

**REPORT TO:** Planning Committee

**MEETING DATE:** Wednesday 28 June 2017

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

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

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Application No. **16/01019/AMM**

Proposal Approval of matters specified in conditions of planning permission in principle 15/00473/PPM - Erection of 129 houses, 31 flats and associated works

Location **Dolphingstone Farm  
Land Adjacent B1361  
Edinburgh Road  
Prestonpans  
East Lothian  
EH33 1NH**

Applicant BDW Trading & Hallam Land Management 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 15/00473/PPM it has to be determined as a major development type application because the area of the application site is greater than 2 hectares and the number of dwellings detailed is greater than 49. Accordingly the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

The application site is an area of agricultural land in the East Lothian countryside, located to the east of Prestonpans. It is within the Edinburgh Green Belt and some 8.5 hectares in area.

The site is bounded to the east by a wide access track, and the land beyond is the subject of outline planning permission 99/00826/OUT (now known as planning

permission in principle), granted in July 2003 for the residential development of the 25 hectares of land. On 23 December 2005 reserved matters approval 04/01449/REM (now known as approval of matters specified in conditions) was granted for the erection of 332 houses and 62 flats on some 17.6 hectares of the 25 hectares of land that is the subject of outline planning permission 99/00826/OUT. The development the subject of reserved matters approval 04/01449/REM is almost complete.

To the north of the site is the B1361 road with the Royal Musselburgh Golf Course beyond. To the south is the East Coast Main Line. To the west of the site is an area of mature woodland and agricultural land.

Along the eastern, southern and western sides of the site is a former railway embankment on which are belts of mature trees, hedgerows and shrubs. These groupings of trees are covered by Tree Preservation Order no. 133. This landscape feature has significant amenity value giving a landscape setting to the western edge of Prestonpans.

On 2 June 2016 planning permission in principle (ref: 15/00473/PPM) was granted for a residential development of the application site along with retail (class 1), office units (class 2) and restaurant/cafe (class 3) uses and a cemetery together with associated access, infrastructure, landscape and open space. Condition 2 of planning permission in principle 15/00473/PPM states that no more than 160 residential units shall be erected on the application site.

Approval of matters specified in conditions of planning permission in principle 15/00473/PPM is now sought for erection of 129 houses, 31 flats and associated works on the application site, a total of 160 residential units.

Of the 129 houses to be erected within the site, 58 would be detached, 10 would be semi-detached and 61 would be terraced. In terms of size, 71 of the 129 proposed houses would contain 4 bedrooms and 58 would contain 3 bedrooms. The houses would be predominantly 2 storeys high with 3 storey houses positioned along the northern site boundary facing onto the B1361 public road.

The proposed 31 flats would be contained within 5 flatted buildings erected at the north-eastern corner of the site. Two of the flatted buildings would be 2 storeys high and three would be 3 storeys high. The 31 flats would comprise of nine 1 bedroom flats and twenty two 2 bedroom flats.

Of the 129 houses there would be a total of 120 private houses for sale. The houses would comprise of 13 different house types, including the provision of 40 affordable housing units which would be a mix of 2 different house types and 1 and 2 bedroom flats.

The submitted details also include for the internal access roads, garages, parking courts, boundary treatments, landscaped open space, SUDS and associated works.

Vehicular, pedestrian and cycle access to the houses and flats would be taken by way of two new access junctions taken from the B1361 road.

The north and west boundaries of the site would be landscaped with new hedge and tree planting. Existing trees, hedgerows and shrubs along the former railway embankment on the eastern and southern sides of the site would be retained. An area of open space would be formed centrally within the site and other areas of open space would be formed on the southeast and southwest parts of the site. A SUDS basin

would be formed adjacent to the south boundary of the site at its eastern end and would be grassed. There is indicated an area for equipped play within the central area of open space and details of the equipment to be provided within it have been submitted.

The application is supported by Ecological Assessment, Transport Assessment, Site Investigations Reports, a Noise Assessment and a Tree Survey and Report.

Subsequent to the registration of this application, further drawings have been submitted showing revisions to the site layout including a change to the mix of residential units.

