



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

**TUESDAY 4 SEPTEMBER 2018
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor N Hampshire (Convener)
Councillor L Bruce
Councillor S Currie
Councillor J Findlay
Councillor N Gilbert
Councillor S Kempson
Councillor C McGinn
Councillor K McLeod
Councillor J McMillan
Councillor F O'Donnell
Councillor B Small

Other Councillors Present:

Councillor J Henderson

Council Officials Present:

Mr I McFarlane, Service Manager – Planning
Ms W McGuire, Acting Service Manager – Strategic Investment
Mr C Redpath, Team Manager – Roads Engineering
Mr K Graham, Solicitor
Ms E Clelland, Planner
Mr M Greenshields, Senior Roads Officer
Ms M Haddow, Transportation Planning Officer
Mr G McLeod, Transportation Planning Officer
Ms J Mackay, Media Manager
Ms T Barson, Management Systems and Administration Officer

Clerk:

Ms A Smith

Visitors Present/Addressing the Committee:

Item 2 – Mr T Thomas, Mr C Hamer, Mr J Finlay, Mr L Main, Mr M White
Item 3 – Mr R Holder

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – PLANNING COMMITTEE 21 AUGUST 2018

The minutes of the meeting of the Planning Committee of 21 August 2018 were approved.

2. PLANNING APPLICATION NO.18/00016/PM: ERECTION OF 32 HOUSES, 4 FLATS AND ASSOCIATED WORKS AT LAND AT CASTLEMANS FARM, OFF STATION ROAD, DIRLETON

A report was submitted in relation to Planning Application No. 18/00016/PM. Iain McFarlane, Service Manager – Planning, presented the report. He informed Members that subsequent to publication of the report and following discussion regarding Condition 6, the applicant had requested that rather than the Road Traffic Order being a pre-development condition that the requirement be prior to occupation of any residential unit, as the process of a Road Traffic Order was in the control of the Council rather than the applicant and could take some time. Road Services agreed that this would be acceptable and therefore the wording of this condition would be changed accordingly. Mr McFarlane then summarised the key points. He referred to objections received from, amongst others, Dirleton Village Association (DVA), the Association for the Protection of Rural Scotland (APRS) and drew attention to consultee responses. The report recommendation was to grant consent.

Mr McFarlane responded to a series of questions from Members. He clarified that the allocation for this site in the ELLDP was circa 30 homes; this proposal was for 36 units, including 10 affordable units. He advised that numbers within allocated sites could increase, the key material considerations being whether the design and density were appropriate for the site. He added that if an application came forward for a higher number of units this had to be considered. He clarified, in relation to the shift from 24 units in the original development plans to 30 in the ELLDP that changes in school roll projections and the educational capacity assessment allowed for this and in this instance, the Education Authority was satisfied that the capacity was available.

Regarding queries about the response from the Health and Social Care Partnership (HSCP), Mr McFarlane stated that the HSCP's assessment of the application was that whilst they had concerns about the 20% increase in the number of units, these concerns were not strong enough to raise an objection.

In respect of the lack of response from Scottish Water, Mr McFarlane advised that as a general principle this consultee tended not to comment on planning applications. Officers had to consider whether to go ahead with an application without such a response.

Responding to questions about the Development Brief, the ELLDP and compliance, Mr McFarlane outlined the process and timeline for the Development Briefs through the processes of consultation to the timescale for their adoption. He clarified that these remained draft documents and as such, there was a limit to how much weight they could be given. He acknowledged that the proposal did not fully accord with the Development Brief but said to state that it bore no resemblance, as indicated by the DVA, was not correct.

As regards the DVA's view that the proposal would have an adverse impact, he said there was a degree of interpretation, there were differing views but the judgement of officers and Historic Environment Scotland (HES) was that the proposal would not have an adverse impact. Responding to further questions about impact, he stressed that the key questions were fundamentally about site capacity, density, mix and design. Mr McFarlane responded to queries about housing density, Policy DP3, outlining the background to this policy and referring to recent reviews of applications and their compliance with that policy. Responding further, he stated that the density of Dirleton itself was the key consideration, officers assessed whether the proposal was appropriate to the relationship with the village. The

density proposed was suitable for a rural village development. Regarding the affordable units, East Lothian Housing Association would take these forward, for social rent.

