

# Notice of Review

18/00616/PP


Supporting Documentation

(Submitted by the Applicant)

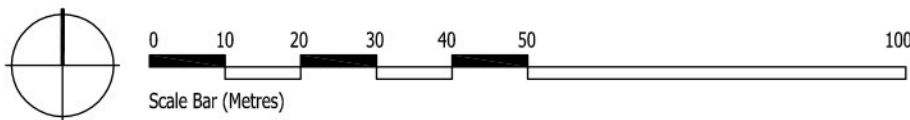





Application Site 2 - Indicative House View Looking Southwest

REV.	DESCRIPTION	DATE	DRAWN	CHKD.	STAGE	STATUS	PROJECT	DRAWING TITLE	Chartered architects and interior designers The Design Place One 39 Strid Farm Road Edinburgh EH10 6LE T. 0131 452 8590 F. 0131 452 8591 admin@krarchitects.co.uk www.krarchitects.co.uk	 <b>KENNETH REID</b> ARCHITECTS	DATE	SCALE	DRAWN	CHECKED
					PLANNING	FORMAL	RESIDENTIAL DWELLINGS TENTERFIELD	3D VIEWS SITE 2			OCT 2018	NTS	CS	KR
					CLIENT						CONTRACT No.	DRAWING No.	REVISION	
					KRA						1169	P2(2-)-301	-	
											© KENNETH REID ARCHITECTS - ALL DIMENSIONS TO BE CONFIRMED ON SITE			





REV.	DESCRIPTION	DATE	DRAWN	CHKD.	STAGE	STATUS	PROJECT	DRAWING TITLE	Chartered architects and interior designers The Design Place One 39 Braid Farm Road Edinburgh EH10 6LE T: 0131 452 8590 F: 0131 452 8591 admin@krsarchitects.co.uk www.krsarchitects.co.uk	DATE	SCALE	DRAWN	CHECKED
					PLANNING	FORMAL	RESIDENTIAL DWELLINGS TENTERFIELD	LOCATION PLAN SITE 2	 KENNETH REID ARCHITECTS	JUNE 2018	1:1000@A3	CS	KR
					CLIENT					CONTRACT NO.	DRAWING NO.	REVISION	
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## Tenterfield Drive Application Site 2

### Design Statement



The strategy for the design of the house type for Tenterfield Drive is based upon the specific attributes prescribed by the setting. The house types are bespoke and respond to the characteristics of the environment by addressing the natural, physical and visual features of their locale.

As such, the house-types are a bespoke design exclusive to Tenterfield Drive which enhance and improve the characteristics of the Conservation Area.

The material pallet has been carefully selected to reflect the traditional materials used throughout the Conservation Area, juxtaposed with more modern materials such as composite cladding as successfully and sympathetically used at the adjacent Victoria Park development.

The design incorporates an aesthetic spine wall formed of natural rubble stone to mirror the language of the Old Town Wall. It is proposed that the Old Town Wall is to be reintegrated back into the setting from its current visually obscured state due to overgrowth with ivy. The contemporary house-types will straddle the modern rubble walling as if they have been built off of a ruin, further integrating and acknowledging the aesthetic of the Old Town Wall.

The scale, design, massing and concept of the housing is contemporary, but with a traditional pallet of natural stone, slate, zinc and lead. It is proposed that the house-types will integrate well within the Conservation Area whilst providing contemporary living, place-making and aesthetic to the area.

# **Landscape and Visual Appraisal**

## **Tenterfield Drive, Haddington**

**On behalf of**

**KRA**

**June 2018**





## **LANDSCAPE AND VISUAL APPRAISAL**

### **1.0 Introduction**

- 1.1 This report describes the existing environment and provides an appraisal of the predicted impacts of the proposed residential dwellings on lands at Tenterfield Drive, Haddington, in terms of its effect on the physical structure and aesthetic character of the landscape and the impacts on the visual amenity of those experiencing views.
- 1.3 The methodology comprised an initial desk top study of Ordnance Survey (OS) maps and planning documents, a site survey in **September 2015**, followed by an assessment of potential landscape and visual impacts.
- 1.4 This appraisal has been undertaken in line with guidance contained in **Guidelines for Landscape and Visual Impact Assessment** published by the **Institute of Environmental Management and Assessment** in association with **The Landscape Institute (3<sup>rd</sup> Edition)**.
- 1.5 This assessment has been undertaken by VLM Landscape Design Ltd. Victoria Mack, a chartered landscape architect with over seventeen year's professional experience, was responsible for the production of this assessment.
- 1.6 The key objectives of the appraisal are to:
- identify significant landscape features that may be affected by the development;
  - identify key viewpoints and viewers likely to be affected by the development;
  - identify significant impacts on the landscape and visual amenity; and,
  - identify measures to mitigate these impacts.
- 1.7 Landscape and visual impacts may potentially result from the following:
- visibility of items associated with the development during the construction phase;
  - loss of existing landscape features or the introduction of new features; and,
  - the presence of permanent structures and lighting on completion of the development.
- 1.8 In preparing this Landscape Appraisal, reference has been made to the local planning policy included in the **East Lothian Local Plan (adopted 2008)**.

