

REPORT TO: East Lothian Council

MEETING DATE: 30 October 2018

BY: Depute Chief Executive (Partnerships and Community Services)

SUBJECT: Adopted East Lothian Local Development Plan 2018 Supplementary Planning Guidance: Report on Consultation Responses (Development Briefs, Cultural Heritage and the Built Environment, Farm Steadings Design Guidance, Special Landscape Areas and Action Programme)

1 PURPOSE

- 1.1 To inform Members of the results of the public consultation exercise on supplementary planning guidance and the Action Programme to the East Lothian Local Development Plan.
- 1.2 To seek Members' approval for amendments to the supplementary planning guidance and the Action Programme arising from the consultation responses received.
- 1.3 To seek Members' approval to adopt the supplementary planning guidance and the Action Programme as amended.

2 RECOMMENDATIONS

- 2.1 That Council approves the amendments proposed to the supplementary planning guidance and the Action Programme arising from the consultation responses received.
- 2.2 That Council adopts the Action Programme (Members' Library Ref: 151/18, October 2018 Bulletin) and the following as non-statutory supplementary planning guidance to the East Lothian Local Development Plan 2018: Cultural Heritage and the Built Environment (MLS Ref: 152/18), Farm Steading Design Guide (MLS Ref: 153/18); Development Briefs (MLS Ref: 154/18); and Special Landscape Areas (MLS Ref: 155/18).

3 BACKGROUND

- 3.1 At its meeting of 29 May 2018 Council approved draft consultation documents as follows.
- 3.2 An updated draft of the non-statutory Supplementary Planning Guidance: Development Briefs.
- 3.3 A draft of the non-statutory Supplementary Planning Guidance: Cultural Heritage and the Built Environment.
- 3.4 A draft of the non-statutory Supplementary Planning Guidance: Farm Steading Design Guide.
- 3.5 A draft of the non-statutory Supplementary Planning Guidance: Special Landscape Areas.
- 3.6 At its meeting on 26 June 2018 Council approved the draft Action Programme for consultation.
- 3.7 The Council has now replaced the East Lothian Local Plan 2008 with a new Local Development Plan, the adopted East Lothian Local Development Plan 2018 (ELLDP 2018), adopted as of 27 September 2018. The above non-statutory supplementary planning guidance to the Local Development Plan, if approved, would add further guidance to the plan's policies to guide decision makers.
- 3.8 The Council consulted on the draft Action Programme with the Key Agencies, the Scottish Ministers and anyone specified by name in the Programme. The Council must publish the Action Programme within three months of the adoption of the Local Development Plan. The Council is also required to send two copies of the Action Programme to Scottish Ministers, place copies in local libraries and publish it electronically.
- 3.9 Supplementary planning guidance is non-statutory and does not require the approval of Scottish Ministers. It provides detail on a range of subject areas and can be updated during the lifetime of the plan.
- 3.10 The supplementary planning guidance on Cultural Heritage and the Built Environment provides guidance on conservation areas, including conservation area character appraisals and statements, shopfronts, advertisements, external security and replacement windows.
- 3.11 The supplementary planning guidance on the Farm Steading Design Guide carries forward and updates the earlier guidance on the conversion of farm steadings.
- 3.12 All the supplementary planning guidance was prepared and published for consultation in the period 8 June to 20 July 2018. Publicity was by way of a press advert and on the Council's web page and consultation hub.
- 3.13 The Action Programme was prepared and published for consultation in the period 6 July to 17 August 2018. Publicity was by way of a press advert and on the Council's web page and consultation hub. In addition, the Key

Agencies and Community Councils were contacted by email informing them about the consultation.

- 3.14 The supplementary planning guidance on Development Briefs provides additional detail on how the Council wishes to see the ELLDP 2018 Proposal sites developed. Early draft versions of the development briefs were first published along with the plan in 2016. These were subsequently revised and published again for consultation in the period 8 June to 20 July 2018.
- 3.15 A landscape review was undertaken as required to inform the ELLDP 2018 and this identified landscape character areas across East Lothian as well as Special Landscape Areas, designated for the first time in the plan. Special Landscape Areas replaced Areas of Great Landscape Value as the local landscape designation. The SPG provides guidance on how the character of each Special Landscape Area should be reinforced. It also contains a statement of importance for each SLA that identifies the special qualities and features and provides guidance on how they should be maintained.
- 3.16 The Action Programme sets out the guidance, policies and proposals of the ELLDP 2018 and the actions needed to implement them to successfully deliver the plan.
- 3.17 Following consultation a number of responses were received on each item of supplementary planning guidance and the Action Programme. All responses received are summarised and responded to in detail as shown in the tables appended to this report. A total of 3 responses raising 8 issues were received to the Cultural Heritage and Built Environment, 1 response and 1 issue to the Farm Steading Design Guide, 19 responses raising 84 issues were received to the Development Briefs and 8 responses raising 33 issues to the Action Programme. There were no responses received to the Special Landscape Areas.
- 3.18 Generally those comments received to the Cultural Heritage and the Built Environment and to the Farm Steading Design Guide, including those from Historic Environment Scotland, were supportive but sought additional clarity and where appropriate this is proposed to be amended.
- 3.19 As a result of some developers submitting planning applications for sites contained in the ELLDP 2018 a number of planning decisions have been made on sites and where planning permission in principle and approval of matters specified in conditions has been granted the development brief is no longer included. All other development briefs are included.
- 3.20 Generally those comments received to the draft Action Programme sought additional clarity and where appropriate this is proposed to be amended. The Action Programme is proposed to be amended to include two of the Key Agencies, namely the Scottish Environment Protection Agency and Scottish Natural Heritage, who both requested to be identified as working jointly with the Council on the preparation of the Blindwells Development Area Design Framework.

- 3.21 A finalised version of each document is available in the Members' Library (see Section 2.2 for Members' Library reference details). If approved these will be published as adopted supplementary planning guidance to the ELLDP 2018.

4 POLICY IMPLICATIONS

- 4.1 The supplementary planning guidance provides essential detail in support of the policies of the ELLDP 2018 and will be used in the determination of planning applications.

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report has been through the Integrated Impact Assessment process and no negative impacts have been identified.

6 RESOURCE IMPLICATIONS

- 6.1 Financial - none
6.2 Personnel - none
6.3 Other - none

7 BACKGROUND PAPERS

- 7.1 Proposed Local Development Plan Draft Development Briefs 2016 Supplementary Planning Guidance Parts 1 and 2
7.2 East Lothian Local Development Plan Development Briefs – Proposed Supplementary Planning Guidance 2018, 29 May 2018
7.3 East Lothian Local Development Plan , Farm Steading Design Guide – Proposed Supplementary Planning Guidance 2018, 29 May 2018
7.4 East Lothian Local Development Plan, Cultural Heritage and the Built Environment – Proposed Supplementary Planning Guidance 2018, 29 May 2018
7.5 Report to 29 May 2018 meeting of East Lothian Council: East Lothian Local Development Plan 2018 – Supplementary Guidance / Supplementary Planning Guidance Consultation.
7.6 Report to 26 June 2018 meeting of East Lothian Council: East Lothian Local Development Plan 2018 – Action Programme and Supplementary Planning Guidance for Consultation

AUTHOR'S NAME	Iain McFarlane
DESIGNATION	Service Manager (Planning)
CONTACT INFO	Paul Zochowski x7264
DATE	8 October 2018

**SPG Cultural Heritage and the Built Environment
Representations received and proposed changes**

Ref no.	Respondent	Consultation Response	Officer Comment	Summary of Proposed Change to Document
001/1	Historic Environment Scotland (HES)	Welcome the proposed SPG which it considers will, along with the suite of policies for the protection of built heritage included in the Local Development Plan, provide a good framework for decision making.	Support noted	No change
001/2	Historic Environment Scotland (HES)	No specific comments on Conservation Area Character Statements and note the intention to replace these with full Conservation Area Character Appraisals on which they will comment as they are produced.	Comment noted.	No change
002/1	D Campbell	Para 1.3 sentence 1 – redraft sentence to read, ‘This SPG is based on the Historic Environment Scotland Policy Statement 2016 and the guidance notes flowing from it, all of which the Council are committed to implementing to the highest standards. It outlines...’	The planning guidance is supplementary to the East Lothian Council Local Development Plan therefore it is logical for para 1.3 to state that it is the Council’s design guidelines. National policy for the historic environment is contained within the HES Policy Statement to which the LDP and its supplementary guidance comply. The guidance should flow from the	Insert new paragraph 1.4 to read: ‘ <i>Historic Environment Scotland provides an overarching Policy Statement on the historic environment and provides a series of guidance notes under its Managing Change series which provide additional guidance on particular aspects of the historic environment. Where appropriate this HES</i>

			<p>ELLDP policies. However it may be helpful to make a reference to Historic Environment Scotland's Managing Change guidance notes.</p>	<p><i>guidance will also be relevant in the determination of statutory permissions. Where reference is made within this SPG to HES guidance this will also apply to any updated versions of that guidance.'</i></p>
002/2	D Campbell	<p>Include a reference to the need to review conservation area boundaries when preparing a conservation area character appraisal and include a reference to the potential for designating a new conservation area. Suggest new sentence to this effect at paragraph 1 in Appendix 1.</p>	<p>Agree that it is useful to note that the boundaries of a conservation area will be a part of the review when preparing a conservation area character appraisal. Agree to add a reference to note that any new conservation area designations will be prepared along with an associated conservation area character appraisal.</p>	<p>Insert the following two new sentences at end of paragraph 1 Appendix 1 to read: <i>'The preparation of a conservation area character appraisal will involve a review of the boundaries of the designated area. The Council may also designate a new conservation area and if so an associated conservation area character appraisal and management plan will be prepared.'</i></p>
002/3	D Campbell	<p>Make clear the statutory force of the Historic Environment Scotland (HES) policy framework to encourage developers that the SPG contents are non-negotiable.</p>	<p>While the intention behind this suggested change is understood, it should be noted that Supplementary Planning Guidance is guidance that expands upon the core policies contained in the local development plan.</p>	<p>No change</p>

			HES policies are stand alone policies. All planning applications are treated on their merits and it is for the planning officer to use the policy guidance as appropriate to determine the application. It is impossible for guidance to cover every eventuality therefore it may be that in some cases the content may require some negotiation.	
002/4	D Campbell	The SPG contains two references to specific HES guidance notes which could be imply that other HES guidance notes are of less significance. As HES guidance may change, the SPG should refer to current and future versions of HES guidance to avoid having to change the SPG when HES guidance is updated.	It is accepted that it should be made clear that HES policy guidance can also change – the change proposed to 002/1 above will do this	No change
002/5	D Campbell	Conservation Areas must remain relevant. The SPG could make reference to the potential for new conservation areas or to the potential to alter the boundaries of existing conservation areas.	It is agreed that Conservation Areas must remain relevant and these areas will be reviewed in due course when the conservation area character statement and management plans are	No change

		<p>Three examples are given:</p> <p>The Aberlady Conservation Area Character Statement highlights the importance of the high quality 1920s Council housing to the west of the village but similar consideration might be given to housing areas in the Beechwood Road/Hopetoun Drive and roads north of Tesco in Haddington.</p> <p>The early post war development 1960s redevelopment of Civic Square at Tranent is a typical example of its era could be considered for inclusion in the Conservation Area.</p> <p>Many small historic settlements of considerable distinction such as Pitcox, Peaston and Bolton might be considered for future protection by conservation area designation.</p>	<p>prepared. There is no need to consider these in this SPG. The Council can consider the designation of new conservation areas at any time.</p>	
003/1	W J Main	<p>Dirleton Conservation Area Character Statement: Objects to the revised brief as all the safeguards against unsightly development have been eroded completely. Requests that the original brief is reinstated to allow an acceptable development that is</p>	<p>Although this appears to be a comment in relation to the Development Brief for Proposal NK11 Castlemains Place, it can also be taken as a comment that new development within Dirleton</p>	No change

		unobtrusive and would sit well with the existing properties in the locality.	Conservation Area should be unobtrusive and sit well with existing properties in the locality. The purpose of the character statement is to identify the special architectural and historic character and is a material consideration in the assessment of a planning application within the area.	
	<p>Additional Changes: These changes are not made as a result of representations received but have either been noticed as a minor omission or update a situation that no longer applies as explained below</p>			
005		Para 6.5 sentence 1 is incomplete.	Sentence 1 currently reads 'Within the Haddington and East Linton Conservation	Insert the words ' <i>will not be permitted</i> ', at the end of sentence 1 in para 6.5 to

			<p>Areas, advertisements which are illuminated by either external or internal means'. The wording contained in East Lothian Local Plan 2008 and intended to be carried over to this SPG had the following words at the end of this sentence which were inadvertently omitted – '<i>....will not be permitted</i>'.</p>	<p>accurately reflect the wording of the East Lothian Local Plan 2008.</p>
006		<p>Dunbar Conservation Area Character Statement – the last sentence that refers to the former Bellevue Hotel is no longer relevant.</p>	<p>The derelict remains of the former Bellevue hotel have been redeveloped to form a residential block of flats. The reference to the Bellevue hotel should therefore be deleted.</p>	<p>Delete last sentence of the Dunbar Conservation Area Character Statement: '<i>The listed former Bellevue hotel continues to blight the appearance of the conservation area.</i>'</p>

SPG Farm Steading Design

Representations received and proposed changes

Ref no.	Respondent	Consultation Response	Officer Comment	Summary of Proposed Change to Document
001/1	Historic Environment Scotland (HES)	Welcome the proposed SPG which it considers will, along with the suite of policies for the protection of built heritage included in the Local Development Plan, will provide a good framework for decision making.	Support noted	No change
001/2	Historic Environment Scotland (HES)	At paragraph 1.3 it is recommended that a caveat be inserted in reference to the document 'Guide for Practitioners : Rural Buildings of the Lothians – Conservation and Conversion'. The document, while still useful, refers to outdated legislation and policy, and it would be helpful to make this clear.	This comment is accepted.	Amend the wording of paragraph 1.3 to add at the end of the sentence after '... Lothians.' to read; '...Lothians, though it should be noted that its references are to outdated legislation and policy.'
001/3	Historic Environment Scotland (HES)	At paragraph 3.1 (15) suggest a minor amendment to the last sentence, so that it reads 'Where appropriate, the Council will seek the advice of Historic Environment Scotland....'	This comment is accepted.	At paragraph 3.1 (15) third sentence delete the word 'may' and replace with 'will'.

