

REPORT TO: Planning Committee

MEETING DATE: Wednesday 26 June 2019

BY: Depute Chief Executive
(Partnerships and Community Services)

SUBJECT: Application for Planning Permission for Consideration

Application No. **18/01038/AMM**

Proposal Approval of matters specified in conditions of planning permission in principal 16/00485/PPM - Erection of 47 houses, 12 flats and associated works

Location **Longniddry Farm
Longniddry
East Lothian
EH32 0NZ**

Applicant Zero C

Per APT Planning and Development Ltd

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

Although this application is for the approval of matters specified in conditions of planning permission in principle 16/00485/PPM it has to be determined as a major development type application because the area of the application site is greater than 2 hectares and the number of dwellings detailed is greater than 49. Accordingly the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

On 26 June 2018 planning permission in principle (Ref: 16/00485/PPM) was granted for residential development with associated greenspace, access and engineering works on some 30.7 hectares of predominantly agricultural land on the south side of the main east coast railway line at Longniddry. The site included Longniddry Farmhouse and Longniddry Farm Steadings along with other agricultural buildings. The Farm Steadings and Farmhouse are both listed as being of special architectural or historic interest, Category B. Nos. 3-6 Longniddry Farm Cottages, which are located within the northern part of the application site, are also listed as being of special architectural or historic interest, Category C. The land of the application site also includes the northern end of the Coal Road (the classified B6363 public road), Longniddry Main Street, the roundabout junction immediately to the northwest of Longniddry Railway Station and an area of land

immediately to the east of the Railway Station car park. The Braid Burn bisects the site roughly centrally on a north-south alignment.

In May 2017, planning application 17/00194/P and listed building consent application 17/00178/LBC were registered, respectively for, the conversion of the agricultural buildings/land at Longniddry Farm Steading to be used for Class 2, Class 3, Class 4, Class 10, holiday let (sui generis) uses, for the erection of a covered canopy for Class 3 use and for associated works, and for the alterations and extension to the Steading buildings to facilitate the change of use, the formation of hardstanding areas, and the demolition of a building and walls. Planning application 17/00194/P and listed building consent application 17/00178/LBC are pending consideration and no decisions have yet been taken on them.

The approval of matters specified in conditions is now sought for the erection of 47 houses, 12 flats and associated works on an area of land measuring some 5.13 hectares to the south side of the main east coast railway line at Longniddry and thus on part of the larger site to which planning permission in principle 16/00485/PPM and the masterplan docketed to that permission apply. The associated works include the formation of roads, footpath and parking areas, the formation of SuDS, the erection of boundary enclosures, flood mitigation measures relating to the Braid and Cadger Burns, and hard and soft landscaping.

The application site comprises the proposed 47 houses and 12 flats, along with land of the larger site to which planning permission in principle 16/00485/PPM applies that would comprise access roads, public open space, SuDS and the Braid Burn corridor.

The site that is the subject of planning permission in principle 16/00485/PPM is allocated for mixed use development of circa 450 houses by Proposal PS1 (Longniddry South) of the adopted East Lothian Local Development Plan 2018. A design brief for the site was approved by the Council in October 2018.

This application is one of three approval of matters specified in conditions applications (Refs: 18/01034/AMM, 18/01038/AMM and 18/01048/AMM), each submitted by a different applicant, that together relate to an area of land measuring some 11.6 hectares that comprises roughly the western part of the larger site to which planning permission in principle 16/00485/PPM applies, and which is located to the west of the Braid Burn, excluding Longniddry Farm Steadings.

The land of the application site consists of agricultural fields and a paddock, and rises gently from north to south. There is an existing line of trees outwith the application site to the northwest adjacent to the Coal Road. There are further trees on the northern part of the site and on the eastern part of the site adjacent to Longniddry Farmhouse.

The site is bounded to the north by a combination of the main east coast railway line, the residential properties of Nos. 7-8 Longniddry Farm Cottages and further land of the larger site to which planning permission in principle 16/00485/PPM applies, to the west by a combination of the classified B6363 public road (Coal Road) and further land of the larger site to which planning permission in principle 16/00485/PPM applies, to the south by further land to which planning permission in principle 16/00485/PPM applies and agricultural land, and to the east by a combination of Longniddry Farm Steadings and Longniddry Farmhouse, Nos. 3-6 Longniddry Farm Cottages and further land to which planning permission in principle 16/00485/PPM applies.

The Braid Burn runs along the eastern part of the site on a north-south alignment and the Cadger Burn runs along the western part of the site on a north-south alignment. The

eastern and western parts of the application site are thus identified on the Scottish Environmental Protection Agency flood risk maps as being at risk from flooding.

Parts of the Braid Burn corridor are identified as being of biodiversity interest.

Vehicular access to the 59 residential units would be taken from the classified B6363 public road (Coal Road) via a new access junction and road. The new access junction would serve a new road that would form the principal street/spine road for the development the subject of planning permission in principle 16/00485/PPM from which secondary streets would be accessed. None of the proposed 59 residential units would individually be directly accessed from the classified B6363 public road (Coal Road).

All of the 47 houses and 12 flats the subject of this application would be for private sale. In terms of their size, the proposed houses and flats would comprise a mix of 2-bed flats, 2-bed houses, 3-bed houses and 4-bed houses. The mix of property types would be: 6 x 2-bed flats, 6 x 2-bed flats above garages (i.e. coach house flats), 5 x 2-bed houses, 28 x 3-bed houses and 14 x 4-bed houses. Six of the 2-bed flats would be accommodated in a detached 3-storey building. Each of the remaining six 2-bed flats would be accommodated primarily in the first floor of two storey buildings that would accommodate garages at ground floor level. There would be two single storey houses (bungalows). One would be detached and the other would form the end of a row of 4 houses. There would be 3 no detached one and a half storey houses. The remaining 42 houses would all be 2-storey in height and would be either detached, semi-detached or terraced. Terraces would vary between 3 and 6 houses in length. The majority of the proposed houses and flatted buildings would face towards the principal roads of the proposed development however some, including the flats above garages, one of the single storey bungalows and all of the detached one and a half storey houses would directly face onto the back lanes/courts. Some of the houses on the eastern part of the site would face towards a pedestrian/cycle path with vehicular access to their rear only. All of the houses would be provided with garden ground. With the exception of plots 41 to 44, which would face towards the Coal Road and would have longer front gardens, the majority of the proposed houses would have short front gardens to the public streets.

The submitted details also include for the internal access roads, parking courts, boundary treatments, landscaping, areas of open space and SuDS.

Vehicular, pedestrian and cycle access to the houses and flats would be taken by way of a new access junction and road network from the classified B6363 Coal Road. Thereafter, vehicular access, pedestrian and cycle access to the houses and flats would be taken from the new roads to be created through the site. A new principal street/spine road (Road B) with a junction with the B6363 Coal Road would be formed to the south of the proposed housing development. A further new one-way road (Road A), that is part of planning application 18/01034/AMM, would be formed to the north of the proposed housing development. The housing development would be split into two main blocks by the formation of a further road (Road C) on a north-south alignment. Smaller back lanes (Roads D and E) and footpaths in each of the two blocks would further subdivide the housing into smaller groupings. The majority of the private car parking associated with the proposed houses and flats would be located to the rear of the houses and flats and would be accessed from the back lanes/courts. The exception to this would be plots 46, 53 and 75, which would each have a driveway to the side of the house. Visitor parking would primarily be provided on-street on Roads B and C. Cycle parking for the flatted building comprising plots 76-81 would be provided in a secure building at a rate of 1 space per flat.

The majority of the trees on the northern and eastern parts of the site, adjacent to Longniddry Farmhouse and Steadings and 3-6 Longniddry Farm Cottages would be

retained. An area of open space ('village green') would be formed on the northern part of the site to the north of Longniddry Farmhouse and Steadings. A further strip of open space would be located on the western edge of the proposed housing development adjacent to the B6363 Coal Road and the Cadger Burn. The Braid Burn corridor on the eastern part of the site would create a further area of open space. Landscaping works, including the planting of new trees, would be carried out on the 'village green' area of open space on the northern part of the site and on the western area of open space and along the Braid Burn corridor. Further trees would be planted along the sides of the new roads and back lanes and within the gardens of some of the proposed houses/flats.

Subsequent to the registration of this application, further drawings have been submitted showing revisions to:

- a) the site layout including changes to the position of plot 98 and the garages of plots 70 and 71;
- b) the positions of projecting components and windows of a number of the houses;
- c) the SuDS and the engineering works at the Braid Burn corridor;
- d) at the request of the Council's Landscape Officer an amended Tree Survey and Arboricultural Constraints report (dated January 2019) has been submitted; and
- e) an amended Flood Risk Assessment (updated April 2019 Version 4) has been submitted.

The following documents have been submitted in support of the application:

- Planning and Design Statement (September 2018);
- Noise Assessment of Proposed Residential development report (Project number EDI_1120, dated 21/9/2018);
- Home Owner's Travel Pack;
- Flood Risk Assessment (Updated, April 2019 Version 4);
- SuDS and Drainage Statement (revision A 24/9/18);
- Stage 2 Road Safety Audit (SPA Ref No. 4936, Rev O, September 2018);
- Archaeological Evaluation Written Scheme of Investigation (AOC Project No. 24398, dated 6th August 2018);
- Phase II Geo-Environmental & Geotechnical Interpretative Report; and
- Tree Survey and Arboricultural Constraints report.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Development Plan 2018.

There are no relevant policies of the approved South East Scotland Strategic Development Plan (SESplan).

Proposal PS1 (Longniddry South) and Policies HOU1 (Established Housing Land), HOU3 (Affordable Housing Quota), HOU4 (Affordable Housing Tenure Mix), OS3 (Minimum Open Space Standard for New General Needs Housing Development), OS4 (Play Space Provision in new General Needs Housing Development), T1 (Development Location and Accessibility), T2 (General Transport Impact), W3 (Waste Separation and Collection), NH3 (Protection of Local Sites and Areas), NH8 (Trees and Development), NH10 (Sustainable Drainage Systems), NH11 (Flood Risk), CH1 (Listed Buildings), DP1 (Landscape Character), DP2 (Design), DP3 (Housing Density), and DP9 (Development Briefs) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of this application.