Tony Thomas of APT Planning and Development Ltd, agent for the applicant, stated that the Castlemains site was the preferred site as allocated in the ELLDP. There had been thorough engagement with HES and Council officers. He outlined the main elements of the proposal. Considerable engagement had taken place with DVA and Gullane Area Community Council (GACC). DVA acknowledged the implications of the ELLDP but had a differing view about how the housing should be delivered. The applicant's design concept would deliver a complementary, carefully considered, addition to the eastern edge of the village, in keeping with the settlement pattern of villages in the county. There would be a landscaped meadow at the foreground of the development as seen from the A198. He stated that, as with many other settlements Dirleton would expand; this design was sympathetic to its context and would deliver a variety of homes, including 10 affordable units.

Mr Thomas responded to questions. In relation to the 20% increase, he said that in creating an appropriate layout, 36 units was a suitable number, which sat comfortably within the site. Regarding departing from the Development Brief he stated the site had to be developed in the most appropriate way, the brief had very limited materiality at present.

Responding to further queries Mr McFarlane reiterated that because the Development Briefs, prepared in association with the ELLDP, remained draft documents, they could not be accorded significant weight. He reiterated the process outlining the context of the different documents. Regarding consultation with the DVA, Mr Thomas referred to meetings about the draft plans and discussions in respect of the 'Dirleton Expects More' document. He stated that HES did not support the DVA's proposal for an inward looking development.

Carl Hamer, representing the DVA, spoke against the application. The DVA's primary objection was that the proposed development would dominate the setting and have an adverse impact on Dirleton Castle. The site brief in the ELLDP stipulated conservation led design that maintained conservation status. This suburban design, in front of the castle, failed to meet this brief. The proposed development would detract from and compete with views of the castle. Houses and streets must be kept out of sight lines. He urged Members to reject this application, to have a more suitable design for this site as per the DVA's suggestion. This suburban development was not appropriate for its setting.

John Finlay spoke against the application. Scotland's heritage was priceless; he expressed his strong objections to the proposal and the effect it would have on Dirleton's built heritage. Dirleton Castle was one of the oldest and most important castles and the grounds recognised as historically designated landscape. Analysis suggested that this development would obscure 60% of the castle. The proposed design was alien to the village character. It was a suburban development on a hugely visible site. He highlighted changes to the site brief, including higher roofs and units of 1.5 storeys; the development would have a huge impact and be dominate in scale. The developer should be asked to redesign the proposal.

Responding to questions about the height difference he had shown in his presentation Mr Finlay said the existing houses sat low at the current edge of the village; the proposal for the new houses was at elevated ground level. Mr McFarlane acknowledged that the new houses would be higher than the ones on Castlemains Place but stated there was a condition attached to the grant of planning permission regarding finished ridge levels.

Lawrie Main spoke against the application on behalf of his family. The Council had made clear that Castlemains was the preferred site but had said that development would only be allowed if strict guidelines set out in the Development Brief were followed. It stated there would be no new entrance at Station Road, buildings on the northern side would be no higher than single storey and must have frontages that reflected Castlemains Place and

should match the height of the existing houses. This proposal went against all these guidelines. He urged Members to stand by their previous commitment and refuse this application.

Martin White, representing the GACC, stated that Dirleton Castle was one of East Lothian's top visitor attractions and mattered greatly to the county. The Reporter, in relation to the ELLDP, had corrected the Council's assessment of the site to protect the view to and from the castle. This proposal impacted on the views and setting of the castle. Scottish Planning Policy was clear, an 'impact' was only allowed in exceptional circumstances; this was not an exceptional circumstance. This proposal was unacceptable; castles should not be screened.

Local Member Councillor Findlay stated that local residents did not object to houses on this site but rather to the design proposal. In relation to the number of units, from 30 as allocated in the ELLDP to 36, this was a concern. Referring to the HSCP's comments, he was surprised that stronger concerns had not been expressed. The Reporter had amended the ELLDP to state that the view to and from Dirleton Castle should be protected. He felt that the proposed development would have a harmful effect. The Development Brief stated that buildings should not be higher than 1.5 storeys. The APRS, DVA, GACC and 71 local residents had all submitted objections. HES's decision not to object should not be taken, in their words, as a statement of support. The developer should rework the plans and consult further. He would not be supporting the application.

Local Member Councillor Henderson, not a member of the Planning Committee, referred to the urbanisation of the county and the loss of agricultural land. She accepted that the Castlemains site was delineated in the ELLDP but stressed there should be no compromise as regards design of the development. She was unhappy with the comments by HES. She highlighted the key objection from APRS. This proposed development was not right in its setting and could not be supported.