Development Briefs SPG**Representations received and proposed changes**

Ref no.	Respondent	Consultation Response	Officer Comment	Summary of Proposed Change to Document
MH1 Land at Craighall				
017/1	Holder Planning on behalf of Persimmon Homes_MH1 Land at Craighall	<p>General comments: This consultation was being undertaken when there are two live planning applications on the site: Planning permission in principle (mixed use development) 18/00485/PPP and planning permission (370 houses, 103 flats and associated works) 15/00337/PM. The required technical studies have now been undertaken and submitted with the above planning applications, and a significant level of discussion has taken place with East Lothian Council. In our view, these discussions and the detailed analysis of the site should be used to inform the content of the Development Brief, as well as the content of the masterplan submitted with the planning applications. There would appear to be inconsistencies between the Proposed Brief and the submitted applications.</p>	Comment noted – no changes sought.	No change


		These are discussed in the main part of the response.		
017/2	Holder Planning on behalf of Persimmon Homes_MH1 Land at Craighall	Primary School (point 1): It has been agreed with ELC that the Primary School should be located to the north of the Cairnie Burn corridor, ensuring that it sits adjacent to new playing fields along the A1 parkland corridor. This location will facilitate safer and more direct access to the school, via active travel links from homes in areas 1, 2 and 3, while also deterring parents from dropping children off at the school, by ensuring its entry point is further north away from the B6415. The plan contained within the Proposed Brief should be amended accordingly.	Policy MH1 states that the primary school should be located adjacent to and north of the Old Craighall village. The Brief indicatively illustrates this immediately to the north west of Old Craighall. However, the important factor is that the primary school be well linked to the proposed communities and be sited in Area 1 to allow for its early delivery. It is agreed that the Brief could give a better indicative location for the school by placing it centrally within Area 1. Point 1 of the text requires no change.	Amend the indicative diagram for site MH1 to show the potential location of the proposed primary school more centrally within Area 1.
017/3	Holder Planning on behalf of Persimmon Homes_MH1 Land at Craighall	Access (point 6): The provision of a bus route using the upgraded footbridge over the rail line has been discussed with ELC and it has been agreed that this route will remain as a pedestrian / cycle linkage. However, a safeguarded zone for future bridge provision has previously been discussed and agreed. The	The draft Brief states that 'the provision of a bus route using the upgraded footbridge or provision of a new overbridge constructed for the purpose of bus connection should be investigated and, if feasible, delivered as part of the wider movement framework for the	Amend sentence 3 of Point 6 to read: ' <i>The provision of a bus route using the upgraded footbridge should be investigated and, if feasible, delivered as part of the wider movement framework for the site. Following investigations,</i>

		submitted plan (Plan 3) shows the zone for this future possibility and this should be reflected in the brief.	site...’ The draft Brief adequately covers the eventuality that the upgraded footbridge remain in pedestrian/cycle use. It also covers the possibility that a future bridge may be provided for bus connections. However, this could be amplified to ensure that additional land is safeguarded for this purpose, where appropriate.	<i>should this not prove possible, the provision of a new overbridge constructed for the purpose of bus connection should be investigated and land safeguarded for this purpose as a minimum.’</i>
017/4	Holder Planning on behalf of Persimmon Homes_MH1 Land at Craighall	Structured Landscaping (point 12): The Brief requires the provision of structural landscaping to provide noise attenuation in zone 3. However, the masterplan submitted with the planning applications proposes to introduce a network of green corridors and links across this area, rather than a single green space cutting east west. It is intended that this can provide direct access to landscape and open space provision through active travel routes as well as integrate SUDs provision and wildlife corridors with new areas of housing. This new network of green corridors and links can also help mitigate the effect of the	The Development Brief is indicative and it may be that an alternative form of landscaping is considered in detail at the application stage. However, it is accepted that a noise attenuation buffer cutting across Area 3 is unnecessary and instead a network of green corridors spread throughout, providing access links and opportunity for recreation, may be beneficial. Point 5 of the Brief already refers to the need for a multi-functional green network along the	Remove Point 12 and replace with: <i>‘Introduce a network of green corridors in Area 3 to provide a multi-functional green network capable of providing setting for the development, wildlife corridors and noise attenuation’</i> Remove the green wedge (Point 12) on the indicative diagram and instead include lines of green, both vertical and horizontal, to demonstrate green corridors.

		<p>pylons and provide a setting for Cairnie Burn as they pass through area 3. The brief should be updated to reflect this.</p>	<p>watercourse. These green networks could link together. Area 3 is a proposed mixed use area and noise attenuation is important to protect residential amenity. The green network must be capable of providing noise attenuation.</p>	
017/5	<p>Holder Planning on behalf of Persimmon Homes_MH1 Land at Craighall</p>	<p>Connection to Newcraighall Park and Ride (point 13):</p> <p>The Brief requires walking and cycling connections to Newcraighall Park and Ride. This land is outwith Persimmon's landownership, it is located within a different Local Authority area and would be challenging to deliver. Therefore, it is considered that the reference to the connection to the Newcraighall Park and Ride should be removed from the Development Brief. Incidentally, there is an existing indirect access to the Park and Ride.</p>	<p>The proposed route to Newcraighall Park and Ride is part of the segregated active transport corridor. It is accepted that the route crosses into Edinburgh District and, in this respect, delivery may be more difficult. However, it is important to support the inclusion of the segregated active transport corridor and, in this respect, it is important to secure the potential for connections with adjoining land. Point 13 does not stipulate that the developer must deliver these linkages but expresses a desire for connections to be made; this will be insisted on by the Council where</p>	<p>No changes.</p>

			<p>applicants can deliver routes and where they cannot the council will seek to safeguard land as part of the overall masterplan so they can be delivered. It is important that the site is designed in such as way so as not to preclude these linkages or future connections.</p>	
017/6	<p>Holder Planning on behalf of Persimmon Homes_MH1 Land at Craighall</p>	<p>Omissions: The Development Brief does not propose any development on the area of land to the south of the rail line and north of Queen Margaret University. However, the agreed Indicative Masterplan submitted with the planning applications, proposes mixed use development comprising educational and residential uses. The Development Brief should be updated to reflect this.</p>	<p>It is not for the Development Brief to pre-determine the outcome of the planning application to which the masterplan referred to relates.</p> <p>However, PROP MH1 of the LDP allocates the 3ha of land to the north east of Queen Margaret University for mixed use development, potentially including housing and employment uses. This should be reflected in the Development Brief.</p>	<p>Annotate site plan MH1 to illustrate the 3ha mixed use allocation to the north east of QMU (that land bound to the north by the railway line and QMU to the south). Refer to this as site 5 (point 19 in the Brief text). Update introductory text to refer to '5 main areas'.</p>

MH8 Levenhall

002/1	CALA Homes	<p>General Comments: The Levenhall Site is the subject of a pending planning application. CALA has a considerable level of technical and design knowledge about this site.</p>	<p>Comment noted – no changes sought.</p>	<p>No changes</p>
002/2	CALA Homes	<p>Access (point 1 of the DB): Access is shown from the A199. The images included in the Brief were taken from the incorrect location. The access point (based on the LDP allocation and the design brief boundary) is located south-east from this location. Removal of the stone wall is inevitable, but the wall can be later reinstated.</p> <p>Bridge access to the site is not required. Road and pedestrian access to the site is possible without the need to cross the burn.</p>	<p>The Development Brief seeks the retention of the stone wall but recognises that it may need to be reconstructed to serve the site entrance. The images are taken to the west of the allocation (see image below) where an existing gap exists in the stone wall. The</p>  <p>photographs will be up-dated.</p> <p>ELC Transport department are satisfied that bridge access is not required to access the site via the A199</p>	<p>Remove photographs and replace with up-dated photographs to illustrate the wall, potential access and wider site.</p> <p>Remove from point 1: <i>'with bridge access to the site'</i></p>

			as there is already a culvert. Point 1 of the brief should be amended accordingly.	
002/3	CALA Homes	SUDS (point 2 of the DB): SUDS feature is to be located in the northern part of the site and not the 'southern part of the western boundary' as indicated in the DB.	Point 5 of the DB confirms SUDS in the northern part of the site as an option. The representation refers to the location of SUDS as proposed in the pending planning application. To date this has not been approved and SUDS remain acceptable on the south western boundary.	No changes
002/4	CALA Homes	Pedestrian Routes (point 3 of the DB): The identified pedestrian connection is a Right of Way, but its surface is in poor condition, it is unlit and its northern end-point leads to a dangerous junction with no footpath. Pedestrian connection at frontage of the A199 offers the most direct, and closest connection to public transport.	Whilst it is accepted that the route running along the western boundary of the site is unlit, it is still important to offer connections to this right of way. The Brief does not require upgrading of the pathway.	No changes
002/5	CALA Homes	The Ravensheugh Burn (point 4 of the DB): De-culverting the Burn would compromise the site's capacity rendering the scheme unviable.	The Development Brief states that 'the developer <i>should investigate</i> whether it can be de-culverted'. It is for the applicant to consider the viability of de-culverting and	No changes

			to demonstrate this at the planning application stage.	
002/6	CALA Homes	<p>Future vehicular and path connection to the site (point 6 of the DB): It is not clear why a future vehicular and path connection to the south-eastern boundary is needed. This part of the site adjoins greenbelt and Goshen site has been rejected by ELC for future development.</p>	<p>Land to the south east of site MH8 is Green Belt. Therefore there should be no requirement for site MH8 to retain an area for future vehicular access. It is important that pedestrian links are formed between site MH8 and all adjoining land.</p>	<p>Remove the following sentence from point 6 of MH8 'Sufficient space to allow for a future vehicular and path connection to the south eastern boundary of the site should be provided'. Instead alter Point 3 to read '<i>Provision should be made for pedestrian links to adjoining land, in particular to the west of the site, to facilitate connectivity between the site and the coast and public transport provision.</i>'</p>
009/1	HES_ MH8 Levenhall, Musselburgh	<p>This allocation is located within the Battle of Pinkie Inventory battlefield. HES note that no reference is made to this nationally important heritage asset in the design brief. HES recommend that this updated, to reflect the fact that impacts on the battlefield will be a key consideration in the design and implementation of development in this area. The potential for direct impacts on in situ remains of battle, and also</p>	<p>Agreed. The Development Brief should include reference to the Battle of Pinkie Inventory Battlefield. When a battlefield is included on the inventory it becomes a material consideration in the planning process.</p>	<p>Add a note to state '<i>consideration should be given to the location of the site within the Battle of Pinkie Battlefield. Careful consideration should be given to the design and density of the development in an attempt to mitigate any negative impacts on the Pinkie battlefield. Historic</i></p>

		for impacts on the battlefield's landscape characteristics should be considered.		<i>Environment Scotland must be consulted at the planning application stage.'</i>
MH10 Land at Dolphinstone, Wallyford				
010/1	HES_ MH10 Land at Dolphinstone, Wallyford	The development brief makes no reference to safeguarding the setting of the category A listed Dolphinstone Dovecot, which is close to the development boundary. HES recommend that this is updated, and that consideration should also be given to the inclusion of provision for repair and conservation of this heritage asset.	Point 8 of the Development Brief does refer to ' <i>equally spaced, large growing specimen trees.....which will provide setting for the listed buildings, adjacent to the east of the site.</i> ' This can be strengthened to specifically mention the Dolphinstone Dovecot which sits closest to the MH10 boundary. A planning permission in principle has been granted on this site – it would not now be appropriate to include further requirements for off site contributions to assist with repair of the Dovecot.	Point 8 – refer to the Dolphinstone Dovecot and the need to safeguard the setting of this important asset.
MH14 Land at Whitecraig North, Whitecraig				
011/1	HES_ MH14 Land at Whitecraig North, Whitecraig	HES note The allocation lies within the boundary of Pinkie battlefield, and in close proximity to the scheduled monument known as Monktonhall Junction, Neolithic cursus 150m N of	Agreed. The Development Brief should include reference to the Battle of Pinkie Inventory Battlefield. When a battlefield is included on the	Add Point 7 to read: ' <i>Consideration should be given to the location of the site within the Battle of Pinkie Battlefield, and the site's</i>

