on Hospital Road adjacent to the existing main site entrance.

The Haddington to Longniddry railway walk and cycle path (which forms part of National

Cycle Route 76) can be directly accessed from Alderston Road immediately to the west of the site.

Planning permission is sought through this application for the erection of a new East Lothian Community Hospital which would consolidate the existing facilities currently found at Roodlands Hospital along with the facilities found at Herdmanflat Hospital (also situated in Haddington) onto the one site at Roodlands.

In order to facilitate the proposed development, all of the existing hospital buildings on the Roodlands site would be demolished to make way for a new 22,500 square metres single hospital building (which is approximately three times the current provision at Roodlands Hospital), with ancillary retail and café provision to serve the hospital, the provision of 425 car parking spaces within the hospital grounds, the provision of cycle parking and storage, the creation of landscaped grounds which would include wooded walks and amenity/allotment spaces for use by patients and visitors of the hospital and a series of pedestrian and cycle routes through the site which would connect to the existing surrounding streets and areas.

The application statements advise the proposed hospital would cater for 144 beds (132 beds plus 12 day beds). This compares to a current combined capacity at Herdmanflat/Roodlands of 92 beds (78 beds plus 14 day beds). The services provided within the proposed new Community Hospital would include Out patients, Diagnostics, Pharmacy, Shared Therapies, Day Care, Mental Health Ward, In Patient Continuing Care Ward, 4 Sub-acute Patient Wards supporting rehabilitation and care of the elderly services, and a Day Surgery Unit. Within the proposed new hospital there would be no blue light accident and emergency service as it would not have the clinical and medical support services and back up required to support this. The current out of hours service would continue as existing. There would also not be a minor injuries unit as it is considered that there is not the volume of patients to warrant the departmental staffing being able to maintain clinical competencies and continuing practicing. Existing minor injuries services will continue through existing practices within GP surgeries and at Edington Cottage Hospital.

The proposed hospital would be erected on the southern part of the application site. It would have an irregular shaped footprint which would extend to almost the full width of the southern part of the site. It would be of a modern, contemporary design and would have a flat roof. Most of the building would range in height from two to three storeys although a small, central element of it would be four storeys in height. Associated service buildings, which would be simply designed, utilitarian, single storey buildings would be erected in the southeastern corner to the rear of the main hospital building.

The front elevation of the building would face northwards. The walls of the building would be predominantly finished with render, punctuated regularly by window and other openings and by coloured vertical cladding which would signify the entrance and introduce colour and texture at various points around the building. The north elevation of the building would be designed to create a gentle 'V' shape, drawing in the approach to the central main entrance. To the south the building wings mirror those of the north opening to views across the landscape and maximising the available natural daylight. The west and east elevations of the building would be shorter elevations. Within the building a number of courtyards would be formed to admit daylight to key spaces and to allow internal landscaped areas to be formed.

It is proposed that the vehicular access to the site for all public access including for staff and visitors would be taken from a point near the northern end of Alderston Road to the west of the site with the existing vehicular accesses from Hospital Road being blocked

up. Service access would continue to be taken from Hospital Road at a point near the southeastern corner of the site. A total of 425 car parking spaces would be formed within the site between the proposed hospital building and the proposed public access off Alderston Road. Between the proposed hospital building and the proposed car park a shared pedestrian and cycle route would be formed through the site. This would connect with Alderston Road and beyond to the Haddington to Longniddry railway walk and cycle path to the west of the site and to Hospital Road to the east. Other paths and hardsurfaced areas would be formed to connect the car park areas to the hospital and to provide walking opportunities throughout the site.

A secure cycle store for staff and a covered cycle area for visitors would also be formed to the north of the hospital building near to the cycle path running through the site. Also within the site a communal green/amenity space will be provided to provide opportunities for meeting and social interaction, children's play and physical activity for patients, visitors, staff and the wider community and a series of landscaped areas including a woodland walk and garden spaces would be formed.

Under the provisions of the Town & Country Planning (General Permitted Development) (Scotland) Order 1992, as amended, planning permission is not required for the demolition of the existing hospital buildings on the site.

The application is supported by, amongst other things, a Pre-application Consultation Report, a Planning Statement, a Design & Access Statement, a Transport Assessment and Framework Travel Plan, a Sustainability and Energy Strategy, a Tree Survey, a Phase 1 Geo-Environmental Desk Study & Ground Investigations Report, a Desk Based Archaeological Assessment, a Flood Risk Assessment, a Noise Assessment, an Ecological Appraisal and Protected Species Habitat Assessment and a Bat Survey.