Councillor Small acknowledged that the ELLDP was in its final stages but felt that the views and concerns expressed by local residents could not be ignored. Members had to act sensitively, a decision that affected Dirleton Castle would have ramifications for many years. The DVA's work and approach was an exemplar of what a community should be doing; they accepted that development would happen and he supported their attempt to engage and look for what was best for Dirleton. This new housing did not take account of the wider context. He also referred to the 20% increase in number of units and the danger of setting a bad precedent. He would not be supporting the application.

Councillor McMillan referred to presentations from the agent and the various objectors. He noted that many of the guiding principles set out in the Development Brief, although not a material consideration, had been met. Statutory consultees felt the proposal was acceptable, including HES. He noted comments made about the height of the buildings but, on balance, would be supporting the report recommendation.

Councillor Currie referred to discussions regarding the Development Brief; he felt there were contradictions between this and the ELLDP and the weight accorded. This report was in advance of adoption of the ELLDP. The Development Brief, in his view, was a material consideration in the decision making process in determining planning applications. The major point was the impact on Dirleton Castle and the environment. He would not be supporting the application; the proposed development would have a detrimental impact.

The Convener noted the strong feelings against the application from the community, however the Council had made the decision that development would take place on this site and it was included in the ELLDP. Regarding the increase in the number of units, an increase from the allocated numbers in the ELLDP had occurred beforehand in developments, to get maximisation numbers on site. In respect of the impact on Dirleton

Castle, he stressed that neither HES nor the Council's Heritage Officer objected to the application. He felt the proposal was for a quality development, which would enhance Dirleton. He would be supporting the recommendation to grant planning permission.

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

For: 4

Against: 7

Abstentions: 0

Decision

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

The proposed development was an unacceptable form of suburban development at odds with the Dirleton Conservation Area and harmful to the setting of the listed building and Scheduled Monument of Dirleton Castle, contrary to policies ENV3, ENV4 and ENV7 of the adopted East Lothian Local Plan 2008 and Policies CH1, CH2 and CH4 of the Proposed East Lothian Local Development Plan.

3. PLANNING APPLICATION NO.18/00090/PM: ERECTION OF 94 HOUSES, 8 FLATS AND ASSOCIATED WORKS AT GREENDYKES FARM, MACMERRY

A report was submitted in relation to Planning Application No. 18/00090/PM. Esme Clelland, Planner, presented the report, informing Members that subsequent to publication of the report, following discussions with the applicant, changes had been requested to the wording of Condition 16; the Education Authority had accepted these changes, revised wording:

Unless otherwise approved in writing by the Planning Authority:

(a) Housing completions in any one year (with a year being defined as being from 1st April to 31st March the following year) shall not exceed the following completion rates:

- * Years 19/20 - 10 dwellings completed
- * Years 20/21 - 45 dwellings completed
- * Years 21/22 - 45 dwellings completed
- * Years 22/23 - 2 dwellings completed

(b) If fewer than the specified number of residential units is completed in any one year then those shall be completed instead at Year 23/24 or beyond and not added to the subsequent Year

Ms Clelland summarised the key points, including reference to this application being for part of the site proposed to be allocated by the Proposed Local Development Plan and that this together with an application for the remaining part of the site would result in development of some 240 units rather than the 150 proposed in the allocation. The report recommendation was to grant consent.

Ms Clelland and other officers responded to questions. Regarding the main route, which was the road to the primary school, and the possibility of restricting traffic movement timings, Ms Clelland referred to Condition 8, the Construction Method Statement, which would take this into account. She provided further details of the site road design in relation to queries about traffic calming. She clarified that the traffic assessment indicated that traffic calming was not deemed necessary. Mr McFarlane referred to the Council's Design Standards and provided information generally in respect of the application of traffic calming measures within developments. Following further queries, he confirmed that Members could, if desired, request another Road Safety Audit. Regarding the junction at Greendykes Road and the proposed traffic lights, Ms Clelland advised that the traffic assessment had specifically looked at this junction and concluded that it had capacity. Marshall Greenshields, Senior Roads Officer, added that a detailed assessment of that junction would be carried out, as would a Road Safety Audit.

In respect of ongoing flooding problems in the area, Ms Clelland confirmed that the Flood Risk Assessment set out how surface water flooding would be dealt with; it would not be exacerbated by the proposed development. Callum Redpath, Team Manager – Roads Engineering, stated that officers were working with the developer regarding options; he added that this development might actually provide an opportunity for a positive drainage connection, which could provide resolution for these longstanding problems.