Material to the determination of the application are Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Scottish Government's policy on development affecting a listed building or its setting given in Scottish Planning Policy: June 2014.

Scottish Planning Policy echoes the statutory requirements of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 that in considering whether to grant planning permission for development which affects a listed building or its setting a planning authority shall have special regard to the desirability of preserving and enhancing the building, its setting and any features of special architectural or historic interest which it possesses.

Also material are national policy and guidance documents including Scottish Planning Policy: June 2014 (SPP), and Planning Advice Note 67: Housing Quality, Designing Streets and Designing Places.

Planning Advice Note 67 explains how Designing Places should be applied to new housing. In PAN 67, it is stated that the planning process has an essential role to play in ensuring that: (i) the design of new housing reflects a full understanding of its context - in terms of both its physical location and market conditions, (ii) the design of new housing reinforces local and Scottish identity, and (iii) new housing is integrated into the movement and settlement patterns of the wider area. The creation of good places requires careful attention to detailed aspects of layout and movement. Developers should think about the qualities and the characteristics of places and not consider sites in isolation. New housing should take account of the wider context and be integrated into its wider neighbourhood. The quality of development can be spoilt by poor attention to detail. The development of a quality place requires careful consideration, not only to setting and layout and its setting but also to detailed design, including finishes and materials. The development should reflect its setting, reflecting local forms of building and materials. The aim should be to have houses looking different without detracting from any sense of unity and coherence for the development or the wider neighbourhood.

Also material to the determination of the application is the development brief for allocated site PS1: Longniddry South set out in the Development Briefs Supplementary Planning Guidance 2018 and the approved masterplan for the site as approved by the grant of planning permission in principle 16/00485/PPM. The development brief sets out the land uses expected for the allocated site and how the Council requires the site to be developed.

Two public representations to this application has been received. Both of the representations raise objections to the proposed development and the grounds of objection as summarised are:

1. the proposals would result in the loss of top grade agricultural land that should be kept for farming;
2. there are already too many houses being built in the area and the infrastructure (roads, railway) is not there to support this;
3. the houses are too close together, with too few green areas;
4. inadequate parking provision;
5. the houses would not be the style of housing that is required in the village for older people and first time buyers;

6. access to the village by car via the Lorne Bridge is difficult and there will be congestion on the Coal Road;
7. pedestrian access via the Argyle Bridge is not shown on these plans;
8. the Braid burn should not be altered as it supports a lot of wildlife and there doesn't seem to be any purpose to altering its course;
9. the development will result in pollution from idling cars, and light pollution from all these additional properties resulting in detrimental impacts on the community and wildlife;
10. the development would not satisfy affordable housing requirements; and
11. the proposals will irreversibly change Longniddry for the worse with what was once a close knit community forced into another faceless, charmless town of dull uninspiring architecture to attract city workers.

Longniddry Community Council, a consultee, object to the proposals. Their grounds of objection as summarised include:

- i. there is no indication in the application when the traffic lighted junction improvements and enhanced pedestrian link under the railway bridge (Lorne Bridge) at the junction of the B6363 (Coal Road) and the A198 would be provided, and these should be provided before any of the houses are occupied;
- ii. there is no indication in the application when the enhanced pedestrian link under the Argyle Bridge would be provided, or how the residents of the different application sites (18/01034/AMM, 18/01038/AMM and 18/01048/AMM) would access that improved pedestrian link as the different areas of housing are developed and including the development of Longniddry Farm Steadings;
- iii. there should be a safe walking route for occupiers of the new houses and all footpaths should be in place before occupancy of the first house;
- iv. development of the Longniddry Farm Steading buildings should be considered in conjunction with these housing developments (18/01034/AMM, 18/01038/AMM and 18/01048/AMM) and should be developed timeously so that it does not become a derelict site amongst the housing;
- v. the Home Owner's Travel Pack promotes the benefits of walking and cycling but does not include any walking or cycling routes from the development to Longniddry village;
- vi. lack of footpath link to the railway station;
- vii. new infrastructure (pedestrian and cycle routes) should be provided as soon as the first house is occupied in order to facilitate easy walking and cycling to local facilities;
- viii. a zebra crossing should be provided to replace the relocated existing Pelican crossing as a number of people are likely to wish to cross the road at this location adjacent to the dentist, podiatrist, bus stop and garage rather than at the Argyle Bridge;
- ix. concerns remain that traffic flow through Main Street will increase greatly as a result of new housing that is being built in many of the coastal villages, and this along with the road works through Longniddry will undoubtedly cause delays and encourage drivers to create 'rat runs' through the minor roads of the Village, resulting in danger to pedestrians

including school children;

x. the removal of the controlled crossing close to Links Road on the A198 will result in difficulty for traffic exiting from Links Road onto the A198, and this along with indiscriminate parking and deliveries to the Co-op store could lead to road safety hazards at this location;

xi. the traffic light controlled junction at the B6363 and A198 should be in place prior to the occupation of the houses;

xii. the proposed affordable housing for people 60 years and over is located in the wrong place and the housing should be changed to social housing as the pedestrian access would involve steps which would not be conducive for older people;

xiii. will street lighting be installed on the Coal Road and under the Argyle Bridge and along the pathways?;

xiv. the large trees along the east side of the Coal Road should be retained;

xv. if the main east coast railway line is upgraded to 4 tracks how would this impact on the development;

xvi. bridge protection should be fitted at the bridge under the railway line to prevent large vehicles from damaging the railway line;

xvii. the pond close to the children's play park would be a hazard and should be relocated;

xviii. would the houses be fitted with solar panels and will electric charging points be installed?;

xix. the Home Owner's Travel Pack describes Longniddry Railway Station as having seating areas, waiting room, wheelchair access and impaired mobility set-down, when in reality it only has 'perching' seating in a cold and draughty shelter and wheelchair access and impaired mobility set-down are extremely poor to the platform that facilitates travel to Edinburgh;

xx. who will be responsible for maintenance of the ponds, green areas and play areas?;

xxi. concerns about existing drainage systems being able to cope with additional usage;

xxii. there are concerns about the durability of resin bonded gravel for the footpath surfaces; and

xxiii. will measures be put in place to prevent motor cycles and motorised vehicles being able to access the footpath under the Argyle Bridge?

The affordable housing for people 60 years and over is not part of this application for matters specified in conditions but rather is the subject of planning application 18/01034/AMM and stands to be considered through the assessment of that application. Thus, the matter of the positioning of the affordable housing for people 60 years and over is not a material consideration in the determination of this application for matters specified in conditions.

The matter of the provision of street lighting along the part of the Coal Road commensurate with the length of the site and throughout the site is embodied in condition

19 of planning permission in principle 16/00485/PPM, which requires that prior to the occupation of any of the development street lighting shall be provided within the application site and other the full extent of the proposed 30mph speed limit on the B6363 from the existing lighting at the junction with the A198 to a point beyond the proposed southern site access.

The requirement for a financial contribution towards road improvements/alterations on Main Street and the Coal Road for the proposed housing development are embodied in the Section 75 planning obligation of planning permission in principle 16/00485/PPM.

Due to being in close proximity to the main east coast railway line, Network Rail have been consulted on the application. Network Rail advise that they raise no objection in principle to the proposed development but advise that construction works should be undertaken in a safe manner which does not disturb the operation of the neighbouring railway, and that details of any changes in ground levels, laying of foundations and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing. This information has been passed in an email to the applicant's agent. Network Rail do not raise any concerns that the proposed development could prejudice any future development of the adjacent railway.

By the grant of planning permission in principle 16/00485/PPM, approval has been given for the principle of the erection of a total of 450 houses on the larger site at Longniddry South, including the land of the current application site, following technical assessments which demonstrated that local and wider infrastructure, subject to financial contributions and conditions, can accommodate such level of development. There can therefore be no objection in principle to the erection of the 47 houses and 12 flats now proposed on this particular part of that larger site.

Although concerns have been raised about the loss of prime agricultural land through the use of the site for housing development, the principle of the use of this site for housing development is established through the grant of planning permission in principle 16/00485/PPM and the use of an allocated housing site for new homes should not be in question.

Therefore, in the determination of this application the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the development, the landscaping of and means of access to the site and the means of any enclosure of the boundaries of the site. In this regard, the detailed proposals have to be considered against relevant development plan policy and conditions attached to planning permission in principle 16/00485/PPM.

Policy DP3 of the adopted East Lothian Local Development Plan 2018 states that all new housing sites will be expected to achieve a minimum average density of 30 dwellings per hectare (net) using a full range of housing types and sizes.

The proposal would not achieve a minimum average density of 30 dwellings per hectare and, as such, does not comply with Policy DP3. However, that is partly because the site includes land proposed for access roads, public open space, SuDS and the Braid Burn corridor, all of which would serve not just the proposed 59 units but all of the larger housing development the subject of planning permission in principle 16/00485/PPM. Moreover, the density and layout of the proposed development is generally consistent with the density, layout and mix of house types approved in the indicative masterplan of planning permission in principle 16/00485/PPM and accords with the number of residential units indicated in the development brief for PS1.

Designing Streets states that new housing development should create distinctive, safe and pleasant, welcoming, adaptable places that are easy to move around and resource efficient. Street layouts should be hierarchical, permeable and interconnected and should complement and should extend the surrounding street pattern. Such layouts spread vehicle traffic evenly through a site and to the surroundings, help prevent localised traffic congestion, and encourage walking and cycling. Proposed street layouts must maximise connections within the site and to surrounding streets, and ensure the movement requirements of the development strategy are met. By the design and arrangement of street types, street layouts must influence vehicle drivers preferred route choice to ensure the tertiary streets between residential blocks are less busy. It is further stated that Home Zones should be introduced to new development as part of a hierarchical, permeable and interconnected street layout.