Since the application was registered, amended application drawings have been submitted to deal with changes to the hard and soft landscaping proposals. Revisions or additions have been made to the noise, tree and transportation information originally provided with the application, including the introduction of proposed offsite transportation works. These include amendments to existing footpaths or introduction of new footpaths around the site, relocation of lighting columns, traffic calming measures, the renewal of road markings on the A199 to the northwest of the site, the extension of the 40mph speed limit on the A199 westwards of the site and the provision of a footway and Zebra Crossing on Hospital Road.

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 the proposed development falls within the category of a Schedule 2 Development, being one that may require the submission of an Environmental Impact Assessment (EIA). Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. On 27th February 2015 the Council issued a formal screening opinion to the applicant. The screening opinion concludes that it is East Lothian Council's view that the proposed development is not likely to have a significant effect on the environment such that consideration of environmental information is required before any grant of planning permission. It is therefore the opinion of East Lothian Council as Planning Authority that there is no requirement for the proposed development to be the subject of an EIA.

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.

Policies 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies ENV1 (Residential Character and Amenity), ENV7 (Scheduled Monuments and Archaeological Sites), C10 (Health Care Sites), DP1 (Landscape and Streetscape Character), DP2 (Design), DP4 (Design Statements), DP12 (Biodiversity Assessment), DP14 (Trees on or adjacent to development sites), DP17 (Art Works – Percent for Art), DP20 (Pedestrians and Cyclists), DP22 (Private Parking), NH3 (Important Local Biodiversity Sites), NH5 (Protected Trees), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Three written representations have been received in respect of this application, all of which are from residents of Alderston Gardens raising objections to the proposed development.

A copy of each written representation is contained in a shared electronic folder to which all Members of the Committee have had access.

The grounds of objection are all in connection with traffic and access matters and can be summarised as follows:

- * The proposed vehicular access to the site is too near to the junction of Alderston Road with the A199 and this may cause accidents at this junction;
- * Alderston Road is narrower than the exiting route via Hospital Road and would be unsuitable to cope with such a large increase in traffic. The increase in road traffic will also raise safety concerns for those that currently use the road by foot, by bike and by horseback.
- * Visitors to the hospital will park on Alderston Gardens when the hospital car park is full which would lead to congestion, noise and pollution issues, would impair access to drives, and would make this small estate dangerous for the school age children who live there;
- * The increase in traffic will be compounded by the additional traffic to the future crematorium which has been granted planning permission to be formed at the former Alderston House site to the north of the A199;
- * There are far better options for vehicle access to the site such as from Hospital Road where the existing access already is and where bus routes are located or from Haldane Road where access to the car park could be taken directly from the main A route using existing roadways designed for the levels of traffic expected;
- * The covenant for Alderston Gardens does not allow for the road to be used as an extension to the hospital car park;
- * The noise impact from the increase in vehicular traffic will be harmful to residents;
- * The impact of traffic on the residents of Alderston Gardens will be high as Alderston Road is their only way in and out of the development unlike for residents on Hospital Road who have multiple routes to choose from to access their properties and therefore multiple opportunities to avoid the current and proposed levels of traffic.

Haddington Community Council has been consulted but has not commented on the planning application.

The majority of the land of the application site is defined by Policy C10 of the adopted East Lothian Local Plan 2008 as being an established health care site. Policy C10 supports the continued use as such of land currently occupied by public health care

facilities. A change of use will only be permitted if the Council, in consultation with NHS Lothian, is satisfied that the existing use is no longer required and its loss will not prejudice the availability of land for health care in East Lothian. The principle of the proposed new hospital being erected within the established health care site is therefore supported by Policy C10 of the adopted East Lothian Local Plan 2008.

The northwest corner of the application site is defined by Policy ENV1 of the Local Plan as being within a predominantly residential area. The principle purpose of Policy ENV1 is to ensure that the predominantly residential character and amenity of existing housing areas is safeguarded from the adverse impacts of uses other than housing. This corner of the site is undeveloped land which has historically been used as grazing land. The proposed vehicular access, some of the proposed car parking spaces and some of the proposed landscaped areas would be formed over this corner of the site.

Consistent with Policy DP4 of the adopted East Lothian Local Plan 2008, a design and access statement has been submitted with the planning application. It provides a contextual analysis of the site, an explanation of the design concepts and the evolution of the design, detailed descriptions of the proposals, including buildings, roads, footpaths, gardens and information on the safety and security aspects of the proposals.