		<p>Whitecraig. The development brief should be updated to identify potential impacts on both of these heritage assets.</p> <p>It would be helpful to identify requirements for evaluation of this area's contribution to the battlefield. This will be necessary to inform an appropriate mitigation strategy for any significant impacts. This should consider impacts on both the battlefield's landscape characteristics and its special qualities. Without appropriate mitigation there is the potential for significantly adverse impacts on the battlefield.</p> <p>Possible impacts on the setting of the scheduled cursus, should be considered through the design and layout of any proposed development in this location.</p>	<p>inventory it becomes a material consideration in the planning process.</p> <p>Reference can also be made to the scheduled monument and its setting, itself a consideration through the planning application process.</p>	<p><i>location, in close proximity to a Scheduled Monument (Monktonhall Junction). Careful consideration should be given to the design and density of the development in an attempt to mitigate any negative impacts on the Pinkie Battlefield and the setting of the Scheduled Monument. Historic Environment Scotland must be consulted at the planning application stage.'</i></p> <p>Add Point 7 to the indicative diagram.</p>
PS1 Longniddry South, Longniddry				
012/1	HES_PS1 Longniddry South, Longniddry	HES welcome the fact that this brief has been updated to reflect their advice relating to mitigation of potential impacts on Gosford House Inventory garden and designed landscape, particularly in relation to	Noted.	No changes.

		the design and density of development in this area.		
TT1 Windygoul South				
029/1	Walker Group_ TT1 Windygoul South	<p>The Walker Group objects to the following statement within the Brief, as it applies to TT1 Windygoul South, where it states: “Surveys for noise, odour and emissions will be required to consider the adjoining employment use at Elphinstone Research Centre. These should inform any necessary mitigation of negative impacts on the proposed residential development.”</p> <p>The Walker Group note that the Brief acknowledges that the sites included within the document have all been established in principle as suitable for development in the East Lothian Local Development Plan (2018) and have already been subject to SEA as part of the site assessment process in preparing the Local Development Plan.</p> <p>The Draft Development Brief (2016) for TT1 – Windygoul South, Tranent contained no mention of impacts from</p>	<p>The sites are all appropriate ‘in principle’ and as such have been allocated in the LDP.</p> <p>Since publication of the proposed LDP SEPA have raised a question relating to the activities of the neighbouring employment use at Elphinstone Research Centre. In order that the Local Planning Authority can assess whether there are any potential impacts from this employment operation on future residents of site TT1, the Brief requests studies from the applicant so this assessment can be undertaken. These studies should be undertaken ahead of any decision on a planning application. For</p>	<p>For clarity reword note 4 to read: ‘<i>Surveys for noise, odour and emissions should be undertaken to consider the adjoining employment use at Elphinstone Research Centre...</i>’</p>

		<p>the Elphinstone Research Centre or indicated that there would be any requirement for odour or emissions assessments.</p> <p>Since publication of the 2016 draft development briefs, the Walker Group have been working towards an appropriate masterplan for the development of the site.</p>		
TT5 Bankpark Grove, Tranent				
013/1	HES_TT5 Bankpark Grove, Tranent	<p>HES welcome the changes to this brief identifying the need to consider Tranent Conservation area and Prestonpans battlefield. It would be helpful here to identify specific considerations for battlefield impacts. This may include, for example, avoiding significant changes to the topography of the area, and identifying a maximum height for housing proposals.</p>	<p>The Brief refers to the need to protect the landscape setting of the Prestonpans Battlefield. The effect of proposed development on the historical and archaeological significance of designated battlefield areas is a material planning consideration. Policy CH5 of the LDP deals with Battlefields. It is not appropriate for the Brief to include further detail on scale and massing etc. these issues should be dealt with through the planning application process when a scheme has been designed.</p>	<p>Include in point 4 – <i>‘Careful consideration should be given to the design and density of the development in an attempt to mitigate any negative impacts on the Prestonpans Battlefield. Historic Environment Scotland must be consulted at the planning application stage.’</i></p> <p>Remove reference to the Council’s SPG on Cultural Heritage, as this does not refer to Battlefields.</p>

			However, the Brief could include a sentence to ensure that appropriate consideration is given to design and density in the context of the battlefield.	
TT7 Macmerry North				
018/1	Holder Planning on behalf of Taylor Wimpey_ TT7 Macmerry North	General comments: This consultation was being undertaken at the time when there is a live planning applications for the site: <i>Erection of 94 houses, 8 flats and associated works</i> ” (Application Reference 18/00090/PM). A significant level of discussion has taken place with ELC with regards to this planning application, which should be reflected in the Development Brief for the site. However, in its current form, elements of the Proposed Development Brief do not reflect these discussions.	Where a site benefits from planning permission the Brief has been amended to accurately reflect the decision, since adequate scrutiny has been undertaken. Where an application is pending, the Development Brief will be used as a material consideration to guide appropriate development and therefore discussions. The Brief will not be altered to reflect any pre-application discussions.	No changes.
018/2	Holder Planning on behalf of Taylor Wimpey_ TT7	Development Description (site capacity): The reference to 150 homes in the Proposed Development Brief reflects the capacity identified for the site in	PROPOSAL TT7 of the LDP applies and has reached a stage of the LDP process where it has significant weight. The Brief will be	No changes.

	Macmerry North	<p>Proposal TT7 of the LDP. It is considered that this capacity is significantly under-estimated and a development of circa 262 homes on the site would be in accordance with the LDP's Policy DP3 requirement expecting to achieve a minimum average density of 30 dwellings per hectare (net) using a full range of housing types and sizes. It is suggested to amend the description in the Development Brief should be amended to; "Residential development for circa 262 homes".</p>	<p>Supplementary Planning Guidance and must therefore be in accordance with LDP policy on which it supplements. It is not the purpose of the Brief to identify additional housing capacity.</p> <p>The issue of increasing the capacity of the site from 150 to 200 homes was raised by Balfour Beatty and considered by the Reporter (0209/2). The Reporter concludes that overall the housing land supply (as recommended to be modified) is sufficient to meet and exceed the housing requirement over the period to 2024 without the need to find additional housing land at this time.</p> <p>The scope for any additional housing on this or any other site will be a matter for project level discussion.</p>	
018/3	Holder Planning on behalf of	Vehicular Access (point 1 of the DB):	ELC Transportation Department agree that the	Amend point 1 of the Brief to read: ' <i>Vehicular access</i>

	<p>Taylor Wimpey_TT7 Macmerry North</p>	<p>A revised layout has been submitted and agreed with East Lothian Council Planning and Transportation Officers, which proposes road access from two points on Chesterhall Avenue up to the edge of the Taylor Wimpey site, with the potential for it to connect across the wider site (see submitted plan with this representation). In order to accord with the agreed layout Point 1 of the Draft Development Brief should be amended to remove the reference to there being no vehicular access across the site and should read as follows; “Vehicular access should be taken from the A199 and Chesterhall Avenue, off Greendykes Road.” The reference to “a secondary access” at Chesterhall Avenue should be removed. Firstly, even if there is a road through the site linking Chesterhall Avenue to the A199, it cannot really be described as “secondary” access. Secondly, if the Proposed Brief is to make sense in its current form (i.e. no road link between the east and west of the site), then</p>	<p>wider site can acceptably be connected for vehicles, walking and cycling. Indeed, a link would go part way to reducing traffic on Chesterhall Avenue and assist in connecting both parts of the site which remain under separate ownership. It is agreed that Chesterhall Avenue was designed to facilitate a future expansion of Macmerry westwards, so should not be described as a secondary access.</p>	<p><i>should be taken from the A199 and Chesterhall Avenue, off Greendykes Road. An east-west connection, capable of vehicle movement, should be provided across the site’</i></p>
--	--	--	--	--

		clearly, the access from Chesterhall Avenue will be the only access.		
TT11: Elphinstone West				
024/1	James Fraser EMA Architecture and Design TT11: Elphinstone West	General comment: The detailed planning application lodged for this site (16/00970/PM) generally accords, where possible, with the aspirations set out in the proposed development brief.	Noted	No changes
024/2	James Fraser EMA Architecture and Design TT11: Elphinstone West	Points 6 / 7, As outlined in the application for the site, the suggested off-site connections within the development brief are to land out with the control of the application. The current application proposes footpath connections to the edge of the land under control of the applicants with the physical connections beyond this point subject to discussion between the local authority and the relevant landowner.	It is difficult for a developer to ensure delivery of off-site footpaths. However, it is still an aspiration that good connections be made for both walking and cycling. Point 6/7 should be retained, but the words 'off site' removed. It is important to keep access points open on the development site for future delivery. If land ownership precludes development of the proposed links, this should be dealt with at the planning application stage.	Remove the words 'off-site' from Points 6 and 7.

TT12 Woodhall Road, Wester Pencaitland				
014/1	HES_TT12 Woodhall Road, Wester Pencaitland	HES welcome the update to this brief to include a reference to Pencaitland Conservation area.	Noted	No changes
HN2 Letham Mains Expansion, Haddington				
023/1	Anonymous_HN 8 Land at Peppercraig East, Haddington	Support the proposal as it seems a fitting expansion to the already significant changes at Letham Mains and would make no detriment to the area.	Noted	No changes
DR2 Hallhill North,				
019/1	Ross Developments & Renewables Ltd on behalf of Hallhill Developments Limited (HDL)_ DR2 Hallhill North, Dunbar	<p>Access (point 1 & 2):</p> <p>The Brief refers to the existing access road being closed to motorised traffic at Lochend Kennels. However, local residents are understood to enjoy rights of access, so these rights would need to be amended or extinguished and the practicality of closure may be questionable. The guidance should be amended to acknowledge this, with the relevant sentence introducing the words "if possible". Point 2 is contradictory in that it refers to traffic being discouraged as opposed to the road being closed to traffic.</p>	<p>The east-west track through the site is a private through road that existing residents can currently access from either side of the track. The Reporter through the LDP examination considered it appropriate that the Council protect the track with appropriate traffic calming measures.</p> <p>It may not be practical to close off this private access. The need for appropriate</p>	<p>Point 1 – remove the final sentence '<i>This existing access road should be closed to motorised traffic at the eastern end at Lochend Kennels.</i>'</p> <p>Remove the last sentence from point 2 and instead add this as new Point 3: '<i>Appropriate traffic calming measures may be required to ensure pedestrian safety and to discourage school traffic and through traffic.</i>'</p>

			<p>traffic calming should be strengthened and ensure this is linked to discouraging school traffic and through traffic.</p>	<p>Amend all subsequent numbering in text and diagram.</p>
019/2	<p>Ross Developments & Renewables Ltd on behalf of Hallhill Developments Limited (HDL)_ DR2 Hallhill North, Dunbar</p>	<p>The Brief refers to a footway being created along Beveridge Row, while retaining the existing wall. There is very little space for a footpath and it may not be possible to provide without, at the very least, a relaxation of standards for footpath width. The guidance should be amended to acknowledge that this aspiration for a footpath should be subject to deliverability, having regard to safety and the space available.</p>	<p>Point 6 refers to the managed edge and the need for a multi-user path. This could be on the development side of the site.</p> <p>A safe route is needed to link into Beveridge Row at the northwest corner. This link is required to link to the northern section of Beveridge Row.</p> <p>The Brief should clarify these points.</p>	<p>Remove the last sentence from Point 6: <i>'A footway should be created along Beveridge Row, taking account of the need to retain the wall.'</i></p> <p>Remove from Point 6 :<i>'A pedestrian access should be formed in the northwest corner of the site to connect it to Beveridge Row and under the bridge of the East Coast Mainline'</i>. Instead add a Point 8 to read: <i>'A safe pedestrian route should be formed at the northwest corner of the site to connect it to Beveridge Row and under the bridge of the East Coast Mainline.'</i> Amend diagram to reflect this. Remove this similar sentence from Note 2.</p>

DR7 Land at Spott Road, Dunbar				
015/1	HES_DR7 Land at Spott Road, Dunbar	HES welcome the fact that the brief has been updated to make specific reference to potential impacts on Broxmouth Park Inventory garden and designed landscape, and Dunbar II Inventory battlefield.	Noted	No changes.
NK7 Saltcoats, Gullane				
003/1	CALA Homes	General Comments: The site has the benefit of Planning Permission in Principle (16/00594/PPM) and a Masterplan forms part of the approved development. The Brief has the potential to create confusion when compared to the approved Masterplan.	The Brief should not be in conflict with the approved Masterplan. The Development Brief intends to reflect the principles of the most up-to-date planning consents. Nevertheless, the Brief needs to maintain a level of flexibility in order to adequately respond to any future planning proposals.	The Brief will be amended where necessary to avoid any confusion.
003/2	CALA Homes	Access (point 1 of the DB): Two points vehicular access has been agreed with ELC.	Comments noted. The Brief should reflect the principles in the planning consent. Whilst the wording of the Brief does not require a single access point to be provided, for the avoidance of doubt it should specify that more than one access point is acceptable.	Amend the first sentence of the Brief's point 1 relating to NK7 - Saltcoats, Gullane to say: <i>Access(es) should be taken from the road C111 which would require upgrading with additional street lighting and a footway provided along the full</i>