A design brief has been adopted for allocated site PS1 (Longniddry South). The area of the current application, some 5.13 hectares, comprises approximately 17% of the whole PS1 (Longniddry South) allocation, which has an area of some 30.7 hectares.

The details now submitted for approval are for a scheme of development comprising a mix of detached, semi-detached, and terraced houses and for flats consisting of a single flatted building and above garage flats (i.e. coach house flats). Houses would be single, one and a half and two storeys in height and flatted buildings would be two or three storeys in height. The total number of units proposed accords generally with the planning permission in principle granted for this part of the site. All of the 47 houses and 12 flats the subject of this application would be for private sale and the mix of residential units includes a range of sizes and types, including flatted buildings and single storey houses.

The proposed residential development would be part of the first housing phase of the western part of the wider Longniddry South development, which would form an extension to the southern edge of Longniddry. The proposed housing area would be located to the south of the main east coast railway line and would be seen in relation to this and the existing built form of the housing beyond the railway line further to the north, and eventually it would be seen in relation to other parts of the new housing development immediately to the south and east of the application site, which is not yet under construction. In all of this, the proposed residential development would be sympathetic to and would not be out of keeping with the character of the settlement and local area.

The majority of the proposed houses and flatted buildings would face towards the principal roads of the proposed development however some, including the flats above garages, one of the single storey bungalows and all of the detached one and a half storey houses would directly face onto the back lanes/courts. Some of the houses on the eastern part of the site would face towards a pedestrian/cycle path with vehicular access only to their rear. All of the houses would be provided with garden ground. With the exception of plots 41 to 44, which would have longer front gardens, the majority of the proposed houses would have short front gardens to the public street.

The varying heights of the proposed houses and flatted buildings and an articulation of the building lines of their front elevations with the public roads and footpaths they would face towards would add interest to the streetscape. Gables at junctions would include windows to allow for passive overlooking not just from primary elevations. Due to the changes in levels over the site from north to south, terraces of houses would have stepped rooflines adding further detail and breaking up their massing. The 3-storey flatted building located at the eastern end of the principal street/spine road (Road B) would be a focal building at a prominent location overlooking the Braid Burn corridor and Mill Pond area adding further interest to the streetscape. This building along with the single and 2-storey houses would add proportionate variety to the heights of the proposed housing development and would

punctuate the views into and out from the eastern side of this part of the larger housing development the subject of planning permission 16/00485/PPM, whilst also addressing the open space of the Braid Burn corridor.

Parking for the proposed houses and flatted buildings would be primarily located to the rear of the houses and flats and would be accessed from the back lanes/courts. Road widths would be narrowed with on-street visitor parking and traffic calming measures, and the back lanes/courts would be short in length with widths narrowing. All of this would encourage lower vehicle speeds on primary streets and in back lanes/courts. In all of this the proposed housing development would provide an attractive street setting which would not be dominated by parking.

In the design principles of the street layout, the proposals generally respond to the requirements of Designing Streets. The houses and flatted buildings and associated areas of ground, in their proposed grouping, orientations, and layout would be generally consistent with the principles of 'Home Zones' as set out in Scottish Government's policy statement entitled "Designing Streets". The proposed layout of roads, pathways and parking spaces would also generally be consistent with those principles.

When viewed alongside the other housing developments the subject of planning applications 18/01034/AMM and 18/01048/AMM, the proposed permeable street pattern, road and pedestrian/cycle accesses and open spaces would create a distinctive yet attractive urban expansion of Longniddry that would have due regard to the existing built form of the settlement on the northern side of the main east coast railway line. The proposed layout is broadly consistent with the pattern, layout and density of development of the approved masterplan drawing of planning permission in principle 16/00485/PPM and also is sufficiently in accordance with the development brief for PS1 (Longniddry South). In this the proposal is also consistent with Policy DP9 of the adopted East Lothian Local Development Plan 2018.

The range of houses and flats proposed and the variations in their heights as a result of both hierarchical design, rising from single storey to three storey and subtle differences in floor to ceiling heights, and accommodating the change in ground levels across the site from north to south, would give a variation of architectural form to the development, which coupled with the orientation and layout of the buildings, would give a degree of variety of appearance to the development, and would add interest and detail to views of the proposed development. The architecture of the proposed houses and flatted buildings is of a traditional pitched roof form that is reflective of arts and crafts character and the East Lothian Garden City architectural style that can be seen in other buildings of Longniddry. Details and styles vary from simpler houses to those with a more imposing stature within the streetscape. Architectural details include steeply pitched, hipped and gabled roofs, simple unaltered roof slopes, asymmetrical gables, sprocketed eaves, pitched roof dormers, entrance porches, white painted timber framed windows, a variety of multi-paned astragalled windows, window and door surrounds, and simple chimneys with multiple chimneypots. All of these design features add detail and interest to the proposed buildings using a simple arts and crafts language. Further variation and detail would be added to the external appearance of the proposed houses and flats through the colour of their external walls, window bands, doors, garage doors, and rainwater goods/downpipes.

The finish of the external walls of the majority of the proposed houses and flatted buildings would be a coloured wet dash render and their roofs would be clad with either natural slates or natural clay pantiles. The exception to this would be the house on plot 86, which would have a natural stone finish to its front elevation only. Plot 86 is located on the eastern side of the development the subject of this application facing eastwards towards the Mill Pond area of Longniddry Steading. It would be a focal building roughly halfway

along the eastern streetscape of the proposed housing development and its stone frontage would add interest and detail to the streetscape. The frames, and where relevant astragals, of the windows of the proposed houses and flats would be of white painted timber construction and external doors would be of painted timber construction. House plots 40 to 45 would face towards the B6363 Coal Road and would be the most publicly viewed plots of the proposed development, being readily visible in the southern approach to the Lorne Bridge and the rest of Longniddry. The houses on plots 40 to 44 would each have white coloured rendered walls and a natural clay pantile roof finish. The house on plot 45 would have 'polar white' coloured rendered walls and a natural slate roof finish. The colour palette of these houses when seen alongside the white coloured render and slate roofs of the flatted buildings the subject of planning application 18/01034/AMM would result in a homogeneity of colour along the Coal Road. As this is the most publicly visible part of the proposed development, it would be preferred if there was more variety in the palette of render colours for these house plots.

Otherwise, the palette of external finishes and colours for the proposed 47 houses and 12 flats would be in keeping with the distinctive arts and crafts architectural style, character and integrity of the proposed development and with the architectural style and character of the existing houses and buildings of parts of Longniddry. A condition can be imposed on a grant of approval of matters specified in conditions for the proposed development, including for plots 40 to 45, to address the matter of external finishes and colours.

The appearance of the proposed houses and flats and the narrower and more organic layout of the streets results in a distinctive local character to the proposed development that would be both reflective of the arts and crafts character of some of the houses and buildings of Longniddry and would also be distinct in its own design, character and integrity, and is also reflected in the proposals the subject of planning applications 18/01034/AMM and 18/01048/AMM, which together with this application (Ref: 18/01038/AMM) form the western part of the wider site of planning permission in principle 16/00485/PPM. The lower density and narrower street widths, with many houses having only short front gardens, and the inclusion of housing in the back lanes/courts creates a feeling of a more local scale development that has a more organic character and encourages social interaction.

The Planning and Design Statement indicates that solar panels/photovoltaic panels are proposed to be installed on the roofs of the houses and flatted buildings and that those solar/photovoltaic panels would be integrated into the roof finish and located to rear elevations or outbuildings wherever possible to reduce visual impact. Drawing no. A-102 Rev B (roof material) provides indicative details of the positioning of the solar panels/photovoltaic panels. In the majority of cases, the proposed solar panels/photovoltaic panels are shown to be located on the rear elevations of houses or outbuildings and would be visible primarily from the back lanes/courts (Roads D and E). However, there are instances where the proposed solar panels/photovoltaic panels are shown to be located on the front (principal) or side elevations of the houses and thus would be readily visible in public views in the streetscape from the primary street/Spine Road (Road B) or secondary street (Road C). No details of the position, size, form, appearance or means of fitting of the solar panels/photovoltaic panels on the houses and flatted buildings has been provided.

If positioned on the rear facing roof slopes of the proposed houses and flatted buildings or on the less public side elevation roof slopes of the proposed house and flatted buildings, or on the less public roof slopes of outbuildings, the proposed solar/photovoltaic panels would not be readily visible in public views and subject to them not being an overdevelopment of the roof slope they were installed on, and if integrally fitted into the roof finish, they would be unlikely to appear harmfully dominant on the roof slopes and thus

would not be harmful to the character and appearance of the development or of the area.

However, if positioned on the front (principal) roof slopes or side elevation roof slopes fronting a road of the proposed houses and flatted buildings, the proposed solar/photovoltaic panels would be readily visible in public views and would be likely to be harmful to the character and appearance of the proposed development. The simple clean lines of the unaltered roof slopes of the proposed houses and flatted buildings is part of their distinct architectural character and design, and the positioning, size, number, form, appearance and fitting of solar panels/photovoltaic panels on the roofs of the proposed houses and flatted buildings could have a detrimental impact on the character and appearance of the proposed development. It would therefore be prudent for the Council as Planning Authority to require details of the proposed solar/photovoltaic panels to be submitted for approval and to limit their positioning to the rear and less public elevations of the proposed houses, flatted buildings and garages. This matter could be controlled by a condition attached to a grant of planning permission.

Notwithstanding all of the above, once built and occupied the proposed houses and flats would benefit from permitted development rights for minor alterations that could be in the form of alterations to windows, roofs, etc, and for the erection of boundary enclosures. Such alterations to the appearance of the proposed houses and flats or the erection of boundary enclosures could result in a loss of and harm to the arts and crafts and East Lothian Garden City architectural character and style of the proposed development. It would therefore be prudent for the Council as Planning Authority to remove permitted development rights for such alterations, a detail that could be controlled by a condition attached to a grant of planning permission for the proposed development.