The proposed hospital would be of a modern contemporary architectural style. It has been designed to include a series of courtyards within the mass of the building so as to admit daylight into key spaces and reveal green terraces at the upper floors and to front towards its main access, pedestrian and cycle routes, car parking spaces and amenity areas. By virtue of its size it would introduce a significant built form onto the landscape, however by its proposed siting at the southern, lower end of the site, distanced from the protected trees of the site it would appropriately respond to the topography of the site and the landscape around it. Despite its large size and massing, by virtue of it being designed and positioned in such a way to minimise as much as possible its impact on the surrounding area, the proposed hospital would not appear incongruous, exposed or an over development of the land upon which it would be built. By its positioning, design, architectural form and finishing materials it would not be harmful to the character and appearance of the area.

Neither would the proposed associated works of car parking, cycle and paths provision, amenity and landscaped areas, cycle storage and parking and boundary treatments be incongruous, exposed or an over development of the land upon which they would be built. By their position, design, form and finishing materials they would not appear harmful to the character and appearance of the area.

The proposed hospital by its positioning and distance from nearby housing would not give rise to harmful overlooking or overshadowing of existing nearby properties.

A Noise Assessment has been undertaken for the proposed development by Sandy Brown Associates and a report on it is submitted with this application. The assessment contained within the report covers the likely internal noise levels within the proposed hospital building, noise from plant and machinery associated with the hospital, road traffic noise, car parking noise and loading bay/service yard noise associated with deliveries to the hospital. The Noise Assessment concludes that the proposed use and operation of the hospital building and the associated travel to it and use of its car parking and service yard areas can be carried out without adverse impact on the area.

The Council's Environmental Health Service is satisfied with the findings of the Noise Assessment Report including that the proposed positioning of the entrance to the car park at the northern end of Alderston Road, rather than at a position further south on this

boundary as had been considered prior to the submission of this application, will minimise any noise impact on the residential properties to the west of the site. The Environmental Health Service recommends that a condition be imposed on a grant of planning permission to ensure that noise associated with plant and machinery does not exceed levels which would cause harm to residential amenity and they also recommend that to mitigate against any harmful impact on residential amenity from noise associated with deliveries to the service yard on the south east part of the site, no deliveries should take place outwith the hours of 0500 – 2300 any day of the week. These matters can be controlled by way of conditions. The imposition of such conditions would ensure that the operating and servicing of the proposed hospital building would not give rise to an unacceptable level of noise. The Environmental Health Service advises that there is no requirement to control construction noise levels through controls imposed on a grant of planning permission as this would be more competently controlled by the Environmental Health Service through their Control of Pollution Legislation.

The applicant has carried out an initial site investigation into contamination of the soils of the site and this has found no specific contamination issues. The findings of this site investigation are detailed in Ground Investigation and Outline Remediation Strategy Reports submitted with the application. However, recommendations in the report are for additional ground investigation works to be carried out once demolition of the existing structures have been completed. The Council's Contaminated Land Officer concurs with these findings and recommends that a condition be imposed on a grant of planning permission to ensure that any potential contamination issues which become evident during the course of demolition, site clearance and development are suitably remediated.

Subject to the use of conditions to secure these environmental protection measures, the proposed development including the accessing and servicing of it would not harm the amenity of any existing neighbouring or nearby residential properties. On the aforementioned considerations the proposed development is consistent with Policy ENV1 of the adopted East Lothian Local Plan 2008.

There are around 26 obvious individual trees within the site including the 6 at the northwestern end of the site which are the subject of a Tree Preservation Order (TPO no.111). The majority of trees on the site are to be retained. The four large trees which are the subject of TPO no.111 would be retained in situ and it is proposed that the two small oak trees which are also the subject of TPO no.111, but which are still young, small replacements for previous mature trees, would be replanted in an area close to the northwest corner of the site. The applicant has undertaken an arboricultural assessment of the proposed works and as a result of that assessment a 'Tree proposals and Protection' Plan has been prepared which indicates a tree protection area/construction exclusion zone around the trees which are to be retained.

The advice of the Council's Policy and Projects Landscape Project Officer is that the tree protection area/construction exclusion zone indicated around the retained trees encloses their root protection areas and makes particular allowance for the four mature trees within the north-western area of the site. The Landscape Projects Officer supports the recommendations of the tree report which are that the protective fencing should be erected as shown on the landscaping details submitted prior to development commencing on site and that subject to the protected area being maintained sacrosanct until completion, which should include no development taking place within the tree protection area, the tree cover to be retained will not be significantly affected. She does not object to the two smaller TPO'd trees being replanted to the north of their current positions. She further recommends that no change in levels take place within the tree protection zones and that the applicant must ensure that all proposals can be

constructed without incursion within the root protection areas. The hard and soft landscaping details submitted with the application indicate that a path would be formed along the west side of the proposed car parking area, part of which could encroach within the root protection area of one of the large trees to be retained on the west side of the site. In order to ensure that there would be no encroachment of the hard surfacing into this root protection area it can be made a condition on a grant of planning permission that no part of the proposed path is located within the root protection area of this tree. There is sufficient space for part of this path to be relocated eastwards and not harmfully impact on the manoeuvring space within the car park or for that part of the path to be omitted from the proposals altogether if the applicant chooses not to provide it. The path is not required to be provided by the Council's Road Services for access to the hospital building and sufficient other path provision is detailed within the proposals for the hospital car park.