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), DP14 (Trees on or Adjacent to Development Sites), DP15 (Sustainable Urban Drainage Systems), 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 this application is the Scottish Government Policy Statement entitled "Designing Streets". It provides an overview of creating places, with street design as a key consideration. It advises on the detail of how to approach the creation of well-designed streets and describes the processes which should be followed in order to achieve the best outcomes.

Three written representations have been received in respect of this application, all of which raise objection to the proposed development.

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

The main grounds of objection are summarised as follows:

- \* The proposed development could lead to odour, noise and air pollution;
- \* There would be pressure on the local road network, train capacity and in the local schools;

\* The proposed development would lead to traffic problems and thus would result in a road safety hazard;

\* The proposed built form does not offer continuity with the existing houses to the east.

By the grant of planning permission in principle 15/00473/PPM, approval has been given for the principle of the erection of 160 residential units on the application site following technical assessments which demonstrated that local and wider infrastructure, subject to financial contributions and conditions, can accommodate such level of development. There can therefore be no objection in principle to the erection of the 160 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, the landscaping of and means of access to the site and the means of any enclosure of the boundaries of the site. In this regard the detailed proposals have to be considered against relevant development plan policy and the Illustrative Masterplan and conditions attached to planning permission in principle 15/00473/PPM.

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 houses, flats and associated areas of ground, in their proposed groupings, orientations, and layout would be consistent with the principles of 'Home Zones' as set out in the Council's Design Standards for New Housing Areas and with the Scottish Government Policy Statement entitled "Designing Streets". The proposed layout of roads, pathways and parking spaces would also generally be consistent with those principles.

The details now submitted for approval are for a scheme of development comprising a mix of detached, semi-detached and terraced houses (13 types of residential units) and 31 flats, with the flatted buildings and houses being a mix of three storeys and two stories in height. The total number of units proposed accords with the planning permission in principle granted for the site and the mix of residential units includes a range of sizes and types. The layout reflects the surrounding area, which is generally characterised by detached, semi-detached and terraced houses and flatted buildings of 2 and 3 stories in height.

The range of house types proposed would give a variation of architectural form to the development, which coupled with the orientation and layout of the buildings, would give a degree of variety of appearance to the development. The architecture of the proposed houses and flats is of a traditional pitched roof form. It should be ensured that the use of render is the predominant wall finish as this would respect the built form of other housing developments in Prestonpans. However, some use of a contrasting

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

The proposed layout is broadly consistent with the layout shown in the illustrative masterplan docketed to planning permission in principle 15/00473/PPM. The proposed houses and flats, due to their positioning on the application site and by virtue of their height, size and scale, and architectural design would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features. In this respect the proposed development echoes the design principles that apply to the allocated housing land to the east of the site by incorporating a dedicated landscaped strip along the site frontage with the B1361 road and the inclusion of a natural stone wall along the southern side of the dedicated landscaped strip. The row of houses and the flatted buildings proposed for the northern edge of the site would be set back from the B1361 by the landscape strip. The houses of that row would mostly be of the same three storey, and two and a half storey house type, with lower two storey houses at its western end. The flatted buildings would be three stories and two stories in height. The three storey houses and flatted buildings would have a simple vertically proportioned architectural form and a traditional architectural style. Their principal front elevations would face over the landscape strip towards the B1361. These three storey houses and flatted buildings would give a pronounced built form along the northern, roadside frontage of the housing development. Such a definitive edge to the development would serve as a bold gateway feature on the southern side of the western approaches to Prestonpans, giving a marked presence to the new urban edge of the town to be created by the proposed housing development. This coupled with the proposed landscaping would ensure a visually attractive and cohesive development, with the proposed buildings visible but not appearing incongruous or intrusive in their surroundings. The other components of the proposed development would not be harmful to the character and appearance of the area.

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

The application site is capable of accommodating all of the houses and flats without being an overdevelopment of the site and without being incompatible with the density of existing housing development in the area.

Condition 8 of planning permission in principle application 15/00473/PPM requires details of the proposed integrated sustainable urban drainage scheme (SUDS) for the site to be submitted. Drainage detail has been submitted with the application. The Scottish Environment Protection Agency has been consulted on the application and raise no objection to the proposed development, advising that the proposed methodology for dealing with surface water drainage at the site is satisfactory.