The proposed houses and flats, due to their positioning on the application site and by virtue of their height, size and scale, architectural character and design would and external finishes, would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features within their landscape setting. This coupled with the retention of the trees to the northwest of them and the trees on parts of the east boundary of the site and the proposed landscaping along the north boundary with the main east coast railway line, on the western part of the site, along the Braid Burn corridor and along the development streets would ensure a visually attractive and cohesive development, with the proposed houses and flats visible but not appearing incongruous or intrusive in their surroundings.

Due to the topography of the land between the B6363 Coal Road, the listed buildings of 3-6 Longniddry Farm Cottages are not readily visible in public views from the Coal Road. The listed buildings of Longniddry Farmhouse and Steadings are visible in long range views from the B6363 Coal Road and their immediate setting incorporates a number of trees around their periphery.

The masterplan layout approved by the grant of planning permission 16/00485/PPM indicatively shows development of the heights now proposed in similar proximity to the listed buildings. Furthermore, the majority of the existing trees that provide landscape setting to the listed buildings would be retained. These trees would continue to afford landscape setting to the listed buildings. Accordingly, the proposed development would be set back a sufficient distance from the listed buildings of Longniddry Farmhouse and Steadings and Nos. 3-6 Longniddry Farm Cottages and would not dominate or draw focus away from those listed buildings and thus would not be harmful to the setting of those listed buildings.

Some 2.9 hectares of the application site consists of land common to this application site and to planning applications 18/01034/AMM and 18/01048/AMM, which together comprise

the western part of the larger site to which planning permission in principle 16/00485/PPM applies, and includes open space, SuDS and the expanded Braid Burn corridor.

The site would be accessed from the classified B6383 public road by a network of roads and footpaths that would provide access to the 59 residential units the subject of this application and other parts of the larger site the subject of planning permission in principle 16/00485/PPM. Enhanced pedestrian links approved by the grant of planning permission in principle 16/00485/PPM would provide connections from the proposed development under the railway line to the rest of Longniddry. Further connections in the form of roads, cycle and walking paths would connect the proposed 59 residential units to the area of open space on the northern part of the site and the Braid Burn corridor.

The masterplan docketed to planning permission in principle 16/00485/PPM indicates how areas of formal and informal open space, including a sports pitch, could be located throughout the allocated site.

The site that is the subject of this approval of matters application includes the land shown on the docketed masterplan as being the location for areas of open space and includes the provision of open space and an equipped play area. It does not however show an area for sports pitch provision, as this was approved to be located on the eastern part of the larger housing site.

Open space in the form of a large grassed area or 'village green', including the provision of a children's play area, would be provided on the northern part of the site between Longniddry Farmhouse and Steadings and the main east coast railway line and the Argyle Bridge. Further areas of informal open space would be provided along the Braid Burn corridor on the eastern part of the site and on the western part of the site adjacent to the B6363 Coal Road and the Cadger Burn.

SuDS in the form of below ground attenuation storage, two SuDS basins and a swale would be located on the eastern part of the 'village green' area of open space.

The Council's Principal Amenity Services Officer advises that open space and equipped play facilities for the site should be provided according to the larger development site the subject of planning permission in principle 16/00485/PPM of which the application site is a part. He comments that the layout for open space shown for this application (Ref: 18/01038/AMM) appears to accord with the approved Masterplan drawing for planning permission in principle 16/00485/PPM. The requirement for details of the development and maintenance of the open space and equipped play area to be provided is controlled by condition 21 of the grant of planning permission in principle 16/00485/PPM. No details have been provided with the application for the timescale for the delivery of the open space and equipped play area or to identify all of the areas of open space and how and by whom they would be maintained and managed. It can be made a condition of a grant of planning permission that details of the equipped play facility, the timescale for delivery of it and its on-going maintenance, and to identify all of the areas of open space and how and by whom they would be maintained and managed, and to secure the delivery of all of the open space and the equipped play area be submitted for the prior approval of the Planning Authority.

The expanded Braid Burn corridor would provide informal green space that would be accessible as part of the open space within the wider site the subject of planning permission 16/00485/PPM. Although there would be some differences in levels between the lower level of the Braid Burn corridor and the levels of the adjacent road and housing development, the application drawings indicate that these level changes would be minimal, and thus, subject to these levels being adhered to during construction, this area

of open space would be reasonably accessible as useable areas of amenity space.

By their positioning the areas of open space and equipped play would benefit from passive overlooking from the proposed houses and flats and from nearby proposed footpaths from which they would be accessed.

Accordingly, the open space and formal equipped play area detailed on the application drawings are consistent with the docketed masterplan. On this consideration, the proposed development is consistent with Policies OS3 and OS4 of the adopted East Lothian Local Development Plan 2018 and with the indicative masterplan docketed to planning permission in principle 16/00485/PPM.

No details have been submitted for the position, size, form, appearance and colour(s) of any substations or gas governors to serve the proposed development. Such forms of structure can impact negatively on the character and appearance of a development and therefore it would be prudent for the Planning Authority to impose a condition requiring details of the position, size, form, appearance and colour(s) of any substations or gas governors to be submitted prior to the commencement of development on the site.

On all of these matters of design, these other components of the proposed development would not be harmful to the character and appearance of the area and would not appear incongruous in their landscape setting and would not be harmful to the character and appearance of the area. Nor would they be harmful to or detract from the setting of the listed buildings.

The proposed housing development would provide an attractive residential environment for future residents of the proposed houses and flats. The majority of the houses and flats are shown to be laid out in such a way that adheres to the normally accepted privacy and amenity criteria on overlooking and overshadowing, whilst affording the future occupants of the houses and flats an appropriate level of privacy and residential amenity. Where there are instances that do not meet the normally accepted privacy and amenity criteria those instances are primarily in relation to distances across the new public streets. In these cases, the narrower street layout is an integral component of the design ethos of the proposed development to reflect a more compact and organic arrangement of buildings and streets with natural passive overlooking of streets and footpaths and between properties which is reflective of the tighter street patterns in parts of some historic towns and villages of East Lothian.

In the cases of plots 44 and 93, a first floor window of that respective house/flat, as relevant, would allow for harmful overlooking of neighbouring properties by virtue of being less than 9 metres away from neighbouring private garden ground. In order to mitigate for such loss of privacy, these respective first floor windows could be obscure glazed and the application drawings show such obscure glazing of these respective first floor windows. The requirement for the provision of such obscure glazing can be controlled by a condition attached to a grant of planning permission.

In the case of the flat on plot 63, the east side of the first floor balcony would be less than 9 metres away from the private garden ground to the rear of plot 55. In order to mitigate for such loss of privacy, the east side of the first floor balcony should be enclosed by a privacy screen, a minimum of 1.5 metres in height and the application drawings show such a privacy screen is proposed for the east side of the first floor balcony. The requirement for the provision of such a privacy screen along the full length of the east side of the first floor balcony of plot 63 can be controlled by a condition attached to a grant of planning permission.

The detached garage buildings on plots 44 and 82 are proposed to be two-storeys in height: each comprising double garage at ground floor level and first floor accommodation including W.C. facilities. The Planning and Design Statement explains that the first floor accommodation is proposed as a 'home office' use. There is nothing within the planning application to indicate that the ancillary accommodation proposed for the first floor of each of the detached garage buildings is to be used as a separate unit or used for commercial purposes. Subject to the first floor accommodation of each of these two garage buildings being used incidental to the use and enjoyment of the houses on the respective plots, the 'home office' use of the first floor accommodation of each of these two garage buildings would not be harmful to the residential character and appearance of the proposed housing development and would not be harmful to the privacy and amenity of any neighbouring house or flat. This matter can be controlled by a condition attached to a grant of planning permission.

The proposed public footpaths throughout the development, including the path that would pass to the west side of the proposed development and the path that would cross the 'village green' area of public open space to the south of the existing residential property of No. 7-8 Longniddry Farm Cottages, would be a sufficient distance away from existing and proposed neighbouring residential properties so as not to result in harmful overlooking or loss of privacy to any existing or proposed neighbouring residential property.

Thus, on balance and taking account of the design integrity and ethos of the proposed development, and subject to the aforementioned planning controls, the proposed development would afford the future occupants of the houses and flats an appropriate level of privacy and residential amenity and would not be harmful to the privacy and amenity of any existing neighbouring residential property.

The Council's Environmental Health Manager advises that due to its position there are concerns regarding the potential impacts on occupiers of the proposed residential properties arising from noise from road and rail traffic. A Noise Assessment of Proposed Residential development report (Project number EDI_1120, dated 21/9/2018) has been submitted with the application. The Environmental Health Manager has reviewed that report and advises that he accepts the conclusions of that report. Accordingly, subject to the glazing units of the windows of plots 40 to 45 (inclusive) and 86 to 92 (inclusive), as shown coloured GREEN in Figure 2 of ITP Energised's Noise Report Ref EDI_1120 of 21st September 2018, being fitted with glazing and passive acoustic ventilators that provide a minimum Attenuation of 33dB_{Rw}, a detail that could be controlled by a condition attached to a grant of planning permission, the Environmental Health Manager raises no objection to the proposed development.

Subject to this planning control, the future occupants of the houses and flats would be afforded an appropriate level of privacy and residential amenity.

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

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

- o Amended the position of the new tree planting on the western part of the site; and
- o To provide an amended tree survey and arboricultural constraints report to address the treatment of the trees growing on the northeast part of the site adjacent to Longniddry Farm Steading and Farmhouse.

The Landscape Project Officer has reviewed this report along with the landscape drawings submitted with the application.