Subject to the imposition of conditions on a grant of planning permission to ensure the tree protection measures proposed are carried out and to ensure the provision of replacement and additional planting as detailed in the landscaping plans submitted, the Council's Landscape Projects Officer raises no objection to the proposed development. These matters can be secured through a conditional grant of planning permission.

On all of these foregoing findings on matters of design, layout, landscaping and amenity the proposals are consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies ENV1, DP1, DP2, DP14 and NH5 of the adopted East Lothian Local Plan 2008.

The Council's Biodiversity Officer raises no objection to the proposals being satisfied that the submitted ecological appraisal and bat survey provide a good description of the site and its potential biodiversity constraints. Two bat roosts were found during the course of the bat survey and swallow and house martin nests were observed under the eaves of some of the buildings. Provided the recommendations relating to the protection of bats and birds during the course of construction as set out in the bat survey submitted with this application are carried out the proposed development does not conflict with Policies DP12 (Biodiversity Assessment) or NH3 (Important Local Biodiversity Sites) of the adopted East Lothian Local Plan 2008. The Council's Biodiversity Officer supports the provision of a cycle path link from the Railway Walk to the hospital entrance and the provision of cycle rack facilities for staff, outpatient and visitor use in the interests of developing Green Network links.

The Council's Archaeology Service advises that the general area of the proposed development contains known archaeological remains. They advise that there is the potential for previously unknown buried archaeological remains to lie within the proposed development site and the potential for them to be impacted upon by the proposals. Because of this the Archaeology Service recommends that a programme of archaeological works (Evaluation) be carried out prior to the commencement of development. This can be secured through a condition attached to a grant of planning permission for the proposed development. This approach is consistent with Scottish Planning Policy: June 2014 and Planning Advice Note 2/2011: Planning and Archaeology and with Policy ENV7 of the adopted East Lothian Local Plan 2008.

Transport Scotland raises no objection to the proposed development.

The application is accompanied by a Transport Assessment which assesses the transport impact of the development proposals and details the active travel routes around the site and public transport and parking provision and by a Travel Plan Framework to encourage sustainable travel. Since the initial registration of the

application the applicant has also submitted drawings detailing various improvements to the surrounding transport network and a Stage 1 Road Safety Audit and Quality Audit has been carried out the results of which have been detailed in a transport statement (Technical Note (342466 TN01): East Lothian Community Hospital – Off Site Transportation Works) submitted as part of the application. This covers initial Quality and Safety Audits for the proposals and a detailed assessment of the Alderston Road/Haldane Avenue junction, a matter which is of some concern to those who have submitted representations to the application.

The findings of these Assessments and Statements is that the proposed development is well-located for access to existing walking and cycling infrastructure and bus services; travel activity at the proposed new hospital is expected to be around 25% more than the sum of activity at the existing Roodlands and Herdmanflat hospitals, the proposed 425 space car park will be sufficient to cater for the estimated demand for parking at the proposed new hospital and includes sufficient space to accommodate those hospital related vehicles which currently park on some of the streets adjoining Roodlands and Herdmanflat hospitals and that traffic estimated to be generated by the proposed development can be accommodated within the capacity available in the surrounding junctions with no off-site junction capacity increases required. In relation to the Travel plan it concludes that the framework prepared will form the basis of a full Travel Plan to be updated as the development progresses.