The proposed development has been amended in light of comments received from the Council's Landscape Project Officer. The revised proposals have:

- \* Amended details on the siting of tree planting throughout the site;
- \* Provided a detailed planting schedule and maintenance and management proposals

for the proposed landscaped areas; and

\* Provided a tree survey and arboricultural constraints plan.

The Landscape Project Officer does not object to the details of the development now proposed, but she does require that conditions be imposed on a grant of planning permission to ensure that tree maintenance, landscaping, tree protection measures and arboricultural monitoring are carried out in accordance with that shown on the application submissions.

The Landscape Project Officer notes that if the detail of the proposed development were to be granted, the houses to be erected, once occupied, would benefit from permitted development rights for certain extensions to them and for the erection of certain structures such as garden sheds and garages and other development in their garden ground. The Landscape Project Officer advises that such extensions and garden structures, if erected on the house plots closest to the groupings of trees covered by Tree Preservation Order no. 133 along the eastern and southern sides of the site could have the potential to harm tree roots and thus to potentially lead to harmful impacts on the TPO trees.

It would therefore be prudent for the Council, as Planning Authority, to impose a condition on an approval of matters specified in conditions for the proposed development removing permitted development rights for extensions to the houses and for any building or detached structures in their garden ground for the plots next to the TPO trees.

The above measures can be secured by the imposition of conditions on the approval of matters specified in conditions for the proposed housing development in which case it does not conflict with Policy DP14 of the adopted East Lothian Local Plan 2008.

Condition 12 of planning permission in principle application 15/00473/PPM requires the submission of a Construction Method Statement to specify the measures to be adopted to protect the amenity of neighbouring residential properties from the effects of noise and dust arising as a result of the construction phase of the proposed development.

Condition 13 of planning permission in principle application 15/00473/PPM requires the submission of a noise report to ensure that the amenity of future occupiers of the residential units on the site is not harmed by noise arising from either the East Coast Main Line or the B1361 public road. A Construction Method Statement and Noise Report have been submitted with the application.

The Councils Environment Health Manager is content with the findings of the Construction Method Statement, satisfied that the measures to be adopted to protect the amenity of neighbouring residential properties from the effects of noise and dust arising as a result of the construction phase of the proposed development are satisfactory.

The Councils Environment Health Manager has appraised the submitted noise report and recommends that:

(i) the glazing specification for residential properties with noise sensitive rooms (that being either a living room, dining room or bedroom) facing the B1361 road as shown in the 'Zone requiring improved mitigation to windows' in Figure 4 of the submitted Noise Report be such that glazing units have a minimum Sound Reduction Index of 35dB Rwi and that these glazing units should also have acoustic trickle vents with a minimum

performance of 38dB Dn, e;

(ii) the Glazing specification for residential properties within the 'Standard Zone' as shown in Figure 4 of the submitted Noise Report be such that glazing units have a minimum Sound Reduction Index of 30dB Rwi and that these glazing units must also have acoustic trickle vents with a minimum performance of 33dB Dn, e;

(iii) 1.8M high acoustic fence barriers be provided in the positions shown for them in Figure 4 of the submitted Noise Report, with the fencing being of a close boarded form with no holes or gaps.

Subject to these mitigation measures being implemented, which can be secured by a condition imposed on a grant of matters specified in conditions, there would be no loss of amenity to future occupiers of the proposed residential units.

On all of these foregoing findings on matters of design, layout, landscaping and amenity, and subject to the imposition of conditions, the proposed development is consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies H1, DP1, DP2, DP14 and DP24 of the adopted East Lothian Local Plan 2008, the Council's Design Standards for New Housing Areas and the Scottish Government Policy Statement entitled "Designing Streets".

As previously detailed, the proposed site layout includes areas of open space to be formed within the site. The Council's Principle Amenity Officer advises that the size and locations of the areas of open space proposed are satisfactory to provide for informal recreation for the proposed development. It is therefore consistent with Policy C1 of the adopted East Lothian Local Plan 2008.

The Principal Amenity Officer is also satisfied that the equipped play provision proposed to be installed within the centrally positioned area of open space is adequate to serve the proposed development. It is therefore consistent with Policy C2 of the adopted East Lothian Local Plan 2008.