## 2.0 Methodology

- 2.1 The aim of this appraisal is to identify and evaluate potential effects arising from a proposed development upon the landscape and visual resource. The level of effect is assessed through a combination of two considerations – the sensitivity of the landscape character and visual amenity (views) of receptors, and, the magnitude of change upon the receptors that will result from the proposed development.
- 2.2 There is no requirement for a formal Environmental Assessment to support this Application. In line with current guidance contained in GLVIA 3 for non EIA Landscape and Visual Appraisals such as this, the terms 'significant' and 'not significant' have not been used. However, it is important to set out the grading of the scale of the potential impacts and based on the detailed information available regarding the nature of the proposed development, the scale, duration and permanence of change and the size of the resource/area affected. The following criteria (adapted from GLVIA 3) is used.

### Landscape Sensitivity and Magnitude of Change

- 2.3 Sensitivity of the landscape depends both on its intrinsic quality and explicit value (according to landscape designation) and, on its susceptibility to the type of change proposed. Sensitivity is graded High, Medium and Low. Criteria for Magnitude of change is described in the table below:

**Table 1: Criteria for Landscape Magnitude of Change**

Level	Definition of Magnitude
High	Total loss of, or major alteration to, key elements, features or characteristics of the baseline landscape and/or introduction of elements considered to be totally uncharacteristic when set within the attributes of the receiving landscape. Post development character and composition of the baseline landscape resource will be fundamentally changed.
Medium	Partial loss of, or alteration to, one or more key elements, features or characteristics of the baseline landscape and/or introduction of elements that may be prominent but may not necessarily be considered to be substantially uncharacteristic when set within the attributes of the receiving landscape. Post development character and composition of the baseline landscape resource will be partially, but noticeably changed.
Low	Minor loss of, or alteration to, one or more key elements, features or characteristics of the baseline landscape and/or introduction of elements that may not be characteristic when set within the attributes of the receiving landscape. Post development character and composition of the baseline landscape resource will be noticeably changed but the underlying character of the baseline landscape will be similar to the pre-development character.
Negligible	Very minor loss of, or alteration to, key elements, features or characteristics of the baseline landscape. Change to the landscape character will barely, if at all, be distinguishable.

### Visual Sensitivity and Magnitude of Change

2.4 As with impacts on the character of the landscape, the impact on visual amenity is a function of the magnitude of change and the sensitivity to change. Sensitivity depends upon the following:

- The length of viewing time e.g. a local resident with prolonged viewing opportunities will be more sensitive than a passer-by;
- Context of the view e.g. a viewer with an existing view of industrial structures will be less sensitive than a viewer with rural views; and,
- Distance of the viewpoint/receptor from the development and duration of effect.

2.5 Visual Sensitivity is graded High, Medium, Low and Negligible. Criteria for Magnitude of change is described in the table below:

**Table 2: Criteria for Landscape Magnitude of Change**

Level	Definition of Magnitude
High	Highly noticeable change, affecting most key characteristics and dominating the experience of the landscape. The introduction of incongruous development. A high proportion of the view is affected and the change is dominant.
Medium	Noticeable, partial change to a proportion of the landscape affecting some key characteristics and the experience of the landscape. The introduction of some uncharacteristic elements. Some of the view is affected and the change is conspicuous.
Low	Minor change affecting some characteristics and the experience of the landscape to an extent. The introduction of elements which are not uncharacteristic. Little of the view is affected but the change is apparent.
Negligible	Little perceptible change; no discernible effect upon the view and change is inconspicuous.

### Level of Effects

2.6 The level of effect of any identified landscape or visual receptor has been assessed as Major, Moderate, Minor or Negligible. These categories have been determined by consideration of viewpoint/visual receptor or landscape sensitivity and predicted magnitude of change with the following table used as a guide only.

**Table 3: Correlation of Sensitivity and Magnitude of Change**

	Landscape and Visual Sensitivity			
Magnitude of Change	High	Medium	Low	Negligible
High	Major	Major -moderate	Moderate	Moderate-minor
Medium	Major-moderate	Moderate	Moderate-minor	Minor
Low	Moderate	Moderate-minor	Minor	Minor-None
Negligible	Moderate-minor	Minor	Minor-none	None

2.7 In addition to the level of landscape and visual effect being determined, it is important to set out the nature and duration of impacts. These are described below:

#### **Nature**

- Adverse: Detrimental or negative effect to an environmental resource or receptor;
- Slight Adverse: Minor negative effect to an environmental resource or receptor;
- Neutral: Little / no effect to an environmental resource or receptor;
- Slight Beneficial: Minor positive effect to an environmental resource or receptor; and,
- Beneficial: Advantageous or positive effect to an environmental resource or receptor.