				<i>roadside frontage of the site, extending northwards up to the junction of the C111 with the A198.</i>
003/3	CALA Homes	<p>The southern boundary of the site (point 2 of the DB): The JMW does not route along the southern boundary of the site, but progresses along Main Street. The track to the south of the site is Core Path 98. A requirement for the minimum 8m-wide landscape edge is unnecessarily specific. The SUDS location is shown incorrectly. The lowest point of the site is the south-east corner which has implications on the required 8m-wide landscape edge. The track to the south is an operational farm track and for safety reasons this (and western) boundary should be fenced off by providing hedge planting. Pedestrian access might be possible at fixed locations having regard to pedestrian safety.</p>	<p>It is accepted that the site's diagram erroneously shows the John Muir Way routing along the southern boundary of NK7.</p> <p>Comments noted. The Brief shows an indicative location of the SUDS. The exact location of the SUDS will be agreed at the planning application stage. It is considered that the current requirement for the landscape edge reflects the principles of the approved indicative Masterplan docketed to the planning permission in principle 16/00594/PPM. However, the requirement of a minimum width of the said landscape edge may be too prescriptive.</p>	<p>Correct the description within the diagram with regard to the track to the south of the site: replace the John Muir Way with the Core Path 98.</p> <p>Amend point 2 of the Brief to say: <i>On the southern boundary, along the boundary with the Core Path 98, a managed and accessible landscape edge of a reasonable width would be beneficial. This landscape edge should incorporate specimen trees planted as individuals and in groups to soften and enhance views of the building line to create an appropriate setting for the new development by framing views to the Pentlands and the Lammermuirs. Externally visible gardens should be</i></p>

			Comments noted. It is acknowledged that the track is used in connection to day-to-day farming operations and, for safety reasons, pedestrian access points should be restricted to fixed locations.	<i>defined by hedging. Path access points should be provided on to this edge from housing areas, connecting, at fixed locations, to the Core Path 98 which will require upgrading and the provision of hedge planting on its northern boundary.</i>
003/4	CALA Homes	Building line along the southern boundary (point 3 of the DB): CALA seeks to include outward looking edges with 'fronts' and 'gables' as opposed to 'backs' as in point 3 of the DB. This approach seeks to minimise views of back gardens with washing lines etc.	It is accepted that houses along the southern boundary of the site should front on to the proposed open space. The Brief should specify that requirement.	Amend the Brief to say: <i>Houses along this edge should have mixed fronts and gables.</i>
003/5	CALA Homes	Walking and cycling connectivity (point 4 of the DB): Off-site delivery to connect to Muirfield Gardens/Grove is not possible as the land is privately owned by the adjoining residents who are unwilling to grant access. It is not a requirement of the Planning Permission in Principle consent to provide such connection.	The Brief requires that new walking and cycling routes connect to the existing settlements. It is noted that the approved indicative Masterplan docketed to the planning permission in principle 16/00594/PPM includes a linear open space extending from a play area at Muirfield Gardens /Muirfield Grove to the Core Path 98. The play area at Muirfield Gardens is	Amend the last sentence in point 4 of the Brief to say: <i>This may require some off-site delivery to connect to Muirfield Gardens, Muirfield Gardens/Grove, and Muirfield Drive at Gullane Primary School.</i>

		Pedestrian connection to the Recreational Ground, via Millennium Wood is agreeable.	publically accessible and would seem to form a logical pedestrian connection point between the existing settlement and the development site. However, it is accepted that third party ownership issues might prevent this connection link to be delivered and the Brief should address this possibility.	
003/6	CALA Homes	SUDS (point 5 of the DB): The SUDS location on in the DB is incorrect. The site's low point is the south-east corner of the site, adjacent to C111	Comments noted. The Brief shows an indicative location of the SUDS. The exact location of the SUDS will be agreed through project level discussion/planning application stage.	No change
003/7	CALA Homes	HRA: The HRA was competed during the determination of 16/00594/PPM. Pink Footed Geese mitigation measures requirements are included within the consent.	The Brief includes a general requirement for HRA that ensures that any current or future development proposals comply with the Habitat Regulations.	No change
006/1	FBR on behalf of Luffness Ltd	Saltcoats Farm performs day-to-day farming operations to the west and south of the Saltcoats development site. Safety is of paramount importance and whilst public access	Comments noted. Any impact of the farm traffic on local residents should be considered at the planning application stage.	Amend point 2 of the Brief to say: <i>Path access points should be provided on to this edge from housing areas, connecting,</i>

		may be achieved along the farm track any impact of farm traffic on local residents needs to be minimised.		<i>at fixed locations, to the Core Path 98 which will require upgrading and the provision of hedge planting on its northern boundary.</i>
006/2	FBR on behalf of Luffness Ltd	Access to the track on the new southern urban edge should be at fixed locations.	It is acknowledged that the track is used in connection to day-today farming operations and, for safety reasons, pedestrian access points should be restricted to fixed locations.	Amend the Brief to say: <i>Path access points should be provided on to this edge from housing areas, connecting, at fixed locations, to the Core Path 98 which will require upgrading and the provision of hedge planting on its northern boundary.</i>
006/3	FBR on behalf of Luffness Ltd	The farm track on the southern edge of the site is not part of the John Muir Way, but is a Core Path route.	It is accepted that the site's diagram erroneously shows the John Muir Way routing along the southern boundary of NK7.	Amend the Brief to correct the description within the diagram for NK7 and the wording of points 2 and 4 with regard to the track to the south of the site: <i>replace the John Muir Way with the Core Path 98.</i>
006/4	FBR on behalf of Luffness Ltd	The footpath access to Muirfield Gardens/Grove is not possible owing to third part ownership.	The Brief requires that new walking and cycling routes connect to the existing settlements. It is noted that the approved indicative Masterplan docketed to the	No change

			<p>planning permission in principle 16/00594/PPM includes a linear open space extending from a play area at Muirfield Gardens/Muirfield Grove to Core Path 98. The play area at Muirfield Gardens is publically accessible and forms a logical pedestrian connection node between the existing settlement and the development site.</p>	
021/1	<p>Martin White on behalf of Gullane Area Community Council NK7 Saltcoats, Gullane</p>	<p>The Community Council view is that the John Muir Way should go through the centre (conservation) of Gullane. This would bring vital trade to Gullane, and is line with routing the Way through North Berwick, for example.</p>	<p>Comment noted. The John Muir Way routes through the centre of Gullane, including its conservation area.</p>	<p>No change</p>
NK8 Fentoun Gait East				
004/1	<p>CALA Homes</p>	<p>The site has the benefit of full planning permission and is currently under construction. The requirement under Point 9, to form a path between a site and Muirfield Steadings should be resisted. An application to remove the</p>	<p>Comments noted. The brief should reflect the latest decisions of the Council regarding this particular footpath.</p>	<p>Reflect this latest planning decision (18/00422/PM) and amend the Brief by deleting point 9 from the diagram.</p>

		footpath link was approved by ELC on 26/6/2018.		
NK9 Fentoun Gait South				
005/1	CALA Homes	General Comments: CALA has a contract to purchase the site. It is proposed to design the site in the context of the adjacent, approved, sites at Fire College, Fenton Gait East and Saltcoats. Our proposed design approach has been discussed with planning and highways at ELC, with a full planning application to be lodged imminently.	Comments noted.	No change
005/2	CALA Homes	Access (point 1 of the DB): The access point is in fact closer to the north, opposite the pedestrian linkage to West Fenton Gate. This ensures pedestrian crossing and permeability to Fenton Gait East.	Comments noted. The site's plan included in the proposed Brief shows an indicative location of access to the site. The precise location of the access point(s) to the development will be agreed between the applicants and ELC at the planning stage.	Amend point 1 of the Brief to say: <i>Access(es) should be taken from the road C111 which may require upgrading with additional street lighting.</i>
005/3	CALA Homes	Pavement on the western side of Fenton Road (point 2 of the DB): No footpath is proposed on the frontage of the site to Fenton Road. A footpath will be provided on the eastern side of the road (as part of approved developments. Provision of	Whilst the exact location of any pavements or footpaths within the site will be determined at the planning application stage, it should be noted that the Brief requires the building line to front onto	Amend point 3 of the Brief to say: <i>If the C111 requires widening and the existing specimen trees have to be removed replacement specimen tree planting should be provided at</i>

		footpaths on both sides of Fenton Road would affect the character of this semi-rural edge. It is envisaged to introduce landscape planting on the site's frontage.	the C111 (West Fenton Road). It would be best if the proposed driveways onto West Fenton Road were connected to each other with footways. However, it is noted that the agreed plans for West Fenton Road include a footway on the western side adjacent to the Saltcoats site.	<i>equal spacing to create a formal avenue affect. The building line along this edge should front onto the C111, at an appropriate set back to protect the existing trees. Buildings can be 2 storey in height with the potential for terraced forms.</i>
005/4	CALA Homes	SUDS/Open Space (point 4 of the DB): Open space and SUDS are proposed on the southern edge of the development.	This comment is noted. However, the most appropriate location for SUDS will be agreed at project level stage.	No change
005/5	CALA Homes	Site layout and connectivity (point 6 of the DB): Footpath linkage to Fenton Gait East is not possible, due to the lack of allocation overlap between the sites. Fenton Gait East planning permission does not show such linkage.	Comments noted. A possibility of allocating an area of open space and footpath linkage within this part of the site should be investigated further at the planning application stage.	Amend the Brief to say: <i>Site layout should enable pedestrian and cycling connectivity through the site and must not prejudice the future delivery of paths connecting new open space within or outwith the site and appropriate crossing points on the C111.</i>
NK10 Aberlady West, Aberlady				
016/1	HES_NK10 Aberlady West, Aberlady	HES welcome the fact that this development brief has been updated to reflect the potential for impacts on	This site now benefits from full planning permission 16/00552/PM. The details of	No change

		Gosford House Inventory garden and designed landscape. It may also be helpful to identify potential mitigation for this impact, which would be likely to include avoiding building directly up the curved allocation boundary. A curved settlement boundary in this location would alter the settlement pattern, and impact both on the designed landscape and the adjacent conservation area.	development have been scrutinised through the development management process. The Brief was amended to reflect the principles in the planning consent and includes requirements for a landscape edge and open space that will reduce the visual impact of the future development.	
NK11 – Castlemains, Dirleton				
001/1	APT Planning on behalf of Mr Robert Simpson and Queensberry Properties	<p>General comments</p> <p>There is an ongoing application for planning permission (18/00016/PM) seeking permission for 36 homes. It is understood that this application will be determined in late August/early December. Attached with this representation is a copy of the very latest layout for the Castlemains site and application 18/00016/PM</p>	<p>Much of the respondent's comments reflects the position of the applicant on how they consider their current planning proposals would satisfy the brief. However, the current planning application remains undetermined and at this stage officers offer no comment on its merits. The development brief continues to provide guidelines for the development of the site that give an indication as to how</p>	No change

			the Council would wish to see it developed.	
001/2	APT Planning on behalf of Mr Robert Simpson and Queensberry Properties	<p>Point 1 of the DB</p> <p>Support for vehicular access via Station Road. Access via Castlmains Place is not the best option nor can it be delivered without incorporating third-party land.</p>	<p>Support noted.</p> <p>The development brief supports vehicular access from Station Road or from Castlemains Place as indicated on the amended main diagram. Non-vehicular access could be provided via Castlemains Place.</p>	Main diagram to be altered to add an additional access point to the east.
001/3	APT Planning on behalf of Mr Robert Simpson and Queensberry Properties	<p>Point 2 of the DB</p> <p>The importance of the south facing aspect of the proposed new development to creating a new south-eastern edge to Dirleton is acknowledged. Maintaining and if possible, enhancing the views to Dirleton Castle is paramount.</p>	Noted. The development brief acknowledges the importance of the southern edge and the views towards the castle.	No change
001/4	APT Planning on behalf of Mr Robert Simpson and Queensberry Properties	<p>Point 3 of the DB</p> <p>The option of creating a further landscape feature incorporating a detention feature (for SUDS reasons) would be inappropriate visually and</p>	Point 3 of the development brief suggests that the incorporation of a linear SUDS feature would complement and expand on the existing landscaped edge to the northern part of the	No change

		practically and this reference should be removed from the Brief.	site. That principle remains and it is not accepted that a swale would be an inappropriate feature at this location.	
001/5	APT Planning on behalf of Mr Robert Simpson and Queensberry Properties	<p>Point 4 of the DB</p> <p>All the proposed new homes are one and a half storeys in height with pantile roofs and render in similar colour. This approach aims to ensure that the proposed development will 'fit' onto the south-east edge of Dirleton and will help to maintain or improve the key viewpoints looking to the Castle and towards Dirleton.</p>	The respondent comments are noted and further discussion at project level will be required.	No change
001/6	APT Planning on behalf of Mr Robert Simpson and Queensberry Properties	<p>Point 5 of the DB</p> <p><u>Open Space</u> A significant area of public open space can be created along the southern boundary of the site between the A198 and the proposed development. This will consist of a meadow-like area and open area of accessible amenity space providing a practical and visual buffer between the new development and the A198. It is not possible to create an area of open space in the north west corner of</p>	<p>Open Space: Comments are noted. The development brief is prepared to guide the development of the allocated site within the LDP; this includes the area to the west of the site and excludes the area to the south of the site and must continue to do so notwithstanding current proposals by the potential developer.</p> <p>Layout:</p>	<p>No change.</p> <p>No change.</p>

		<p>the site as a strip of land is being retained by the landowner for farming purposes.</p> <p><u>Layout</u> There is no public link from the north-west corner to Dirleton Village centre. Once this was established, the layout then reflected the developable area concentrating on the south facing aspect, and the relationship to Castlemains Place.</p> <p>It is suggested that, due to surrounding uses and landownerships, the north-west corner of the site is suited to being a more inward and private part of the site where the cul-de-sac element is appropriate.</p> <p>It is not possible to provide pedestrian routes through the north-west corner of the site. Where possible, pedestrian routes be provided along the Castlemains place frontage.</p> <p>The electricity line will be undergrounded</p>	<p>Much of the respondent's comments reflects the position of the applicant on how they consider their current planning proposals would satisfy the brief. At this stage officers offer no comment on its merits. As with all sites the developer should provide open space within the site boundary. The reason why the open space is promoted in the north west corner is to complement and expand on the existing strip of open space between the existing houses on the west side of Castlemains Place and the site. Closing this off through provision of new houses as suggested by the respondent would impact adversely on the existing area of open space on Castlemains Place. It would also remove the glimpsed views through existing open spaces in Dirleton, when seen from the main road.</p>	<p>No change.</p>
--	--	--	--	-------------------