The Council's Biodiversity Officer advises he has no objection to the proposed development.

Condition 9 of planning permission in principle application 15/00473/PPM requires the implementation of a programme of archaeological work and the subsequent submission of a written scheme of investigation. A written scheme of archaeological investigation has been submitted with the application. The Council's Archaeology Officer has appraised the submitted investigation report and is content with its findings and he therefore raises no objection to the application.

As the site is within the battlefield site of the Battle of Pinkie that is included in Historic Environment Scotland's Inventory of Historic Battlefields Historic Environment Scotland have been consulted on the application and are content that the proposed development would not have an adverse impact on the landscape characteristics of the core part of the battlefield site.

The principles of the means of accessing of the proposed residential development are already decided by the grant of planning permission in principle 15/00473/PPM. The submitted details for accessing the proposed residential units are in accordance with these principles established by the grant of planning permission in principle 15/00473/PPM.

The Council's Road Services raise no objection to the submitted details, being satisfied that the proposed development can be safely accessed by both cars, pedestrians and cyclists, that the development would not result in unacceptable traffic congestion on the local road network, and that it would not result in a road or pedestrian safety hazard. They advise that the location and amount of parking within the site is acceptable.

Road Services make a number of recommendations, however their recommendations are the same as those made in their response to planning permission in principle 15/00473/PPM, are conditional requirements of that planning permission in principle and therefore there is no requirement to also attach them to this approval of matters specified in conditions application.

Condition 4 of planning permission in principle 15/00473/PPM requires the submission of a Green Travel Plan, to have particular regard to provision for walking, cycling and public transport access to and within the site. A Green Travel Plan has been submitted with the application and Road Services confirm it is acceptable.

Condition 5 of planning permission in principle 15/00473/PPM requires a Construction Method Statement be submitted to minimise the impact of construction activity on the amenity of the area prior to the commencement of development. A Construction Method Statement has been submitted with this application. Road Services confirm the submitted Construction Method Statement is acceptable, subject to the stipulation that construction vehicles should not take their route to or from the site through Musselburgh Town Centre, Salters Road or Prestonpans. This requirement can be controlled by the imposition of a condition.

Condition 6 of planning permission in principle 15/00473/PPM requires the existing 40 miles per hour (mph) speed limit on the B1361 road to be extended along the entire length of the application site frontage and to include village entry treatments. The application drawings show the provision of a 30mph extended speed limit on the B1361 road. This is not as required by Condition 6 of planning permission in principle 15/00473/PPM and Road Services confirm the existing 40mph speed limit must be extended. Therefore this detail is not approved. Therefore it would be prudent in this instance to again impose a condition requiring the existing 40 miles per hour (mph) speed limit on the B1361 road to be extended along the entire length of the application site frontage and to include village entry treatments.

Condition 7 of planning permission in principle 15/00473/PPM requires that, (i) a continuous 2 metre wide footway be provided on the south side of the B1361 road along the site frontage to link into the existing footway network, with dropped kerbs provided as necessary, (ii) the footway on the northern side of the B1361 be upgraded to a minimum of 2 metres wide for a distance commensurate with the site frontage between the Royal Musselburgh Golf Club entrance and the U104 Drummohr Road, and (iii) two Double D Island crossing points be formed on the B1361 road to provide pedestrians with safe crossing points on appropriate desire lines. The application drawings show the provision of all the requirements of Condition 7 of planning permission in principle 15/00473/PPM and Road Services confirm they are acceptable.

Subject to the imposition of the above condition, 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.

Condition 10 of planning permission in principle 15/00473/PPM requires the submission of a comprehensive contaminated land investigation. The Council's Environmental Health Contaminated Land Officer has appraised the Site Investigation



Report submitted with the application and confirms that he is satisfied with the scope of the report and with the investigative works carried out for the application site. He concurs with its findings with regard to the areas of mine spoil associated with the former railway embankment as well as the recommendations for remedial measures. In addition, the requirements for additional gas monitoring to be carried out once the ground stabilisation works have been completed is also noted. He therefore recommends that a Remedial Strategy is produced detailing the nature of the works to be carried out, and on successful completion of these works a suitable Validation Report is submitted. These further requirements are embodied Condition 10 of planning permission in principle 15/00473/PPM and therefore remain in force. Thus there is no requirement to also attach them to this approval of matters specified in conditions application.