As a result of the Quality and Safety Audits carried out including the detailed assessment of the Alderston Road/Haldane Avenue junction the following improvement to the transport network around the proposed site are proposed:

- At the junction of the A199 Haldane Avenue and Alderston Road, the existing right turn bay into Alderston Road is proposed to be extended, the existing speed limit change relocated westwards and the existing street lighting extended westwards;
- At the access to the proposed development from Alderston Road, the existing footway on the eastern side of Alderston Road is proposed to be widened to form a combined foot and cycle way. This widened footway will continue southwards to the existing turning head on Alderston Road to link with the pedestrian and cyclist access through the site;
- On Alderston Road between the bridge over the disused railway and the pedestrian and cyclist access to the hospital site, where a 2 metre wide footway will be provided on the eastern side of Alderston Road;
- On Hospital Road, where a zebra crossing of Hospital Road will be provided and a footway will be provided on the western side of Hospital Road connecting the existing sections of footway on this side of Hospital Road with a pedestrian and cyclist access to the hospital site

The Council's Road Services do not object to the proposed development and are satisfied with the proposals for site access, parking and pedestrian and cyclist provision. They confirm that they are largely in agreement with the findings and outcomes of the Transport Assessment and subsequent Transport Statement submitted subject to the following conditions being imposed on any planning permission that may be granted:

In relation to the Quality/Safety Audit carried out they recommend that

*Way finding signage be provided around the site and externally within Haddington to show active travel routes to the site as well as for those driving;

* The outcomes of the initial Quality and Safety Audits shall be implemented (including the designers response) through the detailed design stages and the full audit processes (i.e. Safety Audit and Quality Audit) completed through the design and implementation

stages – including post construction/opening; and that

* Dropped kerb pedestrian crossings are required on Alderston Road from the junction with West Road (B6471) up to the main access to the site from the west side at Alderston Gardens.

In relation to phasing and construction they recommend that:

*A detailed phasing plan for all the construction phases is required prior to commencement of development;

* In conjunction with the required phasing plan, a detailed construction management plan (CMP) be submitted to include the expected duration of each phase of construction works; construction access routes for each phase; demonstrate onsite turning/manoeuvring space at each stage – i.e. within compounds/drop off areas; dilapidation surveys of all public roads around the perimeter of the site; NB this shall include delivery/access time restriction which may be required depending on access points to the site, and that

*No loading/unloading be permitted from any of the public roads around the perimeter of the site.

In relation to offsite improvement works they recommend that the proposed details including the improvement works to existing footways on Alderston Road, relocation of lighting columns, road signs etc, proposed traffic calming measures and provision of new footways, the renewal of road markings on the A199, the extension of the 40mph speed limit on the A199 westwards of the site and the provision of a footway and Zebra Crossing on Hospital Road be carried out as detailed in the plans contained within the submitted Transport Statement and in accordance with a timetable to be approved by the Planning Authority.

The Council's Road Services are satisfied with the details of cycle and walkway provision within the site and with the level and details of cycle parking proposed. The provision of these cycling and pedestrian facilities can also be ensured by the imposition of conditions on a grant of planning permission for the proposed development.

The Council's Road Services are content with the details submitted at this stage in the Travel Plan Framework, which outlines the methods and principles of managing travel patterns and modes to and from the hospital. Whilst this is acceptable, Road Services recommends that a green travel plan should be submitted for the prior approval of the Planning Authority. This should take into account the measures outlined in the Travel Plan Framework once the hospital is opened and should cover travel by staff and visitors. The green travel plan should seek to minimise private car trips and encourage use of alternative modes of transport such as walking, cycling and public transport. Additionally the Travel Plan should include details of the measures to be provided, the methods of management, monitoring, review, reporting and duration of the Plan. The provision of a green travel plan could reasonably be secured by a condition imposed on a grant of planning permission.

With the imposition of conditions to cover the issues raised by Road Services the proposal does not conflict with Policies T1, T2, DP20 and DP22 of the adopted East Lothian Local Plan 2008.

The proposals for drainage, sustainable urban drainage systems (SUDS) and surface water management have been considered by the Scottish Environment Protection Agency (SEPA) and they raise no objection to the proposals. They advise that they would expect East Lothian Council to undertake their responsibilities as the Flood Prevention Authority and Scottish Water to ensure that sufficient capacity exists in the

public sewerage network to accommodate the proposal. SEPA confirm that based on the design details provided with the application they are satisfied that the applicant is providing the required level of water treatment for a development of this size and that there is sufficient space within the development to accommodate the SUDS system onsite.

The Council's Manager – Structures, Flooding and Street Lighting has been consulted on the application and he advises that he agrees with SEPAs findings and recommendations. Any works to the existing culvert on the site as well as any diversion of it will require authorisation under the Water Environment (Controlled Activities) (Scotland) Regulations 2011 (CAR) as amended and as such is not a matter to be controlled through planning legislation or by the use of conditions on a grant of planning permission for the proposed hospital development.

Scottish Water were consulted on this planning application but have not provided any comments on it.

Given the scale of the proposed development, if planning permission were to be granted it would be appropriate for artwork to be incorporated either as an integral part of the overall design of it or as a related commission to be located on the site or in an approved alternative location. This could be achieved by means of a condition on a grant of planning permission, subject to which the proposals would be consistent with the requirements of Policy DP17 of the adopted East Lothian Local Plan 2008.