Regarding affordable housing, Ms Clelland advised that this would be located in two different groupings within the site and would be taken forward by the Council for social rent. In relation to the factoring of open spaces, she drew attention to Condition 14, which detailed the requirements. In response to questions about safe routes to school, cycle paths and the Green Travel Plan, she gave further details of the layout and positioning of the open spaces, core paths and pedestrian/cycle links within the site.

Robin Holder of Holder Planning, agent for the applicant, said he would not make a presentation but rather would respond to points raised. Construction traffic/school: the Construction Method Statement would deal with this; school hours would be taken into account. Volume of traffic: as mentioned a Road Safety Audit was required, this could be extended to include the internal road network. Flooding: discussions were ongoing looking at ways to resolve the current problem. Density: the proposed density would be 32.6 units per hectare; this was appropriate development of the site. Permeability issues: this was a relatively small site so close to local facilities that people would walk or cycle. He confirmed that an additional condition proposing a Road Safety Audit would be acceptable.

Local Member Councillor McGinn welcomed discussion about the traffic issues and looked forward to the Road Safety Audit. A key point was flooding at St Germain's Terrace and he was pleased to hear there was a real possibility that this new development would have a positive impact for existing residents. He would be supporting the report recommendation.

Local Member Councillor McLeod stated he would be supporting the report recommendation but did have some concerns, primarily flooding and the impact of the development on local services, including the GP surgery. He welcomed the affordable housing element and was pleased that the Council would be taking this forward.

Councillor Small indicated he was heartened by the feedback from the agent. He would be supporting the recommendation in the report.

Councillor Currie referred to road safety issues and increase in traffic volumes. He was however satisfied with responses in relation to traffic matters but asked that the Road Safety Audit informed consultation with local members. He would be supporting the application.

Councillor McMillan supported these points. He highlighted the importance of the creation of good places as mentioned in the report. He hoped the Green Travel Plan would be discussed with local members. He would be supporting the application.

The Convener moved to the vote on the report recommendation (to grant consent) subject to a) the amendment to Condition 16 as outlined and b) the addition of a new condition, Condition 20 in respect of the Road Safety Audit, the specific wording of this condition to be agreed between the Convener, local members and officers:

For: 11
Against: 0
Abstentions: 0

Decision

The Committee agreed to grant planning permission subject to:

1. The undernoted conditions.

2. The satisfactory conclusion of an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997, or some other legal agreement designed to secure from the applicant:

(i) a financial contribution to the Council of £465,222 towards the provision of additional accommodation at Ross High School

(ii) a financial contribution to the Council of £362,100 towards the provision of additional accommodation at Macmerry Primary School;

(ii) 26 affordable residential units within the application site

(iii) a financial contribution to the Council of £ £38,510.10 towards the off site provision of sporting provision in Macmerry

(iv) secure a financial contribution to the Council of £19,335 for transport improvements. (Comprised of £1,203 for road improvements to Old Cragihall Junction, £928 for Salters Road Interchange, £4,491 for Bankton Interchange, £1,404 for Musselburgh town centre improvements and £11,309 for Tranent Town Centre improvements).

(v) secure a financial contribution to the Council of £50,184 towards a Segregated Active Travel Corridor

3. That in accordance with the Council's policy on time limits for completion of planning agreements it is recommended that the decision should also be that in the event of the Section 75 Agreement not having been executed by the applicant, the landowner and any other relevant party within six months of the decision taken on this application, the application shall then be refused for the reason that without the developer contributions to be secured by the Agreement the proposed development is unacceptable due to a lack of sufficient school capacity at Macmerry Primary and Ross High School, a lack of provision of affordable housing, sports provision, a lack of roads and transport infrastructure improvements contrary to, as applicable, Policies INF3, H4 and C2 of the adopted East Lothian Local Plan 2008 and ED4, DEL1, HOU3, OS4, T3 and T32 of the East Lothian Local Development Plan.

1 Prior to the commencement of development, final site setting out details shall be submitted to and approved in writing 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 the position of adjoining roads, land and buildings;

b. finished ground levels and finished floor levels of the development relative to existing ground levels of the site and existing ground and road levels of adjoining land. 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 buildings hereby approved, shown in relation to the finished ground and finished 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 Prior to commencement of development on site, full details of the proposed Sustainable Drainage System (SuDS) shall be submitted to and approved in writing by the Planning Authority.