The Landscape Project Officer makes the following comments:

1) notes that the soft landscaping scheme has been amended to include additional large species feature/marker trees to the west boundary of the site with the B6363 Coal Road, to remove roses from the shrub and hedge mix, and to change the species of trees to the rear courts;

2) All surface water and foul water pipes are shown to be located outwith the retained trees RPAs. This is supported and should be made conditional of a grant of planning permission;

3) The revised tree report dated January 2019 notes on page 3 that the recommendations in the report relate to the site as it exists at present and to the current level and pattern of usage. It notes that the degree of hazard and risk will alter if the site is developed or significantly changed and as such will require regular re-inspection and reappraisal. Given this it is recommended that a condition for ongoing tree management be included in any permission;

4) Although details of landscape planting have been provided, the Landscape Project Officer comments that the information provided only gives indicative information on the size of the new trees to be planted and their function, and that an additional tree that is required close to the position of tree 4160 to be removed is not shown and therefore the Landscape Projects Officer recommends that a finalised landscape planting scheme for the proposed development be required. This matter could be controlled by a condition attached to a grant of planning permission; and

5) Temporary fencing to protect all of the retained trees should be erected prior to the commencement of development on the site in accordance with the details shown for it on the application drawings. Arboricultural monitoring should also be carried out during construction.

Subject to the aforementioned planning controls, the Landscape Projects Officer is satisfied that the proposed development would not be harmful to the trees that would be retained on and adjacent to the site and does not object to the proposed development.

On all of these foregoing findings on matters of design, density, layout, landscaping and amenity the details submitted for approval are consistent with Policies DP1, DP2, DP3, DP9, CH1, OS3, OS4 and NH8 of the adopted East Lothian Local Development Plan 2018, the Council's approved development brief for site PS1 (Longniddry South) and Scottish Government policies and guidance given in Planning Advice Note 67: Housing Quality, Designing Streets and Designing Places.

The principles of the means of accessing of the proposed housing development are already decided by the grant of planning permission in principle 16/00485/PPM. These include vehicular access to the proposed housing being taken from the classified B6363 (Coal Road).

The submitted details for accessing the site are in accordance with these established principles of the means of accessing the residential development.

The Council's Road Services advise as follows:

1. The access roads into the development site are identified as Road A, to the north of the site; Road B (spine road) which is the central and main access into the site and Road C which is the most southerly, of the 3 proposed access junctions to the site from the B6363. The access road junctions have been subject to a Road Safety Audit. The 3 junctions will be located within a 30mph section of the B6363, as a Traffic Regulation Order will have been promoted by East Lothian Council as roads authority;

2. The main pedestrian and cycle route, and 'safe route to school', from the application site to Longniddry village centre would be via a route beneath the East Coast Main Line (ECML) at the Argyle Bridge connecting to a new controlled (traffic signal) crossing of the A198 and a new footway on the south side of the A198 from the Argyle Bridge to the Railway Station. The requirement for financial contributions to enable the Council's Road Services to deliver the new controlled (traffic signal) crossing of the A198, a new footway on the south side of the A198 from the Argyle Bridge to the Railway Station, and other road improvements are controlled through the Section 75 Legal Agreement the subject of planning permission in principle 16/00485/PPM. As the pedestrian and cycle route via the Argyle Bridge would be the 'safe route to school', Road Services advise that a condition should be imposed requiring that a continuous pedestrian route from the proposed development to the Argyle Bridge be provided prior to the occupation of any one of the proposed houses or flats, that such an identified route should be constructed to adoptable standard with lighting and that no house or flat should be occupied prior to the completion of the road improvements/alterations in the vicinity of Main Street to be secured through the Section 75 Legal Agreement the subject of planning permission in principle 16/00485/PPM;

3. It has been demonstrated that the proposed housing layout could accommodate a 12 metre refuse collection vehicle (RCV). RCV access would be from Roads A, B and C of the proposed development. Through further development the subject of planning permission in principle 16/00485/PPM, these roads would extend eastwards and southwards respectively. Until such time as that further development to the east and south is undertaken, RCVs (and other vehicles) will require to turn at the end points of these roads in order to return to the B6363 in a forward gear. As turning provision for RCV's may be dependent on further development of the site, RCV (and other vehicle) turning at the terminal points of access roads shall be demonstrated within a Quality Audit or phasing plan for development to ensure this is accommodated as development proceeds;

4. East Lothian Council adopted parking standards require that parking should be provided at 1.5 spaces for houses with up to 5 habitable rooms; and 2.25 spaces for houses with 6 habitable rooms or more. However, and in order to minimise the impact of on-street parking in these areas, if 2 no. parking spaces can be provided to serve each property in the form of a driveway/double driveway, car port or useable garage, then this will be acceptable. Road Services note that the garages would have minimum internal dimensions of 3.0 metres (width) by 6.0 metres (length). With the exception of plots 65, 68, 72, 93, 96, 97 and 98, all of the houses and flats would have at least 1 driveway parking space and 1 garage or car barn space. Plots nos. 65, 68, 72, 93, 96, 97 and 98 only have garage or car barn space provision. Plots 68, 72, 96 and 97 are each shown to have 2 garage/car barn spaces. Plots 65, 93 and 98 are each shown to have 1 garage/car barn space. The garage/car barn parking spaces for plots 65, 93 and 98 should not have a garage door fitted and should be considered as a car port/useable driveway parking space. For plots 68, 72, 96 and 97, one each of their garage/car barn parking spaces should not be fitted with a vehicular door and thus should be considered as a car port/useable driveway parking space. The application drawings show that all of the garage/car barn spaces for plots 65, 68, 72, 93, 96, 97 and 98 are shown to not have a vehicular door fitted and thus form car port/car barn parking spaces. The requirement that no vehicular doors be fitted at these garage/car barn parking spaces can be controlled by a

condition attached to a grant of matters specified in conditions. Subject to this control Road Services are satisfied that there is a sufficient parking provision for the proposed development;

5. Street lighting columns should be positioned to ensure that they would not be struck by vehicles and in particular refuse collection vehicles (RCV) as this would lead to ongoing maintenance and replacement of street lighting columns. Roads D and E should be constructed to an adoptable standard and should accommodate a 12 metre RCV and should have street lighting, road drainage and service strip;

6. There is an adoptable road adjacent to plot nos. 76-81. A pedestrian footpath should be provided for this length of road;

7. Construction access should only be taken from the classified B6363 public road (Coal Road);

8. Subject to the provision of visibility splays of 4.5 metres by 70 metres, the proposed access roads would provide the proposed development with a safe means of vehicular access from the public road;

9. A 30 miles per hour speed limit on the B6363 (Coal Road) should be brought into effect prior to occupation of any part of the application site. This should be from a location to the south of the southernmost access junction and continue northwards to Longniddry until it meets with the existing 30 miles per hour speed limit. Details to be submitted for approval;

10. Street lighting should be provided over the full extent of the proposed 30 mph speed limit on the B6363 from the existing lighting at the junction with the A198 to a point beyond the proposed southern site access;

11. A 'phasing plan' should be provided indicating how an adoptable footpath would be provided to serve each phase of development the subject of planning permission in principle 16/00485/PPM as it is occupied, to ensure a) That a continuous pedestrian (and cycle) path, to an adoptable standard, shall be available from any occupied phase to the extent of the offsite path at the Argyll Bridge; b) That no development site or phase shall be occupied until completion of the section 75 works to provide the pedestrian route beneath the ECML at Argyll Bridge;

12. A Stage 2 Quality Audit should be submitted to ensure safe pedestrian and cycling routes are maintained through construction phase to occupation for each phase of development and that safe servicing/vehicle turning provision is maintained

13. All roadworks should be subject to Road Safety Audit, completed through Stages 1, 2, 3 and 4 (Preliminary Design, Detailed Design, Post Opening Audit and finally Post Opening Audit + 12 months. The Audit process shall be undertaken in accordance with DMRB Volume 5, Section 2, HD 19/3 or as amended by latest version;

14. All access roads should conform to ELC Standards for Development Roads in relation to road layout and construction, footways & footpaths, parking layout and number, street lighting and traffic calming measures. This should also comply with ELC Design Standards for New Housing Areas. NB the minimal level of treatment on home zone roads for streets with a single access;

15. Vehicle access to private parking areas (i.e. other than driveways) should be via a reinforced footway crossing and have a minimum width of 5.5 metres over the first 10 metres to enable adequate two way movement of vehicles;

16. Driveways should have minimum dimensions of 6 metres by 3 metres. Double driveways should have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length. Pedestrian ramps to houses may encroach by up to 300mm on the width (but not the length) provided they are no greater than 150mm in height above the adjacent driveway surface;

17. Within residential private parking areas the minimum dimensions of a single parking space should be 2.5 metres by 5 metres. All visitor parking spaces within these areas should be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings;

18. Cycle parking should be included at a rate of 1 space per flat. The parking shall be in the form of 1 locker per flat or communal provisions in the form of a lockable room or shed;

19. Wheel washing facilities must be provided and maintained in working order during the period of construction of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres;

20. A Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area should be submitted to and approved by the Planning Authority prior to the commencement of development. The Construction Method Statement should recommend mitigation measures to control noise, dust, construction traffic (including routes to/from site) and shall include hours of construction work. Temporary measures shall be put in place to control surface water drainage during the construction works. Routes for construction traffic shall also be included; and

21. A Green Travel Plan to minimise private car trips and to encourage use of alternative modes of transport such as trains, buses, cycling and walking should be submitted to and approved by the Planning Authority prior to the housing being occupied and /or the business units coming into operation.

The requirement for the 30 miles per hour speed limit and the provision of street lighting for the development are controlled through condition 19 of planning permission in principle 16/00485/PPM and therefore there is no requirement to duplicate these controls through a grant of planning permission for this matters specified in conditions application.

The requirement for the wheel washing facility is controlled through condition 11 of planning permission in principle 16/00485/PPM and therefore there is no requirement to duplicate these controls through a grant of planning permission for this matters specified in conditions application.

The requirement for the construction method statement is controlled through condition 10 of planning permission in principle 16/00485/PPM and therefore there is no requirement to duplicate these controls through a grant of planning permission for this matters specified in conditions application.

The requirements for all other road services requirements can be controlled by conditions attached to a grant of planning permission.

Road Services confirms that the swept path analysis for refuse collection vehicles has been satisfactorily demonstrated.

On these foregoing transportation and other access considerations the proposed residential development is consistent with Policies T1 and T2 of the adopted East Lothian

Local Development Plan 2018.