#### **Duration of Impact**

2.8 For the purposes of this assessment, the 'Duration of Impact' is described as both the 'short term/ construction' effect, including site clearance, construction and early establishment of site-wide planting proposals, and the 'Long Term' effect (approximately +10 years from construction), including established development with planting maturing to provide mitigating effects it was designed for.

### **3.0 Site Location**

3.1 The application site is located to the north of the 'town centre' of Haddington, as defined within the Local Plan, and is accessed off one of the main roads through the historic market town, the Dunbar Road (A6093). The well-wooded corridor of the River Tyne flows through the eastern and southern parts of the town passing through Artillery Park located on the opposite side of Dunbar Road to the proposed site. Large single dwellings within mature wooded grounds are located along Dunbar Road to the immediate north and south of the site; several of these dwellings are listed. Higher density housing including terrace housing, blocks of apartments as well as traditional stone built detached 2 storey dwellings and bungalows provide the context to the west and further to the south within the town centre. Gardens to properties within the area are generally well tended and contain numerous mature garden features and when combined with extensive tree cover along the Dunbar Road and on the banks of the River Tyne within the Artillery Park inter-visibility across this part of Haddington is restricted to channelled views along Dunbar Road and occasional glimpsed views towards parts of the large dwellings.

3.2 The application site comprises part of an essentially 'left-over' area of grassland adjacent to the

access road, Tenterfield Drive, to a small courtyard development comprising 7 large 2 storey detached dwellings. Tenterfield House and associated grounds provides the immediate context to the north of Tenterfield Drive and to the east of the courtyard development, with the proposed site located on the southern side of the road. The site's northern boundary is open to this access drive, whilst the southern boundary is well-defined, mostly by a high stone wall and partly by a timber fence. Mature specimen trees and understorey planting further strengthen this boundary and merges with the extensive wooded grounds of Old Bank House. Car parking bays associated with the courtyard development and ornamental planting demarcate the north-western boundary and a stone wall feature and mature trees demarcate the eastern boundary along Dunbar Road. Several mature specimen trees are scattered across the grassland which steadily rises in height from the access on Dunbar Road to the far western corner of the site, opposite the courtyard development.

## **4.0 Landscape Designations**

### **Conservation Area**

- 4.1 The application site is located within the northern fringes of an extensive Conservation Area which incorporates a large portion of the market town and includes a high number of listed buildings. These designations, protected through Policies ENV 2 and ENV 4 of the East Lothian Local Plan (2008), reflect the architectural and historic character surrounding the proposed development.
- 4.2 It is considered that the proposed development of residential dwellings will not impact on the overall integrity or character of the Conservation Area. Due to the extremely tight visual envelope around the proposed site, as a worse-case scenario glimpses towards parts of the new dwellings will be afforded from limited areas of the conservation area within the wider context, as illustrated in Viewpoints 5, 6 and 7 (Figure 2).
- 4.3 New dwellings and garden curtilages will be set well back from the entrance, and the open parkland character experienced at the gateway into Tenterfield Drive will be retained. It is acknowledged that glimpsed or filtered views towards small parts of new built forms will be afforded as receptors pass-by the entrance (as illustrated in Viewpoint 1, Figure 1), however, these will be seen within the context of filtered and glimpsed views to other built forms which encompass the context to the proposed development, and as such, these views will not be uncharacteristic.
- 4.4 It is considered that the development will be laid out to maintain the character and appearance of the Conservation Area and will be sympathetic with the characteristic built forms in terms of scale

and form. By utilising local materials and detailing in keeping with the vernacular of the area, these design principles will ensure the development is compatible with the historic fabric of Haddington.

### **Listed Buildings**

- 4.5 There are a high number of listed buildings within the Haddington Conservation Area, including several listed buildings and a listed structure within the context to the proposed development. Indeed, the site itself once formed a small part of the former grounds to the Grade B listed Tenterfield House which would have extended to the southern boundary of the subject lands. However, over the years the wider grounds have significantly diminished with new development including the circa 2001 development incorporating the 7 large detached units of Tenterfield Drive. The immediate context to the west has also seen some significant changes with the introduction of 3 new 2 storey apartment blocks. Whilst both of these developments have been sensitively designed and finished with high quality materials and associated external works packages reflecting the quality of the existing environment, collectively they have created a more built up character to the setting to the west of Tenterfield House.
- 4.6 The access road, Tenterfield Drive, serving the courtyard development extends from Dunbar Road and effectively severs the setting of Tenterfield House from the proposed site and forms a physical and visual barrier. In addition, an embankment rises up relatively steeply from the northern edge of Tenterfield Drive and a large amount of existing and more recent planting is located along the top edge. This includes a high number of mature exotic species trees, some 'pinus' specimens as well as coniferous trees and understorey planting which have matured over the years to form an attractive edge to the new setting to the listed building as well as forming a very strong visual barrier. The well vegetated mature garden grounds wrap around the 18<sup>th</sup> century classical villa with a high stone wall and historic gate piers along the Dunbar Road boundary. These landscape components combine to limit inter-visibility into and out of the grounds whilst the views towards the proposed development from the listed house and grounds are wholly restricted.
- 4.7 The late 18<sup>th</sup> century Old Bank House is also a Grade B listed building set within wooded grounds and forms the immediate context to the south of the proposed site, with the house set well back from the southern boundary. Both listed houses are orientated on an E-W axis with their main aspects overlooking Dunbar Road and away from the proposed development. It is acknowledged that some windows of the Tenterfield House and Old Bank House face the application site however, in reality, the significant amount of mature tree cover and understorey planting within the grounds to both listed buildings, in particular the coniferous planting on the top of the embankment to