		<p><u>SUDS</u> It would not be practical to incorporate a SUDS feature in the north or west of the site – water runoff is to the north and east, hence the proposed SUDS feature is on the eastern edge of the site.</p> <p>The reference to the open space and SUDS aspect in the western part of the site should be removed from the Brief.</p>	<p>SUDs: Whilst the Development Briefs may indicate where SUDs provision may be located on a site this is only indicative. It is for the developer to identify the most appropriate location for SUDs.</p> <p>The reference to the open space and SUDs aspect in the western part of the site should remain in order to guide any future developments. It is noted that a swale could still be provided as part of the SUDS for the site in this location as the respondent has indicated that SUDS features on the northern edge are possible.</p>	
001/7	APT Planning on behalf of Mr Robert Simpson and Queensberry Properties	<p>Point 6 of the DB</p> <p>Support this part of the Brief. Also, extensive consultation has taken place with Historic Environments Scotland, the Councils Heritage Team.</p>	Support noted	No change
001/8	APT Planning on behalf of Mr Robert Simpson	<p>Point 7 of the DB</p> <p>Support re-routing of the culvert.</p>	Support noted	No change

	and Queensberry Properties			
007/1	Gillian Main_ NK11 Castlemains, Dirleton	Object on the grounds that, compared to the original development brief, the new plan has been changed without the consideration of HES and SNH. The previously proposed Development Brief was sympathetic to the surroundings of the historic Dirleton Castle and the conservation village of Dirleton. The current proposal is unsympathetic to the castle and its surroundings. Is this change due to the site's viability issues? The site is of special interest historically compared with other sites thorough out the County.	The changes to the plan of the development brief only between the first and second consultations relate only to the point of access and the culverted burn. The briefs have been consulted on to allow everyone, including HES and SNH, to make their comments. The brief is sympathetic to the heritage of the surrounding area including the castle and the Conservation Area and will guide the developer as to how the site should be designed. The brief, as amended following this consultation, will be a material consideration in the determination of any future planning application for the site.	No change.
008/1	HES_ NK11 Castlemains, Dirleton	As stated in HES response to East Lothian Council's Proposed Plan consultation, it is considered that	Comment noted. The development brief should be amended to recognise that	Amend the main development brief diagram to add in text under the words

		<p>without appropriate mitigation, development in this area has the potential to have a significant adverse impact both on the setting of Dirleton Castle, which is a scheduled monument, and on its associated Inventory garden and designed landscape.</p> <p>It is important that the fundamentals of this necessary mitigation are clearly set out in the development brief. HES considers that the details provided here are broadly in line with the mitigation they have advised both in the local development plan process and separately in the development management process.</p>	<p>Dirleton Castle is a scheduled monument and that it has an associated Inventory garden and designed landscape that requires to be taken into account in the design of the site.</p>	<p>Dirleton Castle the words 'Scheduled monument and Inventory garden and designed landscape.' Add to point 2 of the text sentence 3, 'Views across the site to Dirleton Castle, <i>scheduled monument and Inventory garden and designed landscape</i>, from the A198 will be retained.</p>
008/2	HES_ NK11 Castlemains, Dirleton	<p>Views: HES welcome the undertaking to maintain views of Dirleton Castle and consider the view angles laid out in the document helpful in specifying requirements for this. We note that the plan diagram shows a single line rather than arc of view of the Castle from point 2 in the east. The Council may wish to consider amending this as it could be potentially misleading.</p>	<p>It is noted that that the views to be retained of Dirleton Castle are shown as an arc on the photo montages on the third page of the development brief but not on the main diagram. This should be amended.</p>	<p>Amend the main plan diagram to show a narrow arced view at point 2 on the plan to the east of the site.</p> <p>Amend point 2 to add a new sentence after sentence 2:</p>

		HES recommend that some indication of potential mitigation requirements for views from the Castle is also considered. Specifically, any planting intended as screening for views from the castle should consider the impacts such screening may have on reciprocal views of the castle. The use of smaller trees and large shrubs is recommended. This would reduce the risk that tree growth over time would disrupt views of the Castle.	Comment noted. The brief will be amended to ensure that the impact of planting proposals on views from the castle will be considered.	<i>'Consideration should be given to the detailed landscape proposals for the southern edge to ensure that there is no impediment to views from Dirleton Castle'.</i>
008/3	HES_ NK11 Castlemains, Dirleton	Street lighting: It would also be helpful for the document to identify the potential impacts of street lighting on the setting of the Castle. HES acknowledge that it may not be possible to identify specific requirements at this stage, but recommend that the need for sensitive design which minimises impacts should be identified.	This point is accepted. The development brief should be amended to include a reference to the sensitivities of new street lighting and its effect on the castle.	Add new sentence at end of point 4: <i>'Depending on its design new street lighting could adversely impact on the setting of the castle and should be carefully designed to avoid any such impacts.'</i>
008/4	HES_ NK11 Castlemains, Dirleton	Building heights: HES Note that the brief has been altered to allow for 1.5 storey homes across the entire site, rather than only in the north. Whilst this may be acceptable, for clarity it may be helpful to specify a maximum height – recognising that the number of storeys	The request for height restriction is noted. However, it is noted that when read as a whole the brief does specify on its third page in the photo montage that the height of buildings on the site should not be any higher than the	Add to Notes section at end of brief: <ul style="list-style-type: none"> • Landscape and Visual Analysis (LVA) required

		will not define the overall height of the building.	existing building heights of those buildings adjoining the site at Castlemains Place. However, the brief should be amended to require a landscape and visual analysis of any development proposals for the site to ensure that views across the site towards Dirleton Castle can be appropriately retained.	
008/5	HES_ NK11 Castlemains, Dirleton	HES welcome the inclusion of a reference to the adjacent conservation area in the brief, and the requirement to refer both to its character statement and the Council's Cultural Heritage SPG.	Support noted.	No change
020/1	Tom Drysdale On behalf of Gullane Area Community Council (Representing Aberlady, Dirleton, Drem and Gullane)_ NK11 Castlemains, Dirleton	GACC support the submission made by Derek Carter on behalf of the Dirleton Village Association.	Noted	See responses to Dirleton Village Association below

020/2	Gullane Area Community Council (Representing Aberlady, Dirleton, Drem and Gullane)_NK11 Castlemains, Dirleton	GACC expressed their concern that the brief does not adequately protect the sight lines to Dirleton Castle as seen from the bypass when travelling west from North Berwick.	Agreed. The addition of an arced viewpoint from the A198 towards the castle would adequately protect sight lines to Dirleton Castle when travelling west from North Berwick.	Add an arced viewpoint 2 to show the views towards the Dirleton Castle from the A198.
020/3	Gullane Area Community Council (Representing Aberlady, Dirleton, Drem and Gullane)_NK11 Castlemains, Dirleton	GACC is concerned that the Brief will allow houses of up to 1½-storey in height, as opposed to the previously stated requirement of single storey on parts of the site. GACC considers that this extra height will compromise the views of the castle as seen from the bypass.	One of the key issues on this site is to ensure that it can be developed without adverse impact on views towards and from the castle. Building height may play an important part in this. To address the respondent's concerns, the brief should be amended to require a landscape and visual analysis of any development proposals for the site to ensure that views across the site towards Dirleton Castle can be appropriately retained.	Add to Notes section at end of brief: Landscape and Visual Analysis (LVA) required.
020/4	Gullane Area Community Council	GACC commented that they believe it is the only development site identified in the local development plan and in the whole of East	This site is not the only site that potentially impacts on a nationally important historic	No change.

	(Representing Aberlady, Dirleton, Drem and Gullane)_NK11 Castlemains, Dirleton	Lothian, where housing development is proposed in close proximity to a historic site of national importance. For this reason an inappropriate scale of development on this site should not be allowed.	site. The Council considers that a residential development of circa 30 houses should not be an inappropriate scale of development provided the design does not adversely impact on the historic site and considers that the safeguards presented in the development brief will achieve this.	
022/1	Weston John Main_ NK11 Castlemains, Dirleton	The proposed new Development Brief offers no real protection against an inappropriate development. The 2016 Brief included the requirements on access to the site, green area within the site, height of buildings which were prepared with input from SNH and HES. These requirements took into consideration the location and setting of the site and what would be acceptable and should be reinstated to allow the protection of the character and aesthetics of this most beautiful conservation village and Castle. If the site is undevelopable under the original brief then the Council should look for alternative sites throughout the county of which there are many that would not be as contentious.	The Council revised the first development brief on matters related to the point of access, the height of buildings across the site and reference to a culverted burn in response to comments received. The process by which the briefs were prepared continues to involve key agencies, including SNH and HES, who are consulted, along with everyone else, on revised versions and on subsequent planning applications to ensure that they continue to have a say on how the site is developed. The brief is designed to address the	No change.

			sensitivities of the site and the Council considers that the site can be developed in an appropriate way in line with the development brief.	
026/1	George Learmonth_NK1 1 Castlemains, Dirleton	Object to the revised development brief which allows 1.5 storey houses. It is noted that the Brief at the same time requires (point 3) the build form to reflect the scale and character of the build form of the existing houses on the north side of Castlemains Place. The existing houses north west on Castlemains Place are only single storey, so it should be assumed that the new properties on the north west side of the development should also be single storey. Historic Environmental Scotland and Scottish Natural Heritage should be involved in the revised design brief as they were for the first one.	<p>One of the key issues on this site is to ensure that it can be developed without adverse impact on views towards and from the castle. Building height may play an important part in this.</p> <p>The development brief does not accept that buildings should be any higher than those on Castlemains Place which are 1.5 storeys. It does not require all houses to be of that height and would allow lower houses.</p> <p>However, the brief should be amended to require a landscape and visual analysis of any development proposals for the site to ensure that views across the site towards</p>	<p>Add to Notes section at end of brief:</p> <p>Landscape and Visual Analysis (LVA) required</p>

			<p>Dirleton Castle can be appropriately retained.</p> <p>The Council revised the first development brief on matters related to the point of access, the height of buildings across the site and reference to a culverted burn in response to comments received. The process by which the briefs were prepared continues to involve the key agencies, including SNH and HES, who are consulted, along with everyone else, on revised versions and on subsequent planning applications to ensure that they continue to have a say on how the site is developed. The brief is designed to address the sensitivities of the site and the Council considers that the site can be developed in an appropriate way in line with the development brief.</p>	
027/1	Lawrie Main_	Object to the revised Brief as it affords inadequate protection to the landscape	The Council considers that the development brief	Add to Notes section at end of brief:

	NK11: Castlemains, Dirleton	setting of Dirleton and its historic castle from intrusive and unsightly development.	<p>provides adequate safeguards to protect the setting of Dirleton and its castle.</p> <p>However, the brief should be amended to require a landscape and visual analysis of any development proposals for the site to ensure that views across the site towards Dirleton Castle can be appropriately retained.</p> <p>The brief, as amended following this consultation, will be a material consideration in the determination of any future planning application for the site.</p>	Landscape and Visual Analysis (LVA) required
027/2	Lawrie Main_ NK11: Castlemains, Dirleton	The terms of the original Brief prepared in conjunction with SNH and HES should be reinstated in full and changes should only be permitted where they are approved and supported or initiated by those bodies. SNH and HES should not be relegated to mere consultees to far reaching changes proposed by the current Brief.	The Council revised the first development brief on matters related to the point of access, the height of buildings across the site and reference to a culverted burn in response to comments received. The process by which the briefs were prepared continues to involve the key agencies,	No change

			including SNH and HES, who are consulted, along with everyone else, on revised versions and on subsequent planning applications to ensure that they continue to have a say on how the site is developed. The brief is designed to address the sensitivities of the site and the Council considers that the site can be developed in an appropriate way in line with the development brief.	
027/3	Lawrie Main_ NK11: Castlemains, Dirleton	The public are entitled to feel wholly misled by the Council during the lengthy LDP process as to the form of development which would be permitted on the site. The publication of this revised Brief represents a manipulation of the planning process for the benefit of the developer rather than the community which the Council is supposed to represent.	A development brief sets out the principles of development and is a guide to encourage developers to design high quality developments. It does not go into the level of detail that a subsequent planning application is required to. It is a material consideration in the determination of any future planning application for the site. The development briefs were prepared in draft to allow the public, key agencies, stakeholders and others to	No change

			have a say on their content and the Council has subsequently undertaken this second round of consultation as the briefs have developed before the final development brief is prepared. The Council therefore considersthat this has been a transparent process.	
027/4	Lawrie Main_ NK11: Castlemains, Dirleton	If a developer is unwilling or unable to develop a sensitive site in compliance with the previous Brief then the site should not be developed.	The previous brief was a first draft development brief published for consultation and has been informed by consultation responses received. Developers should comply with the final version of the development brief which will be a material consideration in the determination of a planning application.	No change
028/1	TMS Planning & Development Services Ltd. on behalf of Muir Homes	Development Principle (point 1) Object to the current wording of the Brief which allows the possibility of removal of the hawthorn hedge along Station Road. This is a significant change from the previous 2016	Following advice from Road Services the development brief was first consulted on when it showed two potential vehicular access points. After consultation vehicular access was to be taken from Station	Main diagram to be altered to add an additional access point to the east. At point 1, amend sentence 3 to read, 'The <i>existing hawthorn hedge along</i>