The proposed development does not include proposals to install EV charging points. Policy T31 of the adopted East Lothian Local Development Plan 2018 explains that the Council will encourage and support the principle of introducing electric vehicle (EV) charging points around both existing and proposed community facilities such as schools and retail areas, including from developers as part of new developments that contain such facilities or areas. The proposed development is for residential development only and does not include any EV charge points. Furthermore, Policy T31 does not require their provision for residential developments.

The Council's Access Officer raises no objection to the proposed development.

The Council's Waste Services advises that they are satisfied that the swept path analysis demonstrates an appropriate layout for waste and recycling collections. They further advise that all waste and recycling containers should be presented at the kerbsides for collection. This information has been forwarded to the applicant's agent.

The Council's Biodiversity Officer has no comment to make on the proposed development. In light of the removal of trees along the Braid Burn corridor and the likelihood of bats in the area and as was required through the grant of planning permission in principle 16/00485/PPM it would be prudent to require that details of the installation of bat and bird boxes, notably barn owl boxes, to mitigate for the loss of habitat be submitted. This detail could be controlled by a condition attached to a grant of planning permission. Subject to such control, the proposed development would not conflict with Policy NH3 of the adopted East Lothian Local Development Plan 2018.

The Council's Environmental Health Manager (Contaminated Land) has reviewed the Phase II Geo-Environmental & Geotechnical Interpretative Report submitted with the application and advises that he is satisfied that the investigative works and subsequent assessment have been carried out in accordance with best practice guidelines and the relevant standards, and that he concurs with the findings that there is not evidence to suggest any pollutant linkages being appropriate for the site that would require remedial works to be carried out. However, given the sensitive nature of the proposed development (i.e. residential use) and in line with the risk mitigation measures outlined in the Report the Environmental Health Manager (Contaminated Land) recommends that a condition be imposed on a grant of planning permission to ensure that if the presence of any previously unsuspected or unforeseen contamination becomes evident during the development of the site it shall be brought to the Council's attention.

As part of the larger site of planning permission in principle 16/00485/PPM, a financial contribution towards additional educational provision and for the provision of affordable housing units for a housing development of 450 residential units is required.

The mechanism of the provision of a financial contribution towards additional educational provision for a housing development of 450 residential units has already been secured through the grant of planning permission in principle 16/00485/PPM.

The mechanism of the provision of 25% affordable housing within the larger site for residential development of 450 residential units (i.e. 113 units of the proposed 450 units) is already secured through the grant of planning permission in principle 16/00485/PPM. The masterplan docketed to planning permission in principle 16/00485/PPM does not indicate the locations of the affordable housing. None of the 59 residential units (47 houses and 12 flats) the subject of this application (Ref: 18/01038/AMM) for matters specified in conditions of planning permission in principle 16/00485/PPM are identified as affordable

housing. The Council's Economic Development and Strategic Investment Team advises that the provision of affordable housing units on the larger site of planning permission in principle 16/00485/PPM has to be considered strategically across the whole site of planning permission in principle 16/00485/PPM. When this application site (Ref: 18/01038/AMM) is taken alongside planning applications 18/01034/AMM and 18/01048/AMM, which together comprise the western part of the site of planning permission in principle 16/00485/PPM, the overall figure of 49 affordable housing units across those three planning applications is a sufficient amount and provides the necessary 25% of affordable housing units and is therefore acceptable. The Economic Development and Strategic Investment Team further advise that the mix of units is also acceptable. In this regard the proposal is consistent with planning permission in principle 16/00485/PPM.

Due to the locations of the Braid and Cadger Burns, parts of the eastern and western areas of the application site, respectively, are potentially at risk from fluvial and surface water flooding, and as such the Scottish Environment Protection Agency (SEPA) have been consulted on the application. A Flood Risk Assessment report has been submitted with the application. In their initial responses, SEPA raised objection to the proposals on the grounds of flood risk. Since then the applicant's consultants have provided further information on flood risk and the Flood Risk Assessment report has been amended twice through consultation with SEPA.

The updated version of the Flood Risk Assessment report (Updated April 2019 Version 4) prepared by KAYA Consulting Limited has been reviewed by SEPA. SEPA make the following comments:

- They assume that the latest Flood Risk Assessment report (Updated April 2019 Version 4) prepared by KAYA Consulting Limited will be accepted by the Planning Authority;
- The channel design for the realignment of the Braid Burn has been agreed with SEPA and it has been shown that there would be no increase in flood risk downstream as a result of the proposed channel realignment. However, SEPA advise that a monitoring plan is essential to ensure that any changes to the channel can be recorded and rectified if deemed necessary;
- Finished floor levels are shown to be greater than (>) 1 metre higher than the adjacent road;
- There is potential for flood water to flow in the southwest corner of the site but no development will take place within this area;
- SEPA stress the importance of setting property boundaries back from the functional floodplain to reduce the residual risk of flooding due to channel or culvert blockage, and to allow for maintenance;
- Whilst the latest Flood Risk Assessment report (Updated April 2019 Version 4) prepared by KAYA Consulting Limited notes that all new crossings would be designed to pass the 1:200 year peak flow including an allowance for climate change, Table 1 notes that no new footbridges are proposed at the site and it is noted that stepping stone features have been removed from the Braid Burn;
- The Council and applicant may wish to consider undertaking a condition assessment of the retained culverted section of the Cadger Burn;
- Consideration should be given to the sequence of development on the site, as should housing be built prior to the channel realignment taking place, the houses may be at risk of

flooding and SEPA recommend that the channel realignment occurs prior to the commencement of the construction of the housing; and

- Depending on the larger masterplan, SEPA recommend that consideration be given to capturing surface water run-off from the southern boundary of the development site.

Accordingly, SEPA advise that they withdraw their objection and raise no objection to the proposed development.

The requirements for planning controls to secure the following can be controlled by conditions attached to a grant of planning permission:

- i. ensure the development is carried out in accordance with the latest Flood Risk Assessment report (Updated April 2019 Version 4) prepared by KAYA Consulting Limited;
- ii. secure a monitoring plan for the long-term management, monitoring and maintenance of the Braid Burn channel;
- iii. ensure that finished floor levels are built and maintained in accordance with the details provided;
- iv. ensure that there would be no development within the 1:200 year flood area;
- v. ensure that there would be no crossings of the Braid and Cadger Burns unless otherwise approved by the Planning Authority in consultation with SEPA; and
- vi. ensure that the channel realignment of the Braid Burn is undertaken prior to the commencement of the building of any of the houses or flats.

The applicant has been made aware of SEPA's suggestion that a condition assessment of the retained culverted section of the Cadger Burn be undertaken and that consideration be given to capturing surface water run-off from the southern boundary of the development site.

Accordingly, on these considerations of flood risk, the proposed development does not conflict with Policy NH11 of the adopted East Lothian Local Development Plan 2018 or with Scottish Government guidance given on flood risk in Scottish Planning Policy: June 2014.

The Indicative masterplan docketed to planning permission in principle 16/00485/PPM indicates how three sustainable urban drainage system (SuDS) ponds could be formed on the northern part of the larger area of land of planning permission in principle 16/00485/PPM to attenuate the flow of surface water run-off. The SuDS on the current application site are shown to be positioned on the northern part of the site, towards the eastern end of the 'village green' area of open space and are in the form of a filter trench, below ground attenuation storage, two SuDS basins and a swale discharging into the Braid Burn at the northern end of the application site. Neither SEPA nor Scottish Water raise objection to the proposed development on the grounds of the SuDS. The Council's Team Manager for Structures, Flooding & Street Lighting advises that the SuDS for the proposed development are of an acceptable standard. Accordingly, the proposed development does not conflict with Policy NH10 of the adopted East Lothian Local Development Plan 2018.

Condition 5 of planning permission in principle 16/00485/PPM requires that a programme of archaeological work (Historic Building Recording, Watching Brief and Evaluation) be undertaken for the whole of the site of planning permission in principle 16/00485/PPM. The Council's Archaeology Officer advises that these archaeological works have been satisfactorily carried out as they relate to the land of this planning application (Ref: 18/01038/AMM) and planning applications 18/01034/AMM and 18/01048/AMM.

Scottish Water were consulted on the planning application and raised no objection to it.

RECOMMENDATION:

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

- 1 No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of all of the development, including the Braid Burn corridor, relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing. The submitted finished ground levels shall show minimal alterations to the existing levels of the Braid Burn corridor; and
- c. the ridge height of the proposed 47 houses, 12 flats, garages, cycle storage and substation shown in relation to the finished ground and floor levels on the site.

Reason:

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

- 2 In the event of the presence of any previously unsuspected or unforeseen contamination of the land on the application site being found, development shall not begin, or shall cease to continue, until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of the proposals to deal with contamination to include:

- 1 the nature, extent and type(s) of contamination on the site,
- 2 measures to treat/remove contamination to ensure the site is fit for the use proposed,
- 3 measures to deal with contamination during construction works,
- 4 condition of the site on completion of decontamination measures.

Thereafter any mitigation measures required shall be implemented as so approved.

Before any of the houses and flats hereby approved are occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.

Reason:

To ensure that the site is clear of contamination prior to the occupation of the houses and flats.

- 3 Prior to commencement of development on site, full details of the proposed Sustainable Drainage System (SuDS) shall be submitted to and approved in writing by the Planning Authority.

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

Thereafter, the approved details shall be implemented as approved.

Reason:

To ensure that the final SuDS design complies with Sewers for Scotland 4 and can be vested by Scottish Water in the interest of flood prevention, environmental protection and the long term amenity of the area.

- 4 Prior to the commencement of development on the site, a delivery schedule and phasing plans for the whole of the site of planning permission 16/00485/PPM that establishes the phasing and timing programme for the proposed development. The delivery schedule and phasing plans shall include the phasing and timing for the provision of:

- i) footpaths/cycleways and external works such as on-site and off-site footpath links;

- ii) public road links, including paths, to local services, schools and the public road network;
- iii) drainage infrastructure;
- iv) recreational facilities, including open space, including the 'Village Green' and Braid Burn corridor, equipped play area and sports pitches;
- v) landscaping; and
- vi) construction phasing.