The details shall include confirmation of Scottish Water's technical approval of the SuDS proposals.

Thereafter, the approved details shall be implemented as approved.

Reason:

To ensure that the final SuDS design complies with Sewers for Scotland 3 and can be vested by Scottish Water in the interest of flood prevention, environmental protection and the long term amenity of the area.

- 3 A play area with equipment suitable for children aged 5 to 12 years shall be provided on the area of open space of the application site which is to the south of plots 33 to 38, as shown on approved Development Layout 20489/A/02-01 G.

Prior to the commencement of development on site details of the play equipment and surfacing materials to be installed in the play area and a timetable for its installation shall be submitted to and approved in writing by the Planning Authority.

Thereafter, the play equipment shall be installed in accordance with the details so approved. The equipped play area shall thereafter be retained in perpetuity and kept available for use.

Reason:

To ensure that suitable play equipment is installed and thereafter retained.

- 4 Prior to the commencement of development full details of the scheme of works to provide a signal controlled junction incorporating pedestrian/cycle crossing at the junction of the A199 with Greendykes Road as shown on drawing no.TP458/SK001 shall be submitted to and approved in writing by the Planning Authority.

Thereafter, the signalised junction shall be installed and operational prior to the occupation of any dwelling on the application site.

Reason:

To ensure measures are implemented to control traffic at this junction to address the increase in anticipated vehicles movements from the proposed development in the interest of road safety.

- 5 Prior to the commencement of development details of the upgrading of the core path adjacent to the western boundary of the application site shall be submitted to and approved in writing by the Planning Authority. The details shall include a timetable for implementation.

Thereafter, the core path shall be upgraded in accordance with the details so approved.

Reason:

To allow the consideration of details yet to be submitted and ensure the core path through site TT7 is improved.

- 6 Notwithstanding the approved plans, measures shall be installed to prevent motorised vehicles from the road between plots 60 and 75 (as shown on layout 20489/A/02-01 G) accessing the core path along the western boundary of the application site.

Prior to the commencement of development details of the proposed methods shall be submitted to and approved in writing by the Planning Authority.

Thereafter, the details shall be installed as approved prior to the occupation of any dwelling hereby approved.

Reason:

To allow the consideration of details yet to be submitted and ensure the implementation of measure in the interests of pedestrian and cyclist safety.

- 7 Within residential 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.

Reasons:

In the interest of road safety.

- 8 Prior to the commencement of development, a Construction Method Statement which sets out how the impact of construction activity on the safety and amenity of the area will be mitigated shall be submitted to and approved by the Planning Authority.

The Construction Method Statement shall include details of:

- * Mitigation measures to control noise, dust, construction traffic (including routes to/from site).
- * Hours of construction work
- * Temporary measures to be put in place to control surface water drainage during the construction works
- * Routes for construction traffic
- * Wheel washing facilities.

The submitted Construction Method Statement shall state that there shall be no construction access to the site from Chesterhall Avenue.

Thereafter, the Construction Method Statement shall be implemented and complied with in accordance with the approved details for the period of construction of the development hereby approved.

Reason:

To retain control of the operation of construction in the interest of environmental and residential amenity.

- 9 Prior to the occupation of any dwelling hereby approved, details of a Green Travel Plan shall be submitted to and approved in writing by the Planning Authority. This should seek to encourage the minimisation of private car trips and increased use of active means of travel and the use of public transport.

The Green Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site, 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.

Thereafter, the Green Travel Plan shall be implemented as per the approved details.

Reason: To encourage sustainable and active travel in the interests of environmental and residential amenity.

- 10 Prior to the commencement of development on site details demonstrating how the site can be serviced for waste collection shall be submitted to and approved in writing by the Planning Authority. The details shall include a swept path assessment of the roads based on a 12 metre waste collection vehicle and details of any amendments to the site layout required for the safe and efficient waste collection on the development.

Thereafter, development shall be carried out in accordance with the approved details.

Reason:

To ensure that waste vehicles can access and service the site.

- 11 Prior to the commencement of development on site the implementation of stabilisation works as identified within the Report on Site Investigations prepared by Mason Evans Geo-Environmental Consultants (ref: P17/224 dated July 2018) and illustrated within Drawing No. P17/224/SI/R/F/11 shall be undertaken and confirmation of the completion of these works submitted to and approved in writing by the planning authority in consultation with The Coal Authority.