	NK11: Castlemains, Dirleton	version of the Brief which stated that the hedge must be retained. This objection also seeks to have access reference to Station Road removed from the Brief.	Road or Castlemains Place east only to be shown on the amended main diagram. The hedge on Station Road is not protected in any way therefore there is no requirement for its full retention other than for aesthetic reasons. It remains desirable for the hedge to be retained in so far as it can but it is recognised that part of it may need to be repositioned to provide the vehicular access and the brief amended accordingly.	<i>Station Road should be retained where possible and/or repositioned.'</i>
028/2	TMS Planning & Development Services Ltd. on behalf of Muir Homes NK11: Castlemains, Dirleton	This objection seeks to have all references to “should” in point 2 be revised to “must” to reflect the importance of the site and the need for high quality development to be delivered through future proposals.	The Council noted in Schedule 4 – Design, in response to a representation on the Development Briefs, that ‘the finalised Development Briefs are to be drafted using words such as ‘may’ or ‘should’ rather than ‘will’ or ‘must’ where appropriate. This provides the flexibility in their interpretation and application’. The reporter acknowledged that it is	No change.

			appropriate for briefs to provide a degree of flexibility and that as they are a material consideration it is for the decision maker to take them into account. It is not therefore appropriate for all references to 'should' to be changed to 'must' in the development briefs.	
028/3	TMS Planning & Development Services Ltd. on behalf of Muir Homes NK11: Castlemains, Dirleton	This objection seeks to have the wording of Development Principle 3 replaced with the wording contained in the 2016 draft Brief.	The Council noted in Schedule 4 – Design, in response to a representation on the Development Briefs, that 'the finalised Development Briefs are to be drafted using words such as 'may' or 'should' rather than 'will' or 'must' where appropriate. This provides the flexibility in their interpretation and application'. The reporter acknowledged that it is appropriate for briefs to provide a degree of flexibility and that as they are a material consideration it is for the decision maker to take them into account. It is not	No change

			therefore appropriate for all references to 'should' to be changed to 'must' in the development briefs.	
028/4	TMS Planning & Development Services Ltd. on behalf of Muir Homes NK11: Castlemains, Dirleton	This objection is against the removal of any restrictions on building height across the site. This objection seeks to have the wording of Development Principle 4 replaced with the wording contained in the 2016 draft Brief.	<p>The revised development brief does not accept that buildings should be any higher than 1.5 storeys. It does not require all houses to be of that height and would allow lower houses.</p> <p>The brief should be amended to require a landscape and visual analysis of any development proposals for the site to ensure that views across the site towards Dirleton Castle can be appropriately retained.</p> <p>The Council noted in Schedule 4 – Design, in response to a representation on the Development Briefs, that 'the finalised Development Briefs are to be drafted using words such as 'may' or 'should' rather than</p>	<p>Add to Notes section at end of brief:</p> <p>Landscape and Visual Analysis (LVA) required</p>

			<p>'will' or 'must' where appropriate. This provides the flexibility in their interpretation and application'. The reporter acknowledged that it is appropriate for briefs to provide a degree of flexibility and that as they are a material consideration it is for the decision maker to take them into account. It is not therefore appropriate for all references to 'should' to be changed to 'must' in the development briefs.</p>	
028/5	<p>TMS Planning & Development Services Ltd. on behalf of Muir Homes NK11: Castlemains, Dirleton</p>	<p>Objection to the lack of specificity of the wording of Development Principle 5 (Open Space) with regard to open space provision. The objection seeks amendments to the current wording of the Brief to remove any ambiguity about the need to provide formal open space within the site. Also, the current wording does not require overlooking of such open space and allows housing to turn its back on such space which is directly contrary to Scottish Government advice on designing safer places, inclusive design and master</p>	<p>The purpose of the development brief is to guide the developer as to how the Council wishes to see the site developed. In this case the Council requires the provision of open space and SUDS within the site. The Development Briefs may indicate where SUDS provision could be located on a site this is only guidance. It is for the developer to identify the</p>	<p>No change</p>

		<p>planning. Objection against a SUDS feature to be incorporated into the area of open space. If a SUDS facility is adopted by Scottish Water then it will have to be fenced off rendering unusable open space.</p> <p>The objection seeks the wording of point 5 revised to state: “An open space area of at least 60m by 40m is to be located in the western part of the site, adjoining and enhancing the existing area of open space immediately to the north of the site at the western end of Castlemains Place to create a village green. Buildings must front onto and overlook this area of enlarged open space in line with Scottish Government design principles for designing safer places. Separate SUDs arrangements, appropriate to meet site requirements must be incorporated into overall design proposals but must not impinge upon the open space provision above. Footpath connection from the area of open space through the site and beyond to link with the existing path network must be provided. The electricity line that runs across the site must be undergrounded”</p>	<p>most appropriate location for SUDs.</p> <p>The revised development brief states that ‘An area of open space could be located in the western part of the site, adjoining and enhancing the existing area of open space immediately to the north of the site’. The Council maintains that a SUDS feature can be complimentary in landscape terms to an area of open space albeit that it does not count towards open space requirements. If suitable, buildings should front onto and overlook this area of enlarged open space.’ Appropriate open space provision will be required to integrate development on this site with the surroundings and to provide a setting for the settlement, including the retention of views to Dirleton Castle. Policy OS3 sets out the minimum open space standards for new housing</p>	
--	--	--	---	--

			<p>developments. Open spaces across the site are a matter that will require detailed assessment when a design for the site requires to be determined and it is not considered that the development brief needs to specify exactly where open space should be located.</p> <p>The Council noted in Schedule 4 – Design, in response to a representation on the Development Briefs, that ‘the finalised Development Briefs are to be drafted using words such as ‘may’ or ‘should’ rather than ‘will’ or ‘must’ where appropriate. This provides the flexibility in their interpretation and application’. The reporter acknowledged that it is appropriate for briefs to provide a degree of flexibility and that as they are a material consideration it is for the decision maker to take them into account. It is not</p>	
--	--	--	---	--

			therefore appropriate for all references to 'should' to be changed to 'must' in the development briefs.	
028/6	TMS Planning & Development Services Ltd. on behalf of Muir Homes NK11: Castlemains, Dirleton	The objection seeks the wording of Development Principle 6 revised to state "All development proposals must comply with the guidelines contained in the Dirleton Conservation Area Character Statement and the Council's Cultural Heritage Supplementary Planning Guidance	The Council noted in Schedule 4 – Design, in response to a representation on the Development Briefs, that 'the finalised Development Briefs are to be drafted using words such as 'may' or 'should' rather than 'will' or 'must' where appropriate. This provides the flexibility in their interpretation and application'. The reporter acknowledged that it is appropriate for briefs to provide a degree of flexibility and that as they are a material consideration it is for the decision maker to take them into account. It is not therefore appropriate for all references to 'should' to be changed to 'must' in the development briefs.	No change

028/7	TMS Planning & Development Services Ltd. on behalf of Muir Homes NK11: Castlemains, Dirleton	It is recommended that point 7 be reworded to require that the culvert be rerouted or that any development complies with relevant environmental legislation on development that affects culverts.	Noted. All developments must comply with legislation. Any building across the site are a matter that will require detailed assessment when a design for the site requires to be determined.	No change
030/1	Derek Carter on behalf the Dirleton Village Association NK11: Castlemains, Dirleton	The wrong view to the castle is shown on the briefing plan. The arrow shown on the Brief's plan which states 'maintain views to the castle', is centred on Castlemains Farmhouse and its farm buildings. This can be interpreted to mean that only views of the extreme southern end of the castle require preservation. It needs to clearly indicate the whole of the castle elevation requiring to be kept in full view, including the lower northern part, which is in full view when leaves are off the trees (Half of the year). An issue as crucial as this should be illustrated clearly and precisely, and not left open to interpretation. The DVA attached a drawing showing the precise view which should be indicated.	The Development Brief has undertaken to maintain views of Dirleton Castle and the Council consider the view angles laid out in the document helpful in specifying requirements for this. The development brief is guidance and highlights areas where developers need to take account of site issues. The viewpoint is indicative, and to ensure views of the castle are protected, the Council will amend the brief to require a landscape and visual analysis of any development proposals for the site.	Amend the main plan diagram to show a narrow arced view at point 2 on the plan to the east of the site. Add to Notes section at end of brief: Landscape and Visual Analysis (LVA) required. Add an arced viewpoint 2 to show the views towards the Dirleton Castle from the A198.

			To make it clearer on the main diagram it will be amended to show a narrow arced view at point 2 on the plan to the east of the site. An additional viewpoint is also to be added from the A198.	
030/2	Derek Carter on behalf the Dirleton Village Association NK11: Castlemains, Dirleton	The views must be kept clear if they are to be 'maintained' There is nothing in the brief to protect the middle and foregrounds of the protected views of the castle from the bypass, apart from the indication of some open space. A view of part of the castle above a foreground and middle ground containing houses, garages and lampposts is not a maintained view. This is a major conservation impact issue requiring much tighter control in the development brief. Further reasoning for this follows: i) Visual perspective exaggerates the apparent size of elements which are closer to a viewpoint e.g. 1.5 storey houses close to the viewpoints will be a dominant feature	It is accepted that the presence of some development in the foreground could detract from views of Dirleton Castle but to counter this, the brief at point 4 states that streets and spaces should be positioned and orientated to frame views through the site west to Dirleton Castle and east to North Berwick Law. Such a vista should adequately protect the views of the castle from the east end of the A198.	No change.

		<p>ii) Painted houses in the middle and foreground of the view will appear to be very much brighter than the distant grey castle.</p> <p>iii) The castle currently sits as a single focal point dominating a simple, rural landscape. The insertion of houses will break up this pleasingly simple and open composition. Instead there will be visual complexity and confusion and the eye will be distracted away from the castle.</p> <p>Allowing for part of the castle to be visible from part of the bypass road, over the tops of houses is not 'maintaining' the view but would result in reducing and compromising the view.</p> <p>A proposed qualification is submitted by DVA and should be added to the plan brief to cover these points (see Appendix 2 plan).</p>		
030/3	Derek Carter on behalf the	Specifying '1.5 storeys' instead of 'single storey'	The revised development brief does not accept that buildings should be any	Add to Notes section at end of brief:

	<p>Dirleton Village Association NK11: Castlemains, Dirleton</p>	<p>The actual as-built roof height of houses in relation to the castle ground level is a key material issue which affects the views, and should be tightly controlled.</p> <p>The DVA have produced a drawing which illustrates how the ridge heights of the 1.5 storey buildings in the current application compare to the existing 1.5 storey buildings along Castlemains Place. They are in the order of 2.85 metres higher.</p> <p>'1.5 storeys' in the proposed brief is too vague a term to control ridge heights on this sensitive site. If houses are still proposed for the more sensitive, higher, south and west parts of the site, then building height control in these areas should continue to be limited to 'single storey'. '1.5 storey' houses would not have an adverse impact in the lower, less sensitive section along Castlemains Place, but this should still be qualified in the brief to control maximum ridge height as follows:</p>	<p>higher than 1.5 storeys. It does not require all houses to be of that height and would allow lower houses.</p> <p>The finished floor levels and heights of any houses are a matter to be dealt with at project level stage. To assist in this and ensure that viewpoints are correctly assessed, the brief should be amended to require a landscape and visual analysis of any development proposals for the site to ensure that views across the site towards Dirleton Castle can be appropriately retained.</p> <p>To change the caption wording on the brief's image no. 4 to note that the heights of the existing gable walls of houses on Castlemains Place are 6.5m and that new houses should match this is considered too prescriptive, The present wording of the caption on this image which</p>	<p>Landscape and Visual Analysis (LVA) required.</p>
--	---	--	--	--

		<p>'Maximum height to roof ridges to be 6.5 metres to match the existing 1.5 storey houses in Castlemains Place.'</p> <p>The DVA also attached a graphic which shows how the photographic image in the brief should be amended to control the building height requirement along Castlemains Place (see Appendix 4)</p>	<p>reads that built form and height should be 'in-keeping with...', is preferred.</p>	
030/4	<p>Derek Carter on behalf the Dirleton Village Association</p> <p>NK11: Castlemains, Dirleton</p>	<p>Specifying 'circa 30 homes'</p> <p>The DVA have produced the 'Dirleton Deserves Better' study which indicates that the number of homes which can be fitted onto this site without having any adverse impact on the setting and views of the castle is 13.</p> <p>The 2017 Housing Land Audit demonstrates a 5-year effective housing land supply of 6.17 year supply - a surplus of land for 1284 homes. ELC is in a position to reduce the overall land supply, or alternatively, to re-allocate numbers from this site to less sensitive sites.</p> <p>The DVA call for deleting the reference to a specific number of homes</p>	<p>Noted. The key consideration is fitting development on to this site in a way that maintains the key views across it and integrates it into its surroundings. The LVA that will be produced by the developer will be key to establishing this at project level stage. There is no indication at this stage that circa 30 house is an inappropriate number of homes for the site and this is the number that is contained with the LDP. Proposal NK11 has been accepted by the Reporter in the Examination of the LDP on the basis that it is for circa 30 homes and</p>	<p>Add to Notes section at end of brief:</p> <p>Landscape and Visual Analysis (LVA) required.</p>