The phasing of the development of the site shall be carried out in strict accordance with the phasing plan so approved, unless otherwise approved in writing in advance by the Planning Authority.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the good planning of the site.

- 5 The development hereby approved shall be carried out in accordance with the Flood Risk Assessment (updated April 2019 Version 4) prepared by KAYA Consulting Limited docketed to this grant of planning permission unless otherwise approved by the Planning Authority in consultation with the Scottish Environment Protection Agency.

Pursuant to the development hereby approved being carried out in accordance with the Flood Risk Assessment (updated April 2019 Version 4) prepared by KAYA Consulting Limited, a monitoring plan for the long-term management, monitoring and maintenance of the Braid Burn channel shall be submitted to and approved by the Planning Authority in consultation with the Scottish Environment Protection Agency. Thereafter, the long-term management, monitoring and maintenance of the Braid Burn channel shall be implemented in accordance with the details so approved.

No built development or land-raising shall take place within the 1:200 year post-development flood extent as shown in the Flood Risk Assessment (updated April 2019 Version 4) prepared by KAYA Consulting Limited and drawing no. 1629(sk)011 docketed to this grant of planning permission unless otherwise approved by the Planning Authority in consultation with the Scottish Environment Protection Agency.

Reason:

To ensure that built development within the application site is not at risk from flooding, there is no increased in flood risk elsewhere and appropriate long-term maintenance arrangements are in place.

- 6 Other than the road crossings detailed on the drawings docketed to this grant of planning permission, there shall be no further crossings of the Braid and Cadger Burns unless otherwise approved by the Planning Authority in consultation with the Scottish Environment Protection Agency.

Reason:

To ensure that built development within the application site is not at risk from flooding and there is no increased in flood risk elsewhere.

- 7 Prior to the erection of any house or flat of the development hereby approved the channel realignment of the Braid Burn shall be carried out in accordance with the details for it in the Flood Risk Assessment (updated April 2019 Version 4) prepared by KAYA Consulting Limited and docketed to this grant of planning permission unless otherwise approved by the Planning Authority in consultation with the Scottish Environment Protection Agency.

Reason:

To ensure that built development within the application site is not at risk from flooding and there is no increased in flood risk elsewhere.

- 8 The ground floor finished floor levels of the houses and flatted buildings hereby approved shall accord with the levels shown on drawing no. 1629(sk)011 docketed to this grant of planning permission unless otherwise approved by the Planning Authority in consultation with the Scottish Environment Protection Agency.

Reason:

To ensure that built development within the application site is not at risk from flooding.

- 9 Prior to the commencement of development, details of how all the areas of open space and the equipped play area are to be developed, laid out and maintained, including details of play equipment, surfacing and enclosures and a timetable for their implementation shall be submitted to and approved in advance in writing by the Planning Authority. The details shall include the costings of the play provision, which shall be commensurate with the requirements of the Council's Principle Amenity

Officer assessment of Planning Permission in Principle 16/00485/PPM, and shall identify and define the areas of public open space and how they would be managed and maintained.

Thereafter, the areas of open space and the equipped play area shall be installed, enclosed and thereafter retained and maintained in accordance with the details so approved.

Reason:

To ensure the satisfactory provision and maintenance of adequate play provision within the development in interests of the amenity of the area.

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

(i) the provision of RCV (and other vehicle) turning at the terminal points at the east and south ends, respectively, of access roads A, B and C shall be provided;

(ii) a pedestrian footpath shall be provided for the length of road that would serve as vehicular access for plots 76 to 81;

(iii) visibility splays of 4.5 metres by 70 metres shall be provided and maintained on each side of each of the proposed access junctions from the application site onto the B6363 (Coal Road) such that there shall be no obstruction to visibility above a height of 1.05 metres measured from the adjacent carriageway level within the area defined below: - (a) a line 4.5 metres long measured along the access road from the nearside edge of the main road carriageway.; (b) a line 70 metres long measured along the nearside edge of the main road carriageway from the centre of the access road in both directions; and (c) a straight line joining the termination of the above two lines;

(iv) vehicle access to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing and have a minimum width of 5.5 metres over the first 10 metres to enable adequate two way movement of vehicles;

(v) driveways shall have minimum dimensions of 6 metres by 3 metres. Double driveways shall have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length. Pedestrian ramps to houses may encroach by up to 300mm on the width (but not the length) provided they are no greater than 150mm in height above the adjacent driveway surface;

(vi) within residential private parking areas the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres. All visitor parking spaces within these areas shall be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings;

(vii) cycle parking shall be included at a rate of 1 space per flat. The parking shall be in the form of 1 locker per flat or communal provisions in the form of a lockable room or shed; and

(viii) a revised Green Travel Plan to minimise private car trips and to encourage use of alternative modes of transport such as trains, buses, cycling and walking shall be submitted to and approved by the Planning Authority prior to the housing being occupied and /or the business units coming into operation.

Development shall thereafter be carried out in accordance with the details so approved unless otherwise approved by the Planning Authority in consultation with the Roads Authority.

All access roads shall conform to ELC Standards for Development Roads in relation to road layout and construction, footways & footpaths, parking layout and number, street lighting and traffic calming measures. This shall also comply with ELC Design Standards for New Housing Areas. NB the minimal level of treatment on home zone roads for streets with a single access.

Reason:

In the interests of road and pedestrian safety.

11 All roadworks shall be subject to Road Safety Audit, completed through Stages 1, 2, 3 and 4 (Preliminary Design, Detailed Design, Post Opening Audit and finally Post Opening Audit + 12 months and a Stage 2 Quality Audit. The Road Safety Audit process shall be undertaken in accordance with DMRB Volume 5, Section 2, HD 19/3 or as amended by latest version. Thereafter, all roads and footpaths shall be constructed in accordance with the Road Safety Audit and Stage 2 Quality Audit details so approved.

Reason:

In the interests of road and pedestrian safety.

- 12 Prior to the occupation of any one of the houses or flats hereby approved, a continuous footpath route between the development hereby approved and the Argyle Bridge at the northeast corner of the application site shall be provided in accordance with the details of its route and the timetable for its delivery to be submitted to and approved in advance in writing by the Planning Authority. The continuous length of footpath shall be constructed to adoptable standards with lighting in accordance with East Lothian Council's Standards for Development Roads. The details and timetable shall show that the footpath would be provided to each site prior to the occupation of the houses/flats on that site.

Thereafter, the continuous footpath route shall be provided and delivered in accordance with the details so approved.

Reason:

In the interests of road and pedestrian safety and to provide a safe route to schools.

- 13 No house or flat hereby approved shall be occupied unless and until the following road improvements/alterations in the vicinity of Main Street Longniddry have been completed:

1) a new controlled (traffic signal) crossing of the A198 located to provide the most direct route across the A198 public road from the development via the Argyle Bridge; and

2) the provision of an adoptable/lit path from the pedestrian crossing to the Argyle Bridge.

Reason:

In the interests of safeguarding road and pedestrian safety.

- 14 Construction access to the development hereby approved shall be taken from the classified B6363 public road (Coal Road) only unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of road and pedestrian safety and to safeguard vegetation important to the appearance and environment of the development.

- 15 Other than to comply with the requirements of conditions 10, 11, 12, 13, and 14, prior to the occupation of any one of the houses or flats hereby approved, the proposed access roads, parking spaces and footpaths shall have been constructed on site, in accordance with the docketed drawings and those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles in connection with the residential use of the houses and flats and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

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

- 16 No use shall be made of the houses or flats on plots 65, 68, 72, 93, 96, 97, and 98 hereby approved unless the garage/carport space allocated to each of those houses or flats has been formed and made available for use in association with the use of those respective houses or flats, and the garage/carport space allocated to each of those houses or flats shall be retained open on its front elevation, as shown on the docketed drawings, and at no time shall any part of the front elevations of those garages/carports be enclosed. Thereafter, those garages/carport spaces shall be retained and maintained for the parking of vehicles.

Reason:

To ensure that a sufficient standard of off-street parking is provided for each of plots 65, 68, 72, 93, 96, 97, and 98 in the interests of road safety.

- 17 Samples and a schedule of the materials and external finishes, including colours, of the roofs, walls, windows, doors, vehicular doors, window and door surrounds and lintels, and external staircases, as relevant, of the houses, flatted buildings, garages, cycle storage and substation buildings hereby approved shall be submitted to and approved in advance in writing by the Planning Authority prior to their use in the development hereby approved, and thereafter the materials and external finishes used for the roofs, walls, windows, doors, window and door surrounds and lintels and external staircases, of the houses, flatted buildings, garages, cycle storage and substation buildings shall accord with the details so approved.

Notwithstanding that which is shown on the docketed drawings of this grant of matters specified in conditions the render of the external walls of plots 40 to 44 (inclusive) shall not each be white coloured but some of those houses shall be coloured another colour to be agreed in advance in writing with the Planning Authority prior to its use in the development hereby approved and thereafter the colour of render used for the external wall finishes of the houses on plots 40 to 44 (inclusive) shall accord with the details so approved.

The slate to be used to clad the roofs of the houses, flatted buildings and garages hereby approved shall be a natural slate.

The pantiles to be used to clad the roofs of the houses, flatted buildings and garages hereby approved shall be a natural clay pantile.

The render to be used for the finish of the external walls of the houses, flatted buildings and garages hereby approved shall be a wet dash render.

The stone to be used to clad the front (principal) elevation of the house on plot 86 shall be a natural stone.

All rainwater goods and down pipes shall be of painted metal construction.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 18 Prior to the occupation of the houses and flats hereby approved the glazing units of the windows of plots 40 to 45 (inclusive) and 86 to 92 (inclusive), as shown coloured GREEN in Figure 2 of ITP Energised's Noise Report Ref EDI_1120 of 21st September 2018 docketed to this grant of planning permission for matters specified in conditions, shall be fitted with glazing and passive acoustic ventilators that provide a minimum Attenuation of 33dBRw.