Tenterfield House, will restrict the vast majority of views. Even if views towards small parts of the new rooflines are available from the upper level room of Tenterfield House facing south, this will be in keeping with the character of views from the settings to this listed building where glimpsed and framed views of the built forms to the west are already available. The proposals for residential dwellings will marginally add to the built footprint within the area. However, it is considered that the visual amenity of the setting to the listed buildings, in particular Tenterfield House, have already been significantly compromised by recent development. In addition, due to the strong visual and physical barriers between the setting to Tenterfield House and the application site, and therefore lack of inter-visibility, the introduction of new dwellings will not further affect the visual amenity of Tenterfield House or Old Bank House. It is judged that no other listed buildings within Haddington will be affected by the proposed development.

### **Listed Structures**

- 4.8 Portions of the old town wall remain and are a Category C listed structure. The wall, which is mostly rebuilt, lies on the north side of Haddington between Newton Port and Hardgate. A section of the wall partly defines the southern boundary to the proposed site. Filtered views towards the upper parts of some of this section of the wall are available from Tenterfield Drive however, dense understorey planting and overgrown ivy which has invaded the length of the structure has, in some areas, completely screened the wall from view. With the introduction of a long term management plan for the site which will include on-going maintenance of the grassland, existing trees and understorey planting, it is considered that the setting to the town wall will not be 'obliterated' but rather, augmented and its character enhanced.
- 4.9 The approach to the delivery of the proposed development fully acknowledges the setting and as such the proposed dwellings have been located within distinct 'visual pockets' created by the existing mature tree cover and have been designed to reflect the scale, height, massing, alignment, building finishes and external boundaries of built form within the surrounding conservation area.
- 4.10 It is judged that the impact on the Conservation Area and the settings to listed buildings and structures is **Minor** and in the long term **Slight Beneficial**. It is assessed that there will be **no adverse impacts** arising from the proposed development on the setting to any listed buildings, the town wall nor the Haddington Conservation Area.

## **5.0 Landscape Impacts**

## **Impacts on Landscape Resource**

- 5.1 Existing vegetation is mainly limited to the eastern, western and southern boundaries where woodland belts extend from the setting to Old Bank House to frame the application site. Ornamental planting associated within the car parking bays within the courtyard development further define the north-western corner of the site and a number of mature specimen trees are scattered across the subject lands. Single specimen mature trees across the site and context form part of a Tree Preservation Order No. 94. As such, and given the visual amenity value these trees bring to the setting, the retention of the existing mature vegetation structure and ultimately its enhancement is seen as an important baseline factor to the successful integration of new development into this landscape. In association with the prevailing landform, the existing mature tree cover including dispersed specimen trees are important landscape features and provide an opportunity to not only relate the new built forms to established components of the landscape setting but also a focus within which to build.

### Existing Mature Tree Cover

- 5.2 In support of the previous planning application for proposed residential dwellings at Tenterfield Drive (Application Reference 15/00835/P), a 'Tree Survey and Arboricultural Constraints' report was produced by Alan Motion Tree Consulting Ltd. This Survey provides an accurate and up-to-date assessment of the existing tree cover across the Tenterfield site and importantly, identifies a Root Protection Area (RPA), based on the current extent of root systems. As indicated within the Survey, the RPA zone is relatively confined across the site leaving more than adequate land for plots to be established without impacting on the root systems of the existing tree cover. In line with BS 5837:2012, it is intended to fully protect the existing trees at the construction stage with the installation of protective fencing. A further condition relating to the use of hand tools adjacent to the outer edge of the root protection area rather than the use of machinery could be enforced.
- 5.3 In relation to the condition of existing trees, the Arboriculturalist recommends that 4 trees across the site, i.e. Tree numbers 3, 7, 12 and 14, are either removed or are the subject of on-going monitoring with potential removal, mainly due to the age and condition. In line with the Council's recommendations for the removal of TPO trees, it is proposed to replace these 4no. trees with suitable species and semi-mature sizes to give an immediate and positive visual impact. This is indicated on the Tree Protection drawing which accompanies the Arboriculturalist's report.
- 5.4 The objective of the landscape strategy for the development is to build upon the existing landscape structure and create a variety of age structure to the maturing tree cover. As such, it is proposed



to supplement the existing vegetation cover across the site with planting features including specimen trees, ornamental shrub and hedge planting proposed to the garden grounds of new dwellings.