		<p>required in this brief, and adding a clause which states:</p> <p>‘Consideration of the protection of the views and the setting of the castle will determine the number of homes which can be accommodated on this site’</p>	<p>provision on site, of an appropriate design and open space and integration of the development with its surroundings including retention of views to and from the castle.</p>	
030/5	<p>Derek Carter on behalf the Dirleton Village Association NK11: Castlemains, Dirleton</p>	<p>The Brief fails to adequately control the preservation of the character and appearance of the conservation area in the following ways:</p> <ol style="list-style-type: none"> 1) The Absence of a Proper Analysis of the Conservation Area Character Historic Environment Scotland have previously advised that a Conservation Area Character Appraisal is required to control the form of any new development on this site. This should be supported by a design guide. Failing the production of an independent Conservation Area Character Appraisal and Design Guide by the planning authority itself, the development brief should include the clause: ‘A proper analysis of the conservation area should be submitted’ 2) The Cultural Heritage SPG mostly deals with the control of changes to the existing fabric of conservation areas. Their only reference to the Dirleton conservation area is the Conservation Statement. 	<p>Comment noted. The development brief should be amended to recognise that Dirleton Castle is a scheduled monument and that it has an associated Inventory garden and designed landscape that requires to be taken into account in the design of the site. The brief is sympathetic to the heritage of the surrounding area including the castle and the Conservation Area and will guide the developer as to how the site should be designed.</p> <p>Point 6 of the Development Brief states that ‘Consideration should be given to the guidelines contained in the Dirleton Conservation Area</p>	<p>Amend the main development brief diagram to add in text under the words Dirleton Castle the words ‘Scheduled monument and Inventory garden and designed landscape.’</p> <p>Add to point 2 of the text sentence 3, ‘Views across the site to Dirleton Castle, <i>scheduled monument and Inventory garden and designed landscape</i>, from the A198 will be retained.</p>

		<p>Whilst the Conservation Statement is clearly a relevant document and we support its inclusion in the brief, it is not detailed enough to be of sufficient use by itself. As the short Conservation Statement is therefore the only document which identifies the characteristics of special conservation value and which seeks to control the environmental impact of developments in this conservation area, the Brief should include more clauses to protect the character and appearance of the conservation area in order to fulfil your responsibility under the 1997 Listed Buildings and Conservation Areas Act. The following clauses should be added:</p> <ul style="list-style-type: none"> i. The architectural and landscape design should reflect the characteristics found in the special, historic parts of the conservation area. The use of elements not in character with the special historic parts should be avoided. ii. The design should reflect and strengthen the East Lothian traditional vernacular village character found in the special historic parts of the conservation area. iii. The design should strengthen and enhance the rural character of the village. It should not be suburban in character. 	<p>Character Statement and the Council's Cultural Heritage SPG'.</p> <p>The SPG on Cultural Heritage and the Built Environment contains Conservation Area Character Statements for most conservation areas including Dirleton. This is a summary of the special character of the conservation area. In time it will be replaced by a more comprehensive Conservation area character appraisal and management plan. In the meantime it remains appropriate for the brief to require the developer to have regard to the CA character statement.</p> <p>The clauses suggested by the DVA for insertion into the Conservation Area Character Statement are all matters that are addressed at project level for any site within a conservation area in the course</p>	
--	--	--	---	--

		<ul style="list-style-type: none"> iv. The western part of the site is located in a stone character zone. Some houses in this area should be clad in stone facing to match the existing stonework. v. Houses should have front and back gardens enclosed with stone walls, fences or hedges to match the special historic parts of the village. 'Open-plan' front gardens and concrete walling would not be in keeping with the special historic parts of the village, and should be avoided. vi. The edge of the development should be designed to reflect the historic part of the northern edge of the village which is identified in the Conservation Statement as worthy of conservation. It should therefore be inward facing, and consist of a mixture of houses, trees and hedges. vii. Open spaces should be simply landscaped with trees and grass to match the open spaces within the special historic parts of the village. Publicly or communally maintained shrub beds would conflict with the historic landscape character of the special parts of the village. 	of determining a planning application.	
030/6	Derek Carter on behalf the	OTHER POINTS	These are all detailed matters that will be dealt with at	No change.

	<p>Dirleton Village Association NK11: Castlemains, Dirleton</p>	<p>Hedge type for the southern boundary and the landscape setting of the village: Hawthorn should be specified in order to connect the development into the adjacent countryside hedge pattern. The beech hedgerow along Castlemains Place will be hidden and will not be part of the same character zone. Hawthorn hedges are also much richer wildlife habitats than beech hedges.</p> <p>Sound attenuation proposals A noise assessment for the site has been carried out which indicates that the guideline levels for traffic noise in housing areas are exceeded across the site. A clause requiring noise mitigation proposals should be added to the brief.</p> <p>Road Safety at Station Road Improvements to the Station Road junction should be included. The bypass speed limit is 60 mph, there is no deceleration lane and the bypass is not wide enough for a right turn lane at this point. The DVA propose a one</p>	<p>project level stage as noted under the section entitled, 'What the Development Briefs will cover', (page 3) in the introduction to the SPG on Development Briefs.</p>	
--	---	---	--	--

		way arrangement at the Station Road junction.		
--	--	---	--	--

Identified Errors

Site Ref	Error	Proposed Change to Document
Contents	Misspelling of Levenhall	Correct spelling of Levenhall (Site PROP MH8)
DR2 Hallhill North, Dunbar	The diagram highlights proposal DR3 (Hallhill Healthy Living Centre Expansion Land) but the proposal is slightly smaller than indicated.	Redraw Proposal DR3 on the Brief diagram to match the LDP allocation site.
NK7 Saltcoats, Gullane	The diagram wrongly depicts the John Muir Way as running to the south of PROP NK7. Instead Core Path 98 runs along the southern boundary of PROP NK7.	Remove the John Muir Way annotation from the southern boundary of the site and replace with Core Path 98. Amend references in Point 2 and 4 which refer to the John Muir Way. Replace with reference to Core Path 98. Amend reference in photographs to the John Muir Way. Replace with reference to Core Path 98.
MH1 Craighall, Musselburgh	MH1 key reads as Town Centre instead of village.	Amend the MH1 key to read village centre rather than town centre.
MH1 Craighall, Musselburgh	Point 5 refers to culvert in Area 1.	Amend Point 5 to refer to culver in Areas 1 and 3.
MH1 Craighall, Musselburgh	The red dotted line and purple line are not annotated on the key	Add proposed bus route and proposed strategic walking and cycling route to the MH1 key.
MH10 Dolphinstone	Sentence relating to points off access is attached to the wrong photograph.	Add to photograph 3 ' <i>At least two points of access should be provided from the development</i> ' Remove from photograph 4.
MH13 Whitecraig South	Green network (point 3) should link potential SUDS and open space (point 8)	Amend diagram to show linkage between SUDS and open space.
MH14 Whitecraig North	In line with the Reporter's recommendations on the LDP – all points should read ' <i>should</i> ' instead of ' <i>must</i> '	Update photos 1 and 2 to read 'should' instead of 'must'

NK8 Fentoun Gait East	Point 3 on the diagram is located in the wrong place.	Amend diagram to move Point 3 to the eastern boundary.
NK8 Fentoun Gait East	Duplication of photos	Delete photo 5 and add text to photo 1.
NK9 Fentoun Gait South	Number 5 on the diagram is missing.	Add 5 to the diagram.
NK10 Aberlady	Arrows 2 and 7 are shown too far south	Amend arrows 2 and 7 on the diagram.
NK11 Castle mains, Dirleton	For consistency with other briefs, point 6 should be classed as a note. This would require point 7 to be changed to point 6.	Place existing point 6 as a note. Renumber accordingly. Remove point 7 from diagram and replace with new number 6.
TT5 Bankpark, Tranent	The arrows with point 7 point to the church, this is not reflected in the text.	Add number 7 to the text in point 4 where it discusses protecting the setting of the adjacent church.
TT7 Macmerry North	Point 6 is missing from the diagram	Add point 6 at the south west corner of the site.
HN2 Letham Mains Expansion	The larger plots (white on the inset map) need consistency. The part at the south western corner extends further on the diagram.	Amend the white areas so they are all consistent on the diagram (Point 1). Point 1 should also refer to the unnamed road at the west of the site as well as the A6093.

SPG Special Landscape Areas

Representations received and proposed changes - None

LDP Action Programme

Representations received and proposed changes

Ref no.	Respondent	Consultation Response	Officer Comment	Summary of Proposed Change to Document
001/1	Cala Homes	The Action Programme must be a key document that feeds in to the Council's corporate/business plan and inform the Council's capital programme.	The Action Programme is a key document that will feed in to the Council's plans and programmes.	Emphasise this role of the Action Programme in its Introductory section.
001/2	Cala Homes	Clarity on funding should be provided in the Action Programme – i.e. if there is a requirement to front-fund infrastructure delivery then this is an action for the Council to lead on and deliver within an identified timescale.	Where requirements to front-fund infrastructure are agreed they should be clearly identified within the Action Programme. However, the Council would not always be responsible for delivering up-front infrastructure and other stakeholders, key agencies or even developers may be responsible to lead on this.	Currently no change to the Action Programme is required
001/3	Cala Homes	Delivery of infrastructure actions needs to reflect the progress in delivering housing and economic development land. It is essential that the Action Programme is regularly refreshed to reflect the most up to date Housing Land Audit. Infrastructure delivery needs to align with the housebuilders' construction programme to ensure necessary	Para 1.9 of the Action Programme confirms that the Programme will be a live working document and that it will be regularly reviewed and updated. The Action Programme reiterates that the implementation of the LDP housing land policies will	No change

		<p>infrastructure is provided at the right time to support delivery of the LDP's development strategy. An up to date and realistic Housing Land Audit is therefore a key priority.</p> <p>It is recommended that the Action Programme is reviewed annually against the up to date HLA.</p>	<p>involve regular monitoring through the Housing Land Audit, the Local Housing Strategy and the Strategic Housing Needs and Demand Assessment.</p>	
001/4	Cala Homes	<p>Timeous delivery of a number of school extensions, as well as new schools, is key to the delivery of the LDP's development strategy.</p> <p>Indicative timescales have been set out in the Planning Obligations SG but these are not included in the Action Programme</p> <p>It is the Action Programme, not the SG that will be used to inform the Council's Capital Programme – therefore to properly inform Council spending priorities, clear triggers and timescales for delivery of new education infrastructure must be identified in the Action Programme.</p>	<p>Agree that indicative timescales (Short, Medium, Long term) should be included within Priority Action 3 – Education Policy and Proposals.</p> <p>In terms of school extensions or new schools the most up-to-date Housing Land Audit would be used to inform the Council's capital programme.</p>	<p>Amend the Action Programme to include indicative timescales for school extensions/new school proposals and sport & leisure facilities.</p>
002/1	The Coal Authority	<p>The Coal Authority has no objections to the Action Programme as proposed.</p>	<p>Comments noted</p>	<p>No change</p>

003/1	Dunbar Community Council	DCC commented that sites known to be at risk of flooding should not be developed e.g. it was noted that in heavy rain the area opposite the Cala site (DR6) had become very flooded, particularly near the Caravan Park. It appears that the installed infrastructure does not cope well with heavy rain and surface water discharge.	These are specific design concerns that relate to the context of a completed site. The planning application process should be used to ensure that measures are put in place to avoid or mitigate any impacts of flooding.	No change
003/2	Dunbar Community Council	There should be consideration of active travel/green travel/public transport at the earliest point. This has not been the case in some recent developments e.g. social housing at the end of Brodie Road (DR1) has no public transport despite this being discussed at the Bus Forum. Robertson/Avant Homes (DR5) and the proposed Gladman site (DR12) have no public transport. A path from Robertson to Asda was blocked off by the farmer and needs to be rerouted. Access on foot from the Cala site to Dunbar Grammar involves crossing the road twice as there is no pavement between Beveridge Row and Brewery Lane.	Active travel/green travel/public transport are considered during the planning application process. Any specific design concerns related to the context of a site or a planning proposal should be brought up and considered through the planning application process.	No change

003/3	Dunbar Community Council	<p>Road infrastructure needs considerable upgrade due to new housing developments coming forward e.g. the Cala site (DR6) will increase traffic on Beveridge Row/Hospital Road. The junction to the A1 is inadequate.</p> <p>The Robertson/Gladman site (DR5 and DR12) will make use of the inadequate Cement Works junction where drivers will be in competition with the increased number of lorries going to the new Viridor ERF. It is essential that this area is improved.</p>	<p>A Draft Local Transport Strategy identifies that a local transport based micro-simulation model would be developed and used to predict traffic demand in the Dunbar area. The impacts of new development in Dunbar on the highways network need to be assessed in association with parking management, public transport connectivity, active travel and accessibility of the town centre. Whilst there are currently no identified requirements for improvements within this area, this may change as a result of monitoring traffic demand in the Dunbar area. If that is the case then appropriate interventions and mitigations will be identified and the review of the Action Programme should consider if any additional actions are required.</p>	No change
-------	--------------------------	--	---	-----------

003/4	Dunbar Community Council	<p>Developments must be refused if there is insufficient infrastructure such as the roads, transport, drainage and sewerage. The Cala site (DR6) and Robertson/Avant site (DR5 and DR12) have both had issues of sewage infrastructure. This will be an issue for the Gladman site.</p>	<p>Developments must be refused if they are not in compliance with the Development Plan or other material planning considerations.</p> <p>It should be noted that planning conditions imposed on a grant of planning permission can enable many development proposals to proceed where it would otherwise have been necessary to refuse planning permission. While the power to impose planning conditions is very wide, it needs to be exercised in a manner which is fair, reasonable and practicable. Planning conditions should only be imposed where they are:-</p> <ul style="list-style-type: none"> • necessary • relevant to planning • relevant to the development to be permitted • enforceable • precise 	No change
-------	--------------------------	---	---	-----------