Such glazing units and ventilators shall thereafter be retained in the windows of the north, east and west facades of those houses unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of protecting the internal amenity of the occupiers of the proposed houses and flats from noise associated with road and rail traffic.

- 19 Notwithstanding that which is shown on the docketed drawings, details of the solar panels/photovoltaic panels, including their size, form, number, positioning and means of attachment to the roofs of the houses, flatted buildings and garages, to be installed on the roofs of the houses, flatted buildings and garages hereby approved, shall be submitted to and approved in writing in advance by the Planning Authority prior to their installation in the development hereby approved.

The solar panels/photovoltaic panels to be installed on the roofs of the houses, flatted buildings and garages hereby approved shall be integrated into the roofs and shall not sit proud of the upper surface of the roofing material of the roofs, and shall be positioned on the rear or less public side elevations only.

Thereafter the solar panels/photovoltaic panels used and their positioning and means of attachment to the roofs of the houses, flatted buildings and garages shall accord with the details so approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 20 Details of any new wall and roof mounted vents and flues to be installed on the houses and flats hereby approved shall be submitted to and approved in advance by the Planning Authority. Details shall include 1:5 or 1:10 section drawings and brochures showing the size, design and numbers of the proposed wall mounted vents and flues to be concealed as much as possible and for visible parts of all vents and flues to match as closely as possible the colour of the part of the building to which they would adjoin.

Reason:

In the interests of safeguarding the character, integrity and appearance of the development hereby approved.

21 Details and samples, including colours, of the surface finishes for the hardstanding areas comprising parking areas, footpaths and cycleways shall be submitted to and approved in advance in writing by the Planning Authority prior to their use in the development hereby approved, and thereafter the materials used for the surface finishes of the hardstanding areas shall accord with the details so approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

22 Prior to the commencement of development, details of all boundary enclosures to be erected on the site of the residential development, and the timescales for their provision, shall be submitted to and approved in advance by the Planning Authority. Those details shall show 1.8 metre high enclosures around rear gardens of the houses hereby approved.

Development shall thereafter be carried out in full accordance with the details so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure the satisfactory provision of the boundary enclosures in the interest of safeguarding the visual amenity of the area and to safeguard the privacy and amenity of residential properties nearby.

23 All externally fitted service meter boxes of the houses and flats hereby approved shall be coloured to match as closely as possible the colour of the external wall of the house/flat to which they are attached, and details of the position, size, form, appearance and colour of all externally fitted service meter boxes shall be submitted to and approved in writing in advance by the Planning Authority prior to their installation on the houses and flatted buildings. Thereafter, any externally fitted service meter boxes fitted shall accord with the details so approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

24 Prior to the commencement of development, details, including their size, form, position, appearance and colour(s), of all substations and gas governors to serve the development hereby approved shall be submitted to and approved in advance in writing by the Planning Authority, and thereafter any substations and gas governors shall accord with the details so approved.

Reason:

To enable the Planning Authority to control the positioning, appearance, form, finishes and colour of the substations and gas governors to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

25 Prior to the occupation of the house and flat respectively of plots 44 and 93 hereby approved the following windows shall be obscurely glazed in accordance with a sample of the obscure glazing to be submitted to and approved by the Planning Authority in advance of its use on the house and flat, as relevant:

i) first floor window of the south elevation of the house on Plot 44; and

ii) eastern most of the two first floor windows of the north elevation of the flat on Plot 93.

The obscure glazing of the respective first floor windows shall accord with the sample so approved. Thereafter the respective first floor windows shall continue to be obscurely glazed unless otherwise approved by the Planning Authority.

Reason:

To safeguard the privacy and amenity of the neighbouring residential properties.

26 No use shall be made of the first floor balcony of the flat on plot 63 hereby approved unless the east side of the first floor balcony is fully enclosed by a 1.5 metres high privacy screen as shown for it on drawing no. A-2-14 Rev B docketed to this grant of planning permission, and thereafter the privacy screen shall be retained in place unless otherwise approved by the Planning Authority.

Reason:

To prevent harmful overlooking of the neighbouring residential property to the east in the interests of safeguarding the privacy and amenity of that neighbouring property.

- 27 The first floor accommodation over the garage of each of plots 44 and 82 of the development hereby approved shall only be used for purposes incidental to the residential use and enjoyment of the respective dwellinghouse the garage building and so too the first floor accommodation over the garage, is to serve and at no time shall the first floor accommodation over the garage be used to form a separate residential unit or be used for any business, trade or other commercial use.

Reason:

To enable the Planning Authority to control the use of the respective garages and their first floor accommodation in the interests of safeguarding the character and residential amenity of the area.

- 28 Details of the provision of bat boxes and bird boxes, notably barn owl boxes, as mitigation for the loss of bat and bird roosts shall be submitted to and approved in writing in advance by the Planning Authority and thereafter, bat boxes and bird boxes shall be installed as so approved. The bat boxes and bird boxes shall thereafter be retained, unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of nature conservation.

- 29 No development shall take place on site until temporary protective fencing in accordance with Figure 2 of British Standard BS5837: 2012 "Trees in relation to design, demolition and construction" has been installed on the site, approved by the arboriculturist and approved in writing by the Planning Authority. The fencing shall be fixed in to the ground to withstand accidental impact from machinery, erected prior to site start and retained on site and intact through to completion of development. The position of this fencing must be as indicated on the drawing titled 'Site Plan Tree Works' with drawing number erz/17/18/P15 Rev D, shall be positioned outwith the Root Protection Area (RPA) as defined by BS5837: 2012 for all trees and approved in writing by the Planning Authority.

All weather notices shall be erected on said temporary protective fencing with words such as "Construction exclusion zone - keep out". Within the fenced off areas creating the construction exclusion zones, the following prohibitions shall apply:

- No vehicular or plant access;
- No raising or lowering of the existing ground levels;
- No mechanical digging or scraping;
- No storage of temporary buildings, plant, equipment, materials or soil;
- No hand digging;
- No lighting of fires;
- No handling, discharge or spillage of any chemical substance, including cement washings.

Planning of site operations shall take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees.

Reason:

In order to form construction exclusion zone around retained trees and protect retained trees from damage to ensure the retention of trees and vegetation which are an important feature of the area.

- 30 No development shall take place on site until a person who has, through relevant education, training and experience, gained recognised qualifications and expertise in the field of trees in relation to construction, been employed by the developer to monitor any works in close proximity of trees on the site or within the Root Protection Areas of the trees on the site, including, but not exclusively, the formation of footpaths, the installation and maintenance of temporary protection fencing and all works within the construction exclusion zone as identified on drawing no. erz/17/18/P15 Rev D docketed to this grant of planning permission.

Prior to the commencement of development on the application site, details of the appointment of such a person shall be submitted and approved in writing by the Planning Authority. Thereafter, the person shall be retained for the period of construction on the site unless otherwise agreed in writing with the Planning Authority.

The arboriculturist must be present on site during any works within the root protection areas to ensure compliance with condition 29 and shall submit a report to the council confirming correct installation to include photographs.

Reason:

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

31 Any surfacing within the root protection area of any retained tree shall be carried out in strict accordance with section 7.4 of BS5837: 2012 "Trees in relation to design, demolition and construction" and drawing no. erz/17/18/DS02 Rev A docketed to this grant of matters specified in conditions, and shall be monitored and approved by the arboriculturist.

Reason:

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

32 Notwithstanding that which is shown on drawing nos. erz/17/18/P18 Rev C, erz/17/18/DP02/2 Rev B, erz/17/18/DP03/2 Rev B and erz/17/18/DP08 Rev C, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority. The scheme shall provide details of: the height and slopes of any mounding on or re-contouring of the site including SUDS basin/ponds details; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. Non-thorn shrub species should be located adjacent to pedestrian areas. The scheme shall include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of any house hereby approved or the completion of the development, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species and final size, unless the Planning Authority gives written consent to any variation. No trees or shrubs, detailed in the approved landscaping plans to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area and to ensure the retention and maintenance of the trees on the site which are an important landscape feature of the area.

33 Prior to the commencement of development, a tree management plan shall be submitted to and approved in writing by the Planning Authority. This tree management plan shall include an annual programme of inspection and works for the existing trees on the site. All trees within the application site are to be inspected annually by a qualified and experienced arboriculturist. All tree work shall be carried out in accordance with BS3998: 1989 'Recommendations for Tree Work' and be approved in writing by the Planning Authority before work is carried out. Thereafter, all tree works shall be implemented in accordance with the approved tree management plan.

Reason:

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

34 The development hereby approved shall be carried out in accordance with the Tree Survey and Arboricultural Constraints report docketed to this grant of planning permission, and all tree work shall be carried out in accordance with BS3998: 1989 'Recommendations for Tree Work' and be approved in writing by the Planning Authority before work is carried out.

Reason:

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

35 There shall be no excavations, formation or installation of underground services for the development hereby approved within the Construction Exclusion Zone formed by the temporary protective fencing the subject of condition 29 of this planning permission unless otherwise approved in writing by the Planning Authority.

Reason:

To protect the roots of the retained trees on and adjacent to the site that are important to the wider landscape character and amenity of the area.

36 No trees or bushes which are to be retained on the site shall be damaged or uprooted, felled, lopped, or topped without the prior written consent of the Planning Authority.

Reason:

To ensure the retention of vegetation important to the appearance and environment of the

development.

- 37 Notwithstanding the provisions of Parts 1 and 1ZA of Schedule 1 and Class 7 of Part 2 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, or any subsequent Order amending, revoking or re-enacting that Order, no development other than that hereby approved or approved in compliance with any of the above planning conditions, shall take place on the houses and flats or within the curtilages of the houses and flats hereby approved or elsewhere on the application site without the prior permission of the Planning Authority.

Reason:

To safeguard the character and appearance of the development and its landscape setting.