- 5.5 With specific reference to the previous application for residential dwellings on the Tenterfield site, the Landscape Officer Sarah Cheyne, in her email dated 23 December 2015, concluded that the application could not be supported due to the *"future pressure to fell trees and/or continued crown reduction to reduce the impact of the trees on the houses .....*". Whilst there are a number of large, mature trees across the site including an outstanding mature beech specimen, the majority of trees along the southern boundary are smaller and have lighter canopies allowing some direct and dappled light across the landholding. This is seen in Viewpoints 2, 3 and 4 (Figure 1) taken from Tenterfield Drive. During summer months when the sun is higher, more light will fall into the proposed rear gardens to the new dwellings and the amount of daylight is not considered to be an issue, and thus negating the potential pressure to reduce the crowns of existing trees.
- 5.6 Notwithstanding, even without the development of the site, the Tree Survey has highlighted that some trees will require removal due to ongoing safety issues. The Survey also indicates that some trees are effectively being 'strangled' by vigorous ivy growth. This is located along parts of the old town wall. Rather than obliterate sections of the town wall which has occurred in the recent development to the immediate west of the proposed site, the site-wide proposals include the removal of this ivy as well as the removal of the 4 no. trees due to condition/safety reasons.
- 5.7 In this regard, it is not proposed to unduly remove or effect any of the important tree features across the site, unless for condition/safety reasons. Rather, through the introduction of new specimen tree and ornamental planting and the adoption of a pro-active site-wide management plan, the objective will be to maintain, protect and enhance the quality of this important tree resource across Tenterfield as well as the protection of the historic town wall to the benefit of the wider setting.
- 5.8 As a result of construction of the dwellings and associated garden curtilages on the application site, there will be a limited loss of grassland, with a large portion of the swathe of grass and vegetation features across the subject lands remaining untouched. The loss of this small area of grass will have a very minor impact on the physical structure of the landscape where an abundance of grass framed by extensive mature garden boundary features provides the immediate context.
- 5.9 New planting forms an integral part of the development strategy and as such, new specimen garden

trees will be planted along the boundaries to the individual plots which will establish to complement and add to the existing landscape resource across the immediate context. In the longer term, these features will help to further reinforce the sense of structure experienced across the immediate site area.

- 5.10 It is judged that the impact on landscape resource is **Minor** and in the long term **Beneficial**. The effects on the landscape resource are assessed to be **not adverse**.

### **Impacts on Landscape Character**

- 5.11 Following construction, there will be an impact to the local landscape character of the site and its immediate context, changing from an area of grassland and mature specimen trees with a parkland character to a landscape containing residential dwellings. Whilst the parkland character of the site will remain and indeed enhanced with the implementation of planting proposals, the landscape will become slightly more enclosed with filtered, framed or glimpsed views towards the upper parts of the new dwellings available. This reflects the character of the immediate setting where mature tree cover effectively minimise views towards existing residential dwellings with only occasional glimpses through these features afforded.

- 5.12 It is judged that the impact on landscape character is **Minor** and in the long term **Beneficial**. The effects on the landscape character are assessed to be **not adverse**.

## **6.0 Visual Impacts**

- 6.1 In assessing the visual impact of the proposed development on the landscape and townscape, full consideration has been given to all viewpoints, their location and distance from the site, the quality of each view and the impact that the small-scale development will have on the setting. The visual assessment is based upon the desk top study and a site visit with a selection of photographic viewpoints illustrated in Figures 1 and 2. The locations of these viewpoints are presented in the inset on each figure.

- 6.2 The surrounding built context including the Tenterfield courtyard development, the large detached 2/2.5 storey listed villas and apartment blocks in Victoria Park, as well as the higher density of terrace housing and traditional stone built dwellings encompassing the wider context, combine with extensive mature garden features and large areas of woodland within the grounds to the surrounding properties and along the River Tyne corridor to create a very tight visual envelope with only limited opportunities for local views.