Condition 11 of planning permission in principle 15/00473/PPM requires the submission of detail of intrusive investigation works to assess ground stability due to former mine workings at the site, and that in the event that the intrusive investigation works confirm the need for remedial works to treat any areas of shallow mine workings, development shall not begin until a scheme of remedial works on the site has been submitted to and approved in writing by the Planning Authority.

The Coal Authority has appraised the Site Investigation Reports and site layout plan submitted with the application and advises that they are satisfied that the risks posed by former mine workings at the site has been satisfactorily addressed. The Coal Authority therefore raise no objection to the application. They do however advise on the need for submission of a scheme of remedial works. This further requirement is embodied Condition 11 of planning permission in principle 15/00473/PPM and therefore remains in force. Thus there is no requirement to also attach it to this approval of matters specified in conditions application.

Network Rail has been consulted on the application but raises no objection to the site's proximity to the East Coast Main Line.

The mechanism of a financial contribution towards additional educational provision at Prestonpans Infant and Nursery School, Prestonpans Primary School and Preston Lodge High School for a housing development of 160 residential units has already been secured through the grant of planning permission in principle 15/00473/PPM.

The mechanism of the provision within the residential development of 25% affordable housing units (i.e. 40 units of the proposed 160 units) is already secured through the grant of planning permission in principle 15/00473/PPM.

The Council's Economic Development and Strategic Investment service raise no objection to the details of the 40 affordable housing units now proposed.

#### RECOMMENDATION:

That approval of matters specified in conditions for the proposed housing development be granted subject to the following conditions:

#### 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 and flats of the proposed development shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. The external finishes of the houses 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 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, or of any subsequent Order amending, revoking or re-enacting the 1992 Order, no development of the types specified in Classes 1A, 1B, 3A or 3B of Part 1 of Schedule 1 of the Order or in any statutory instrument revoking and/or re-enacting that Part of the Order shall be undertaken on the houses to be erected on plots 1, 11 or 80-91 as shown on the docketed site layout drawing no. 16141(PL)001 M, or on any part of the gardens of those plots, unless with the prior approval of the Planning Authority.

Reason:

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

- 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 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 and bicycle parking in the interests of road safety.

- 5 Notwithstanding that which is shown on docketed drawing no. J2927-011 Revision B, no development shall commence unless and until the existing 40 miles per hour (mph) speed limit on the B1361 road has been extended along the entire length of the application site frontage which shall include village entry treatments. Details of the extension to the existing 40 miles per hour speed limit and village entry treatments shall be submitted to and approved in advance by the Planning Authority and shall include the provision of street lighting along the length of it. Thereafter the extended 40 miles per hour speed limit, village entry treatments and street lighting shall be implemented and installed in accordance with the details so approved.

Reason:

In the interests of road safety.

- 6 Construction traffic to and from the site shall not take their route through either Musselburgh

Town Centre, Prestonpans or along Salters Road unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of road safety.

- 7 The glazing specification for residential properties with noise sensitive rooms (that being either a living room, dining room or bedroom) facing the B1361 road within the 'Zone requiring improved mitigation to windows' in Figure 4 of the docketed 'Environmental Noise Impact Assessment - Dolphinstone Prestonpans' shall be such that glazing units have a minimum Sound Reduction Index of 35dB Rwi. These glazing units shall also have acoustic trickle vents with a minimum performance of 38dB Dn, e.

The Glazing specification for residential properties within the 'Standard Zone' as shown in Figure 4 of the docketed 'Environmental Noise Impact Assessment - Dolphinstone Prestonpans' shall be such that glazing units have a minimum Sound Reduction Index of 30dB Rwi. These glazing units shall also have acoustic trickle vents with a minimum performance of 33dB Dn, e.

Prior to the occupation of any of the residential properties within the 'Zone requiring improved mitigation to windows' in Figure 4 of the docketed 'Environmental Noise Impact Assessment - Dolphinstone Prestonpans', 1.8 metre high acoustic fence barriers shall be erected in the positions shown for them in Figure 4 of the docketed 'Environmental Noise Impact Assessment - Dolphinstone Prestonpans', with the fencing being of a close boarded form with no holes or gaps.