RECOMMENDATION

That planning permission 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 height of the proposed hospital building and ancillary service buildings shown in relation to the finished ground and floor levels on the site.

Reason:

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

- 2 A schedule of materials and finishes and samples of such finishes for all components of the development, including ground surfaces and boundary enclosures shall be submitted to and approved by the Planning Authority prior to the material and finishes being used in the development. 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.

- 3 No development shall take place until the applicant has, through the employ of an archaeologist or archaeological organisation, secured the implementation of a programme of archaeological work on the site of the proposed development in accordance with a written scheme of investigation which the applicant will submit to and have approved in advance by the Planning Authority.

Reason:
To facilitate an acceptable archaeological investigation of the site.

- 4 Prior to the commencement of development, full details of the finalised SUDS scheme shall be submitted to and approved in writing by the Planning Authority, following consultation with SEPA. Development shall thereafter be carried out in accordance with the details so approved.

Reason:
To ensure adequate protection of the water environment from surface water run-off.

- 5 No trees or shrubs which are to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority.

Reason:
To ensure the retention and maintenance of the trees on the site which are an important landscape feature of the area.

- 6 No development shall take place on site until temporary protective fencing in accordance with section 2.5 of the Arboricultural Implication Assessment and Tree Protection Proposals by Donald Rodger dated Jan 2016 and docketed to this planning permission has been installed and approved by the arboriculturalist and confirmed in writing by the Planning Authority. The position of this fencing must be as indicated on the "Tree Proposals and Protection" Plan with drawing number 16471 in the Arboricultural Implication Assessment and Tree Protection Proposals by Donald Rodger dated Jan 2016 docketed to this planning permission.

All weather notices should be erected on said fencing with words such as "Construction exclusion zone - Keep out" and the fencing shall remain on site and intact through to completion of the development. Within the fenced off areas the existing ground level shall neither be raised nor lowered, no materials, temporary buildings, plant, machinery or surface soil shall be placed or stored and no herbicides shall be used. Planning of site operations should take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees. Any materials whose accidental spillage would cause damage to a tree should be stored and handled well away from the outer edge of its RPA. Fires on sites should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of a fire and the wind direction should be taken into account when determining its location and it should be attended at all times until safe enough to leave.

A site plan detailing the location of the temporary protective fencing together with an illustration of the fencing as per figure 2 of BS5837:2012 and a note stating: 'tree protection zone – to be fenced prior to any construction works commencing on site in accordance with fig. 2 of BS5837:2012 and section 2.5 of the Arboricultural Implication Assessment and Tree Protection Proposals' shall be made available to the Planning Authority and to the site contractor prior to the commencement of development to ensure that all parties are aware of the requirement for a construction exclusion zone around the trees.

Notwithstanding that which is detailed on drawings docketed to this planning permission there shall be no encroachment of the car park surfacing, including the pedestrian path if it is to be provided on the west side of the car park, within the tree protection area of the tree identified as tree 233 in the Arboricultural Implication Assessment and Tree Protection Proposals by Donald Rodger dated Jan 2016 and docketed to this planning permission.

Reason:
To ensure the retention and maintenance of the trees on the site which are an important landscape feature of the area.

- 7 All new planting detailed in the 'Soft Works Planting Plan' with ref 1362 02 rev B and 'Soft Works Specification and Schedule' with ref. 1362 03 rev B docketed to this planning permission shall be carried out in the first planting season following the completion of the development and any plants or trees 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 species and final size, 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.

- 8 No development shall take place on site until a person who, through relevant education, training and experience, has gained recognised qualifications and expertise in the field of trees in relation to construction, has been employed by the developer to monitor any works in close proximity of trees on the site including the installation of the tree protection fencing and construction of the woodland walk path to ensure that these are carried out to the recommendations and specifications contained within the Arboricultural Implication Assessment and Tree Protection Proposals by Donald Rodger dated Jan 2016. All tree work should be carried out in accordance with BS3998: 1989 'Recommendations for Tree Work' and must be approved in writing by the Planning Authority before work is carried out.

Reason:

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

- 9 Following each phase of demolition and clearance, an initial assessment shall be made of the ground conditions to determine whether there is the likelihood of any potential contamination issues. Should this assessment show the presence of contamination then a targeted site investigation and risk assessment shall be carried out to quantify the potential risk from this contamination and allow the development (and installation) of suitable remedial measures. Any remedial measures undertaken shall be suitably validated, and a validation report shall be submitted to and approved by the Planning Authority prior to the occupation of any buildings within the phase of construction concerned.