- 6.3 To the north and west, the large detached dwellings within the Tenterfield courtyard development and the apartment blocks at Victoria Park combined with high stone walls and mature garden vegetation effectively screen most views towards the application site. This is illustrated in Viewpoint 6 and 7 (Figure 2) which are taken from the surrounding road network along Fortune Avenue, Victoria Park and Vetch Park. It is acknowledged there may be glimpsed views towards parts of the new dwellings from the upper level at the rear of one of the Victoria Park apartment blocks (Viewpoint 4, Figure 1).
- 6.4 Approaching the site entrance along Dunbar Road from the north and south, the extensive woodland grounds of Tenterfield House, Old Bank House and other large detached properties which form the street scene along Dunbar Road aid in minimising views into the application site. This is illustrated in Viewpoint 5 (Figure 2), taken from Dunbar Road near to the access to Old Bank House.
- 6.5 Local filtered and glimpsed views towards small parts of the new built forms and rooflines will be available from the entrance into Tenterfield Drive from Dunbar Road (Viewpoint 1) and direct views as the receptor passes the dwellings on-route to the courtyard development beyond (Viewpoint 2, 3 and 4). Where visible, the proposed dwellings will be seen within the context of framed views to the courtyard development and Victoria Park development and glimpsed views to other similar scale stone dwellings. Once the new planting strategy within the gardens has established, any potential local views will become filtered towards the upper parts of the dwellings visible over the new planted boundaries.
- 6.6 The representative viewpoints (Figures 1 and 2) have demonstrated that visibility towards the application site is extremely limited to very local views along Tenterfield Drive and from the eastern fringes of the Victoria Park development. The proposed building group, where visible, will be viewed as a small scale infill development framed by existing built forms and a strong framework of woodland, mature specimen trees and ornamental planting within a parkland setting. In the medium to long term, as the proposed planting matures the sense of structure within the area and parkland setting will be further enhanced and through the introduction of cultural heritage features, the strong sense of place will be extended into the site.
- 6.7 It is judged that the impacts on visual amenity is considered to be **Minor** and in the long term **Beneficial**. The effects on visual amenity are **not adverse**.

## **6.0 Conclusion**

- 6.1 The application site is well defined by built form, extensive areas of woodland and garden features

on all sides, offers a distinct sense of place and has clearly defined boundaries which will be augmented and extended by the external works package. The proposed ornamental trees and shrub planting will reflect the character of the established residential properties within this part of Haddington. It is assessed that the new residential built forms will make a positive contribution to the character of Tenterfield Drive and setting to Tenterfield House. In turn, this will add to the strong sense of place already established.

- 6.2 This assessment concludes that the landscape and townscape context has the capacity to absorb a low density development as illustrated in the accompanying Site Plan. Where impacts may be generated, the proposed strategy can positively address them through a range of mitigation measures including: retention of all healthy existing trees; the introduction of a layer of ornamental planting and new specimen tree planting; and, the careful siting and orientation of the new dwellings to respond positively to the existing street scene.
- 6.3 This will create a framework for the application of current best practice guidelines in the design of all elements of the proposed development. Whilst there will be a period of change, the introduction of carefully detailed dwellings utilising local materials and the application of a high quality external works package including new features and an integral planting strategy, in time, will complement the existing historic fabric evident across the wider setting and bring about a more secluded character to the fringes of the conservation area. Ultimately, the proposed development will be seen to fully integrate with the established character and settlement pattern and serve to reinforce the integrity and visual amenity of this part of the Haddington Conservation Area and respect the settings to the listed Tenterfield House and the town wall.

## **LANDSCAPE AND VISUAL APPRAISAL**

### **FIGURES**



**VIEWPOINT 1:** View looking west towards the proposed site from the entrance into Tenterfield Drive. The wooded grounds to Tenterfield House and Old Bank House are visible either side of the stone wall entrance.



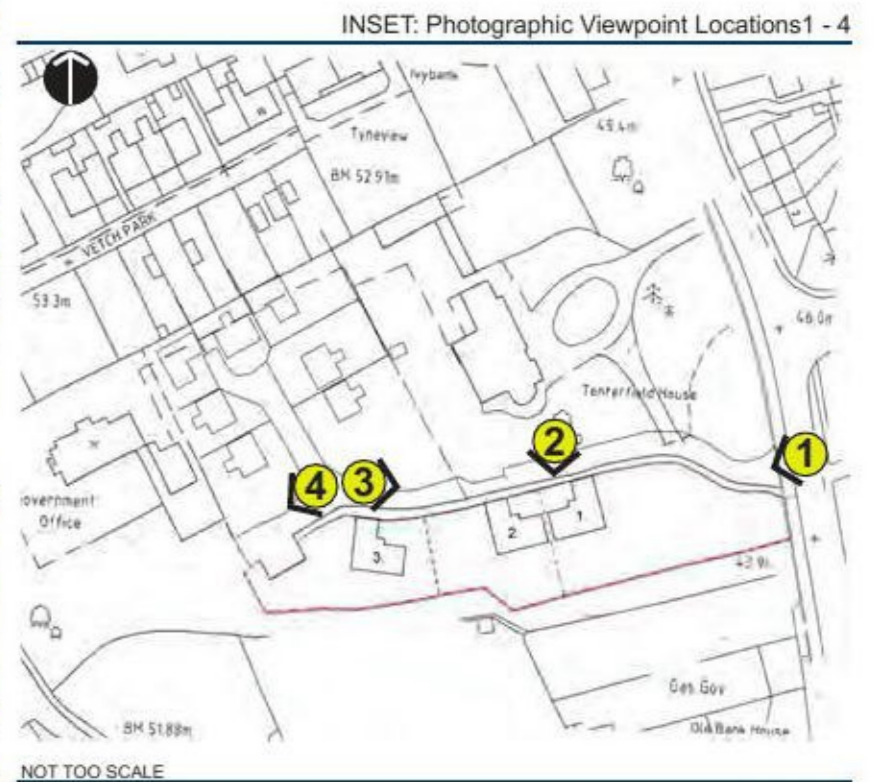
**VIEWPOINT 2:** Local view from near to the southern edge of the setting to Tenterfield House which at this location is demarcated by coniferous planting. The well-vegetated southern boundary of the site and scattered specimen trees will frame the new dwellings.