Thereafter such form of attenuation shall be retained in place unless otherwise approved by the Planning Authority.

Reason:

In the interest of safeguarding the residential amenity of future occupiers of the proposed residential development.

- 8 A timetable for the provision of the erection of the 1.8 metre high boundary enclosures for the rear gardens of the houses hereby approved shall be submitted to and approved in advance by the Planning Authority and development shall thereafter be carried out in full accordance with the timetable 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 privacy and amenity of future residents of the development.

- 9 Prior to the occupation of any of the residential units hereby approved a timetable for the implementation of all the open space recreation areas indicated on the docketed site layout plan shall be submitted to and approved in advance by the Planning Authority and the open space recreation areas shall be formed and made available for use in accordance with the timetable so approved.

The open space recreation areas shall thereafter be used for such purposes at all times thereafter unless agreed in writing by the Planning Authority.

Reason:

To ensure the satisfactory laying out of all areas of open space in the interest of the amenity of the future occupants of the dwellings hereby approved.

- 10 Prior to the occupation of any of the residential units hereby approved a timetable for the implementation of the play area and its equipment also as hereby approved hereby approved shall be submitted to and approved in advance by the Planning Authority and the play area and its equipment shall be installed in accordance with the timetable so approved.

Reason:

In the interests of the amenity of the development.

- 11 Prior to the occupation of any of the residential units hereby approved a timetable for the erection of the natural stone wall to be erected along the entire length of the southern side of the dedicated landscaped strip on the northern boundary of the site as hereby approved shall be submitted to and approved in advance by the Planning Authority and the natural stone wall shall be erected in accordance with the timetable so approved.

Reason:

In the interests of the amenity of the development and of the wider environment.

- 12 No development shall commence until temporary protective fencing has been erected in accordance with that shown in Section 7 and Appendix 1 of the docketed 'Tree Survey & Arboricultural Report for Dolphinstone Farm' and in the positions shown for it on docketed

drawings nos. 0117(20)-01 Prot (1 of 2) and 0117(20)-01 Prot (2 of 2). The temporary protective fencing shall remain intact and in place through to completion of development.

All weather notices shall be erected on said fencing with words such as "Construction exclusion zone - Keep out". 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 shall 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.

Reason:

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

- 13 No development shall commence 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 within the root protection area or canopy spread of trees on or adjacent to the application site.

Reason:

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

- 14 No trees, shrubs or hedgerows which are to be retained on the site, other than the three trees with tag reference numbers 1394 (Oak), 1393 (Oak) and 1185 (Willow) as shown on docketed drawings nos. 0117(20)-01 Prot (1 of 2) and 0117(20)-01 Prot (2 of 2), shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority.

All tree management works shall be carried out under the supervision of an appointed Arboricultural Consultant in compliance with British Standard 3998: 2010 "Tree work ~ Recommendations" Section 7, Pruning and related work and Figure 2 - Positions of final cuts; leaving an overall balanced tree shape on completion of the works and with the recommendations of the docketed 'Appendix 4 - Tree Survey Schedule: Prestonpans West'.

Reason:

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

- 15 All new planting as shown on docketed drawings nos. 1048/02 Rev A, 0117(20)-01 Prot (1 of 2) and 0117(20)-01 Prot (2 of 2) and as specified in the Planting Schedule and Planting Notes sections of the docketed West Prestonpans planting document by Brindley Associates 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 ten 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.

All the new planting shall be maintained and managed in accordance with the Landscape Maintenance and Management Proposals section of the docketed West Prestonpans planting document by Brindley Associates.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the visual amenity of the area.

- 16 Prior to the commencement of development a detailed woodland maintenance and management plan for all the existing and new planting along the former railway embankment on the eastern and southern sides of the application site shall be submitted to and approved in writing by the Planning Authority. The existing and new planting shall thereafter be maintained and managed in accordance with the detail so approved unless otherwise agreed in writing by the Planning Authority.

Reason:

In order to ensure the maintenance and management of the landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area.