The presence of any previously unsuspected or unforeseen contamination that becomes evident during the development of the site shall immediately be brought to the attention of the Planning Authority to investigate whether further works shall be required to be carried out to determine if any additional remedial measures are required. Any such remedial measures shall be fully implemented prior to any use being made of the buildings, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure that the site is clear of contamination.

- 10 No deliveries shall be permitted within the Service Yard of the hospital outwith the hours of 0500 to 2300 hours on any day of the week.

Reason:

In the interest of safeguarding the amenity of the occupiers of neighbouring residential properties.

- 11 'Plant and machinery shall be designed, selected and located such that noise associated with their operation does not exceed Noise Rating curve NR20 at any octave band frequency between the hours of 2300-0700 and Noise Rating curve NR25 at any octave band frequency between the hours of 0700-2300 within any neighbouring residential property. All measurements to be made with windows open at least 50mm.'

Reason:

In the interests of protecting the amenity of nearby properties.

- 12 Prior to the commencement of development a detailed phasing plan for all the construction phases of the development hereby approved and a detailed Construction Management Plan (CMP) to minimise the impact of construction activity on the amenity of the area shall be submitted to and approved by the Planning Authority. The Management Plan shall include details on the expected duration of each phase of construction works; construction access routes for each phase; demonstrate onsite turning/manoeuvring space at each stage – i.e. within compounds/drop off areas; shall include dilapidation surveys of all public roads around the perimeter of the site and shall include details of any delivery/access time restrictions which may be required depending on access points to the site.

The CMP shall also recommend mitigation measures to control noise, dust, construction traffic and shall include hours of construction work and delivery routes. It shall be detailed in the CMP that no loading/unloading will be permitted from any of the public roads around the perimeter of the site.

The recommendations of the 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.

- 13 Prior to the commencement of development, details, including a timetable for their implementation, showing compliance with the following transportation requirements shall be submitted to and approved in writing in advance by the Planning Authority.

i) Way finding signage to be provided around the site and externally within Haddington to show active travel route to the site as well as for those driving;

ii) Dropped kerb pedestrian crossings to be provided at positions to be agreed with the Planning Authority on Alderston Road from the junction with West Road (B6471) up to the main access to the site from the west side at Alderston Gardens;

iii) Full details of all the proposed offsite works, including construction specifications, signage etc shall be submitted for approval. This shall include the "Way Finding" signage described above;

iii) The outcomes of the initial Quality and Safety Audits shall be implemented (including the designers response) through the detailed design stages and the full audit processes (i.e. Safety Audit and Quality Audit) completed through the design and implementation stages – including post construction/opening.

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

Reason:

In the interests of road and pedestrian safety.

- 14 The following transportation requirements shall be carried out in accordance with the detailed phasing plan to be approved by the Planning Authority as required by Condition 12 of this planning permission and the details within the transport statement (Technical Note (342466 TN01): East Lothian Community Hospital - Off Site Transportation Works) docketed to this planning permission:

(i). The footway on the east side of Alderston Road shall be widened to 3 metres wide as shown and this shall include the relocation of the existing lighting columns, road signs etc, to the back of the footway. This shall be sign posted as a shared cycle pedestrian route.

(ii). The traffic calming at the site access/Alderson Gardens shall be laid out as shown.

(iii). The shared cycle pedestrian route shall continue into the site and allow a through connection past the building frontage to Hospital Road.

(iv). The existing footway on the east side of Alderston Road from Haldane Avenue shall continue southwards past the existing road closure up to the bridge parapet on Alderston Road (railway walk bridge).

All as detailed on "Access for Alderston Road - 342466-MMD-00-C-DR-XX-0001 revision P2" contained within the transport statement (Technical Note (342466 TN01): East Lothian Community Hospital - Off Site Transportation Works).

(v). The junction shall be laid out as shown and shall also take account of the findings of the initial stage 1 Safety Audit/Quality Audit and the subsequent processes as laid out in condition 2 above.

(vi). The road markings on the A199 shall be completely renewed to include "red" coloured hatching in the central ghost island area and "purple" coloured markings on the cycle lanes. Details shall be submitted for approval. This is to make the junction more conspicuous to all users. The extents of these works shall be approximately 250 metres to the west of Alderston Road and 200 metres to the east of Alderston Road.

(vii). The 40 mph speed limit shall be extended westwards as shown to include the additional street lighting columns. The extension to the speed limit shall be promoted by the applicant.