**VIEWPOINT 3:** This viewpoint is taken from near to the western end of Tenterfield Drive as it extends into the courtyard development. The well-vegetated boundary to the setting to Tenterfield House forming a physical and visual barrier is evident within this view.



**VIEWPOINT 4:** View looking across the western part of the site. An apartment block in Victoria Park development and the end detached dwelling within the courtyard development provide the context to this corner of the site.



NOT TOO SCALE



Proposed Dwellings,  
Tenterfield Drive

figure 1

photographic viewpoints 1-4

date: june 2018



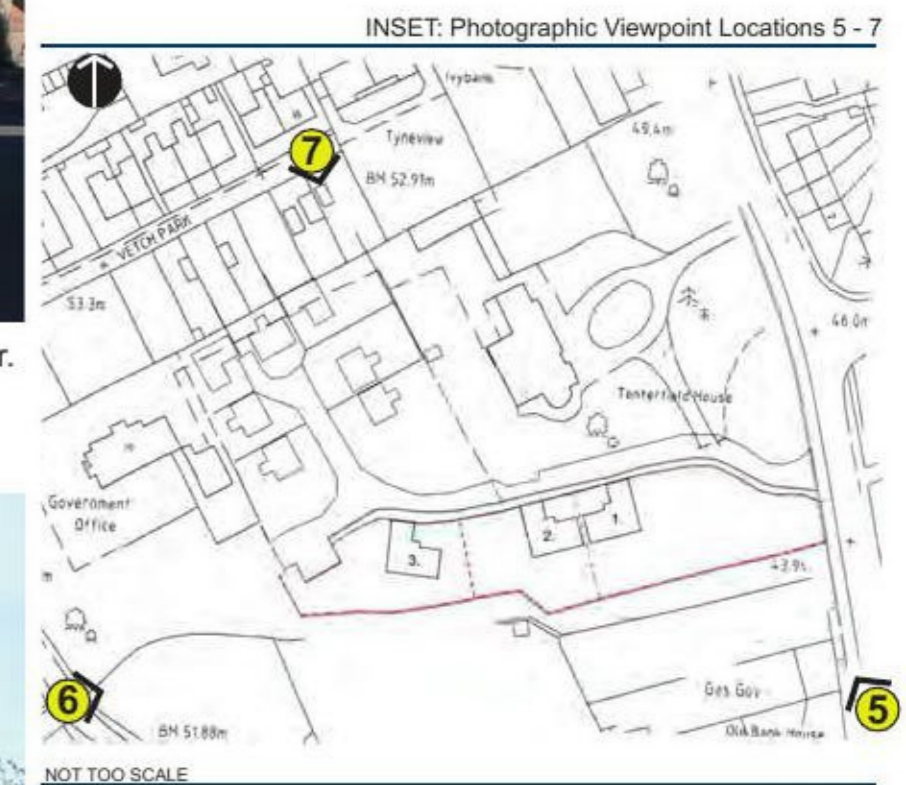
**VIEWPOINT 5:** View from Dunbar Road, opposite the wooded grounds to Old Bank House, looking north along the main road into Haddington towards the entrance to the proposed site. The fringes of Artillery Park are visible in the right of this view.



**VIEWPOINT 6:** View from the junction of Fortune Avenue and Newton Port looking east towards the application site which is screened by a combination of the high stone wall demarcating the periphery to Victoria Park development, built form, mature tree cover.



**VIEWPOINT 7:** View looking south across the built form and associated garden features of properties along Vetch Park. There are glimpsed views towards parts of Tenterfield House and one of the detached courtyard dwellings however the proposed site is screened by intervening vegetation and built form.