			<ul style="list-style-type: none"> reasonable in all other respects. 	
003/5	Dunbar Community Council	Education contributions must be paid for all developments. It is noted that the developers of DR5 tried to have the educational component removed from the affordable element of their site.	Comments noted. These comments are made with regard to a specific planning application. Every application is dealt with on a case by case basis and in principle should be in conformity with the adopted ELLDP 2018 Policy DEL1 and the Developer Contributions Framework SG.	No change
003/6	Dunbar Community Council	<p>Comments on the implementation of the plan in our area.</p> <p>1) concerns about factoring arrangements based on poor local experience - planning agreements for greenspace and play areas in developments must be robust into the long term with quality equipment and lasting arrangements for their maintenance</p> <p>2) concerns about housebuilders site handover procedures when they vacate a site – there have been many issues to name a few such as the lack of name signs at some parts of the</p>	These comments relate to the implementation of approved developments. The comments are not applicable to the Action Programme and can be summarised as 1) concerns about factoring arrangements based on poor local experience; 2) concerns about housebuilders site handover procedures when they vacate a site and; 3) specific design concerns related to the context of a site.	No change

		neighbouring Taylor Wimpey site or the unprotected flooded SUDS pond at the Robertson site 3) specific design concerns related to the context of a site – developments often fail to achieve the objectives of policy DP1 that requires new developments to integrate with the existing landscape and townscape and respect vernacular styles. Some relevant examples include: large houses in an area that has many bungalows (DR5 and DR6).		
004/1	Historic Environment Scotland (HES)	HES recommend that the actions identified for the policies are reviewed, as some appear to refer to irrelevant supplementary planning guidance.	Comments noted and any references to irrelevant supplementary planning guidance will be the Action Programme will be check for accurateness.	Revise the Action Programme to refer to the most up-to-date titles of supplementary planning guidance.
004/2	HES	HES recommend that reference is added to the forthcoming supplementary planning guidance for battlefields, as this is referred to in the Local Development Plan.	It is accepted that the Proposed LDP confirms that in due course the Council will prepare supplementary planning guidance on Battlefields.	Revise the Action Programme to include a reference to supplementary planning guidance on Battlefields.
004/3	HES	HES welcome the undertaking to replace existing Conservation Area Character Statements with more	Comments noted	No change

		detailed appraisals and management plans.		
005/1	Scottish Natural Heritage (SNH)	SNH support the Actions for delivering outcomes from statutory and non-statutory guidance. In particular, the delivery of the Developer Contributions Framework and the Development Briefs are necessary to support the natural heritage aspects of development, including mitigation and enhancements for the benefit of people and nature.	Comments noted	No change
005/2	SNH	SNH welcome the activities needed to deliver the Segregated Active Travel Corridor, which is a key project to help modal shift, lower carbon emissions and allow people better opportunity to connect with the natural environment of East Lothian.	Comments noted	No change
005/3	SNH	Previously SNH highlighted the significance of change at Blindwells and the constraints and opportunities this represents in terms of natural heritage assets on and around the site. SNH consider that the range of issues is broader than those identified in the Action Programme and we would welcome a review of partners identified as working together for the	Comments noted. It is accepted that the key agencies such as SNH would be involved in the preparation of the Blindwells Development Area Design Framework	Amend text in column two for BW3 to indicate that joint working will be required from SNH or other key agencies when appropriate.

		development of the Blindwells Development Area Design Framework.		
005/4	SNH	PROP T12, PROP T13, PROP EGT1 and PROP EGT3 include actions relating to Habitats Regulations Appraisal (HRA). We recommend that we are included as partners in both of these Policies as our early input to the HRA will help to streamline the process.	It is considered that SNH will be required to provide their early input to the HRA on these proposals.	Amend the Action Programme to include SNH as partners on these projects.
005/5	SNH	It's unclear why SNH is included in Policies NH9 and NH11. SNH have an interest in the water environment where it supports delivery of their remit, SEPA are the lead agency for WFD and WEWS and related policy requirements.	Whilst it is accepted that SEPA are the lead agency for WFD and WEWS, it is also noted that the River Basin Management Plan 2015-2027 identifies SNH as the overall lead co-ordinating organisation for preventing the spread of invasive non-native species. Therefore it is considered that SNH should still be included as a partner organisation joint working towards the implementation of policy NH9. However, it is accepted that SHN's remit does not directly overlap with the objectives of Policy NH11.	No change is required with regard to Policy NH9 Remove SNH from the 'lead & joint working' column of the Action Programme in respect of Policy NH11.

005/6	SNH	<p>It is unclear why SNH is included against Policies CH8 and CH9. The summary of policy content does not highlight issues that would be relevant to SNH remit or that would be considered of national importance in terms of their remit.</p>	<p>It is accepted that SHN's remit does not directly overlap with the objectives of Policy CH8.</p> <p>Policy CH9 includes actions relating to Habitats Regulations Appraisal (HRA) and therefore early input from SNH to the HRA will help to streamline the process and implementation of the policy.</p>	<p>Remove SNH from the 'lead & joint working' column of the Action Programme in respect of Policy CH8.</p> <p>No change is required with regard to Policy CH9</p>
005/7	SNH	<p>Aligning the monitoring of the Action Programme to the requirement to monitor the LDP is a pragmatic approach. However, as set out at paragraph 1.11, the Action Programme will also be subject to its own monitoring and review process that will occur more frequently than review of the LDP. SNH recommend that this is made clearer in Section 4.</p>	<p>Comments noted and accepted.</p>	<p>Amend the Action Programme Section 4 by adding text to clarify that the Action Programme will be subject to its own monitoring and review process that will occur more frequently than review of the LDP.</p>
005/8	SNH	<p>It is not clear how Priority Actions are those that "must be implemented in the short term" as they are shown with short, medium and long timescales.</p> <p>On that basis, it is unclear how actions have been assigned to different tables,</p>	<p>SNH are correct that Priority Actions are not only those that "must be implemented in the short term" as they are shown with mostly short and medium timescales.</p>	<p>Amend paragraph 1.13 of the Action Programme to clarify that Priority Actions include mostly actions that must be implemented in the short to medium term.</p>

		<p>particularly as several transport actions are essential to timely delivery of the LDP. There is also overlap between these tables in places, adding further confusion on how these tables should be read alongside each other. The difference in format between the Priority Actions and Guidance Actions is also somewhat confusing and we find the RAG rating used for Priority Actions much clearer than the format used for Guidance Actions.</p>	<p>It is accepted that there is some overlap in parts of the Action Programme e.g. between Guidance Action 2 Local Plan Policies & Proposals and Priority Action 2: Major Infrastructure Projects. This is because the former contains all policies and proposals of the LDP.</p>	
006/1	Scottish Water	<p>The Action Programme has been reviewed and we do not have any comments to offer as the information contained within the document is satisfactory.</p>	<p>Comments noted</p>	<p>No change</p>
007/1	Transport Scotland (SESTRA)	<p>PROP17 A1 Interchange Improvements on page 16 outlines <i>“relevant proposals required to provide, or contribute towards, improvements at Salter’s Road, Bankton Interchange and Dolphinstone Interchange”</i>. However, this does not accurately detail that the Council will be funding and delivering the improvements to Dolphinstone Interchange. This was discussed previously and reinforced through the</p>	<p>It is accepted that the Council will be funding and delivering the improvements to Dolphinstone Interchange and for clarity the Action Programme should distinguish between the Council funding Dolphinstone Interchange and developers funding improvements at Bankton and Salter’s Road.</p>	<p>Amend the text of the Action Programme with regard to PROP17 A1 Interchange Improvements on page 16 to distinguish between the Council funding Dolphinstone Interchange and developers funding improvements at Bankton and Salter’s Road</p>

		<p>draft Developer Contributions Framework Supplementary Guidance which does not include a Contribution Zone for Dolphinstone however there are Zones for Salters's Road and Bankton.</p> <p>This action should be amended to include wording to this effect, as the Action Programme does not distinguish between the Council funding Dolphinstone and developers funding improvements at Bankton and Salter's Road. This ambiguity is reinforced with a cost provided for each junction improvement and that proposals "<i>must be in accordance with Policy T32</i>" which is the Transport Infrastructure Fund.</p>		
008/1	Scottish Environment Protection Agency (SEPA)	As with education, the Action Programme needs to consider in detail the need to work in partnership with Scottish Water to ensure there is a Scottish Water connection or a secure potential for upgrades or new connection to serve new sites and new development. SEPA is concerned about the impacts on ground and surface water from a proliferation of private arrangements for foul	Whilst it is accepted that SEPA Guidance Note 8 confirms there is a presumption of connection to public foul sewer where developments are within or adjacent to public sewered areas. However, Guidance Note 8 also confirms that outwith sewered areas, the principle of private foul	No change

		<p>discharge: this is of particular concern in areas where homes and businesses are dependent on water for drinking and other domestic and business uses on private water supplies, i.e. those drawn locally from the same ground water that is at risk of pollution from a proliferation of private arrangements for sewage.</p>	<p>drainage systems are generally acceptable. The Council will work in partnership with Scottish Water on specific planning proposals to determine the most appropriate solutions for foul discharge.</p>	
008/2	SEPA	<p>Non Statutory Guidance – Development Briefs Supplement Planning Guidance: Policies DP9</p> <p>SEPA would be happy to jointly work with ELC to identify specific environment considerations for the development of the sites referenced in the AP. SEPA have encountered difficulties in the planning application process with a number of sites referenced under this section with regards to environmental information submissions and site layouts. SEPA consider that taking a more co-ordinated and informed approach with ELC through the Development Briefs would overcome this issue allowing for the delivery of a clear and consistent development plan.</p>	<p>Comments noted and it is considered that a more co-ordinated and informed approach promoted by the Development Briefs would overcome this issue.</p>	No change

008/3	SEPA	<p>Guidance Action 1: Blindwells Development Area Design Framework: Policy BW3</p> <p>Due to the complexity of the environmental issues on the Blindwells site SEPA would be happy to work jointly with ELC as part of the Development Area Design Framework to assist in the delivery of a consistent design framework for the future development of the site.</p>	<p>Comments noted. It is accepted that the key agencies such as SEPA, would be involved in the preparation of the Blindwells Development Area Design Framework.</p>	<p>Amend text in column two for BW3 to indicate that joint working will be required from SEPA or other key agencies when appropriate.</p>
008/4	SEPA	<p>Guidance Action 1: Green Network Strategy SPG and Policy DC10</p> <p>SEPA would welcome their inclusion in the list of lead and joint working column for Green Network Strategy. This is on the basis that Green Network also includes Blue Network and therefore links to River Basin Management Plan (RBMP).</p>	<p>It is accepted that SEPA should be included in the list of lead and joint working column for Green Network Strategy.</p>	<p>Amend text in column two for DC10 (p37) to indicate that joint working will be required from SEPA.</p>
008/5	SEPA	<p>Guidance Action 2: Energy Generation, Distribution and Transmission, Policy SEH1 Sustainable Energy and Heat</p> <p>SEPA would welcome their inclusion in the list of lead and joint working column for Sustainable Energy and</p>	<p>It is accepted that SEPA should be included in the list of lead and joint working column for Energy Generation, Distribution and Transmission, Policy SEH1 Sustainable Energy and Heat</p>	<p>Amend text in column four for Policy SEH1 (p59) to indicate that joint working will be required from SEPA</p>

		Heat.		
008/6	SEPA	<p>Guidance Action 2: Policy NH9: Water Environment</p> <p>SEPA welcome their inclusion the lead and joint working column to continue working together towards the attainment of the prerogatives of the policy.</p>	Comments noted	No change
008/7	SEPA	<p>Guidance Action 2: Policy NH10: Sustainable Drainage Systems</p> <p>SEPA welcome their inclusion in the lead and joint working column to continue working together towards the attainment of the prerogatives of the policy.</p>	Comments noted	No change
008/8	SEPA	<p>Guidance Action 2: Policy NH11: Flood Risk</p> <p>SEPA welcome their inclusion in the lead and joint working column to continue working together towards the attainment of the prerogatives of the policy.</p>	Comments noted	No change
008/9	SEPA	<p>Guidance Action 2: Policy HN12: Air Quality</p> <p>SEPA note that there is an error the third bullet point in the actions column</p>	It is accepted that the policy should be referred to as NH12 and not HN12. Also, the third bullet point wrongly	Amend text in column one to refer to policy NH12. In column three in the third bullet point delete "flood risk" and replace with "air quality".

		which should reference Air Quality rather than Flood Risk. The Policy also references Policy HN12 rather than Policy NH12.	refers to flood risk instead of air quality.	
	<p>Additional Changes: These changes are not made as a result of representations received but have either been noticed as a minor omission, error, or update a situation that no longer applies as explained below.</p>			
		The last sentence in para 2.4 that refers to Appendix A is not relevant.	Appendix A was not included within the consultative draft Action Programme. Any relevant additional information previously included within Appendix A of the 2016 draft Action Programme was incorporated into the current consultative draft Action Programme.	Delete the last sentence in para 2.4. Also delete any references to Appendix A within the Action Programme.