All as detailed in A199 Haldane Avenue/Alderston Road Junction - 342466-MMD-00-C-DR-XX-0002 revision P2 contained within the transport statement (Technical Note (342466 TN01): East Lothian Community Hospital - Off Site Transportation Works).

(viii). A 2 metre wide footway shall be provided on the east side of Alderston Road from the railway walk bridge northwards to the connection with the proposed 3 metre wide cycle route include dropped kerb pedestrian connections. This shall be approximately 140 linear metres.

Details shall be submitted for approval.

(ix). On the new 2 metre wide footway, the existing lighting columns shall be moved to the rear of the footway. In addition a post and wire fence, or similar approved boundary treatment, shall be provided at the back edge of the footway.

(x). On the western side of Alderston Road coloured/textured surfacing shall be provided over the existing pedestrian reservation area from St Lawrence northwards to the railway access (approximately 110 linear metres).

(xi). Coloured/textured surfacing shall also be provided over the full width of the road/carriageway over the extents of the railway walk bridge between the parapet walls (approximately 22 linear metres).

All as detailed on Proposed Footway/Cyclepath along Alderston Road - MMD-342466-C-DR-00-XX-0105 revision P3 contained within the transport statement (Technical Note (342466 TN01): East Lothian Community Hospital - Off Site Transportation Works).

(xii). The proposed footway and Zebra Crossing (or other approved controlled pedestrian crossing) shall be designed in accordance with and fully comply with Local Transport Note 1/95 & 2/95 "The Assessment of Pedestrian Crossings" and "The Design of Pedestrian Crossings".

(xiii). The design shall also take account of the findings of the initial stage 1 Safety Audit/Quality Audit and the subsequent processes. This to include the careful consideration of the transition to the internal shared Cycle/Pedestrian shared surface to prevent cyclists cycling out onto Hospital Road. This should also take account of the proximity of the proposed crossing with Davidson Terrace.

(xiv). The final design shall include a vehicle tracking/swept path assessment to include the Large Design Rigid and Articulated Vehicle - in accordance with the Freight Transport Associations - Designing for Deliveries - document.

All as detailed in the Proposed Footway along Hospital Road - MMD-342466-C-DR-00-XX-0124 revision P2 contained within the transport statement (Technical Note (342466 TN01): East Lothian Community Hospital - Off Site Transportation Works).

Reason:

In the interests of road and pedestrian safety.

- 15 The car parking and hard/soft landscaping hereby approved shall be laid out and delivered in accordance with the detailed phasing plan to be approved by the Planning Authority as required by Condition 12 of this planning permission and the details shown in drawing numbers 1362/02 revision B and KD-Z(94)XXXX-001 Revision 16 to ensure adequate access for pedestrian/cyclists and car parking provision and the main shared cycle/pedestrian route running through the site from Alderston Road to Hospital Road shall be provided and fully open to the general public and enable access at all times to and through the site in order to promote this is as an active travel corridor. Lighting shall also be provided to enable access at all times in accordance with details to be submitted and approved by the Planning Authority prior to any use being made of the hospital under the relevant phase in accordance with the detailed phasing plan to be approved by the Planning Authority as required by Condition 12 of this planning permission.

Reason:

In the interests of road and pedestrian safety.

- 16 The staff cycle parking store for 25 cycles hereby approved shall be operational on site prior to the hospital opening for use. Notwithstanding that which is shown on the docketed drawings, the 14 Sheffield style racks for visitors will be provided under a covered shelter in accordance with details to be submitted to and approved in writing by the Planning Authority prior to the hospital opening for use. The approved cycle parking shall be installed on site prior to the hospital opening for use.

Reason:

To reduce dependence on the private car in the interest of the amenity of the area.

- 17 A Green Travel Plan shall be submitted to and approved by the Planning Authority prior to the commencement of use of the hospital hereby approved. The Green Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site for staff, patients and visitors to the hospital and will include a timetable for its implementation, details of the measures to be provided, the system of management, monitoring, review, reporting and duration of the Plan.

The Travel Plan shall thereafter be implemented in accordance with the details so approved.

Reason:

In the interests of ensuring sustainable travel patterns in respect of the hospital development.

- 18 No use shall be made of the hospital unless and until details of artwork to be provided on the site or at an alternative location away from the site have been submitted to and approved by the Planning Authority and the artwork as approved shall be provided prior to the commencement of use of the hospital building unless otherwise approved by the Planning Authority.

Reason:

To ensure that artwork is provided in the interest of the visual amenity of the locality or the wider area.

Please note that the remainder of pages relating to this item have been removed as they contain personal information (for example - names and addresses of people that have made representation)

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

3

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.