Reason:

To ensure that the stabilisation works proposed are carried out in the interest of health and safety and environmental protection.

- 12 Prior to the commencement of development a Design Statement detailing gas prevention measures to be installed and procedures to verify these measures shall be submitted to and approved in writing by the Planning Authority. Thereafter, the gas prevention measures and verification procedures shall be implemented as approved.

Prior to the occupation of any dwelling hereby approved, a Validation Report, detailing the satisfactory completion of the remedial works, shall be submitted to and approved in writing by the Planning Authority.

Reason:

To allow the consideration of details to be submitted and ensuring that the installations are fit for purpose in the interests of environmental protection.

- 13 A scheme of landscaping shall be submitted to and approved in writing by the Planning Authority. The scheme shall provide details of: the height and slopes of any mounding on or re-contouring of the site

including SUDS basin/ponds details; 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 completion of the development or occupation of any house hereby approved, whichever is the sooner. Any trees or plants which 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. No trees or shrubs, detailed in the approved landscaping plans 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 allow the consideration of details yet to be submitted and in the interest of residential and environmental amenity.

- 14 The communal landscape areas as defined on the drawing titled Master Feu Layout 20489/A/FEU-01B shall be maintained by a factor, residents association or other suitable organisation.

Prior to the occupation of any residential unit hereby approved, details of the maintenance arrangements shall be submitted to and approved in writing by the Planning Authority.

Thereafter, these maintenance arrangements shall be implemented as approved.

Reason:

To ensure the retention and maintenance of landscaping on the site in the interest of amenity.

- 15 Notwithstanding the approved plans, prior to the occupation of any dwelling hereby approved, an 1.8 metre high acoustic fence shall be erected along the whole length of the north-western boundary of the application site, as indicated on Figure 4 and in compliance with Section 4.4 of Noise Report of 01st April 2018 prepared by Charlie Fleming Associates.

Thereafter, the fence shall be retained in perpetuity.

Reason:

To mitigate the predicated impact of noise associated with road traffic on the A1 on residents and ensure compliance with the lower guideline value for daytime garden noise levels of 50dBLAeq,T specified in paragraph 7.7.3.2 of BS8233:2014 "Guidance on sound insulation and noise reduction in buildings" in the interest of residential amenity.

- 16 Unless otherwise approved in writing by the Planning Authority:
(a) Housing completions in any one year (with a year being defined as being from 1st April to 31st March the following year) shall not exceed the following completion rates:

. * Years 19/20 - 10 dwellings completed

. * Years 20/21 - 45 dwellings completed

. * Years 21/22 - 45 dwellings completed

. * Years 22/23 - 2 dwellings completed

(b) If fewer than the specified number of residential units is completed in any one year then those shall be completed instead at Year 23/24 or beyond and not added to the subsequent Year.

- 17 No residential unit shall be occupied 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 occupation of the final residential unit approved for erection on the site.

Reason:

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

- 18 The boundary treatments shall be implemented and shown on approved plan 20489/A/02-03 D, docketed to this permission, prior to the occupation of the 100th house, unless otherwise agreed in writing with the Planning Authority.

Reason:

To ensure fencing and walls are implemented as detailed in the application in the interests of privacy and amenity.

- 19 Prior to the commencement of development on site full details of the proposed bin presentation areas within the application site shall be submitted to and approved in writing by the Planning Authority. These details shall include ground finishes, boundary treatments and the design and position of signage to identify which dwellings are to use each area. Thereafter, the details shall be implemented as approved.

Reason:

To allow the consideration of details yet to be submitted and in the interests of residential amenity.

- 20 Prior to the commencement of development on site a Stage 1 Road Safety Audit/Assessment of the road network from the junction of Greendykes Road and the A199 to the eastern access points of the development hereby approved, shall be carried and submitted to and approved in writing by the Planning Authority. The audit shall identify any additional traffic calming measures required and include a timetable for implementation. Subsequent to this, Road Safety Audit/Assessment Stages 2, 3 & 4 (Detailed Design, Post Opening Audit & Post Opening Audit + 12 months) shall be carried out, unless otherwise agreed in writing by the Planning Authority. All stages shall be carried out in accordance with DMRB Volume 5, Section 2, HD 19/15.

After each Stage of Road Safety Audit/Assessment, the approved measures shall be implemented as approved.

Reason:

In the interests of road safety.

Signed

Councillor Norman Hampshire
Convener of the Planning Committee