NOT TOO SCALE



Proposed Dwellings,  
Tenterfield Drive

**figure 2**

photographic viewpoints 5-7

date: june 2018



Alan Motion Tree Consulting Ltd  
Chartered Forester, Arboricultural Consultant

# Tree Survey and Arboricultural Constraints

## TENTERFIELD DRIVE, HADDINGTON

For

### GRA

  
Registered Consultant

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Director: Alan R Motion BScFor, FICFor, CEnv, MArborA. Reg No SC396461



## **GENERAL INTRODUCTION AND SUMMARY**

This tree survey has been carried out for GRA, in relation to proposed development on land at Tenterfield Drive, Haddington. It relates to 15 trees within the survey boundary shown on the plans appended to the report. The survey has been carried out in accordance with BS5837:2012 "Trees in relation to design, demolition and construction – Recommendations."

## **STANDARD CONDITIONS RELATING TO TREE SURVEY INFORMATION**

1. Unless otherwise stated, tree surveys are undertaken from ground level using established visual assessment methodology. The inspection is designed to determine, as far as possible, the following:
  - a. The presence of fungal disease in the root, stem, or branch structure that may give rise to a risk of structural failure of part or all of the tree;
  - b. The presence of structural defects, such as root heave, cavities, weak forks, hazard beams, included bark, cracks, and the like, that may give rise to a risk of structural failure of part or all of the tree;
  - c. The presence of soil disturbance, excavations, infilling, compaction, or other changes in the surrounding environment, such as adjacent tree removal or erection of new structures, that may give rise to a risk of structural failure of part or all of the tree;
  - d. The presence of the foregoing or any other factor not specifically referred to, which may give rise to a decline or death of the tree.
  - e. The presence of surrounding structures, roads, footpaths, utilities, boundaries and the like where growth of the tree may present a hazard or nuisance.
2. Where further investigation is required, either by climbing or the use of specialised decay detection equipment, this will be identified in the report.
3. The findings and recommendations contained within this report are valid for a period of twelve months. Trees are living organisms subject to change - it is strongly recommended that they are inspected at regular intervals for reasons of safety.
4. Whilst every effort has been made to detect defects within the trees inspected, no guarantee can be given as to the absolute safety or otherwise of any individual tree. Extreme climatic conditions can cause damage to apparently healthy trees.

5. The findings and recommendations contained within this report are based on the current site conditions. The construction of roads, buildings, service wayleaves, removal of shelter, and alterations to established soil moisture conditions can all have a detrimental effect on the health and stability of retained trees. Accordingly, a re-inspection of retained trees is recommended on completion of any development operations.
6. This report has been prepared for the sole use of GRA and their appointed agents. Any third party referring to this report or relying on information contained within it does so entirely at their own risk.

## **GENERAL DESCRIPTION**

Tenterfield Drive is located to the west of the A6093 Hardgate in Haddington and leads to a small housing development within the former grounds of Tenterfield House. The survey site is located to the south side of Tenterfield Drive and comprises an area of amenity grass with mature trees along the southern boundary. The boundary is marked by a stone retaining wall, with levels dropping approximately 1.5m to adjacent garden ground. The survey site is more or less level, rising slightly from east to west. Mature trees along the southern boundary include specimens of common lime, sycamore, beech, Norway maple and red oak. Two specimens of sycamore stand to the north of the site close to the road. Overall tree condition is good, although two specimens (T3 Norway maple; T7 red oak) are in decline and have a limited safe life. One further sycamore (T14) is self-seeded and grows against the boundary wall where it is likely to cause damage if it is allowed to mature.

## **STATUTORY PROTECTION**

The site is within a conservation area. The position with regards to Tree Preservation Orders has not been confirmed. No work should be undertaken without the consent of the local planning authority.

## TREE SURVEY AND ANALYSIS

A visual assessment has been carried out from the ground level of 15 trees within the site. The location of the trees is plotted on the attached Tree Survey Plan, and their condition and recommended remedial works are recorded in detail in the schedule attached at page 9 of this document. This records relevant details in accordance with the recommendations contained in BS 5837:2012, and includes:

- Tree number (Tree tag number where used, or plan reference number)
- Tree species (common name)
- Stem diameter at breast height (1.5m above ground level)
- Canopy spread in metres (average)
- Tree height (estimate in metres)
- Crown height (clearance to lowest branches in metres)
- Tree Condition Category
- General condition (good, fair, poor, dead)
- Age (Young, middle-aged, mature, over-mature, veteran)
- Whether single or multi-stemmed
- Comments and observations on the overall health and condition of the tree, highlighting any problems or defects
- Recommended remedial works, where necessary.

Where appropriate, recommendations have been made on necessary remedial action such as tree surgery or felling. This is specified where there is likely to be significant risk to safety or tree health, or to abate a nuisance. The recommendations are general in nature and do not constitute a detailed work specification. Specifications, where required, can be provided to accord with the guidance and recommendations contained in BS3998:2010, "Tree work – Recommendations."

The trees have not been tagged but are readily identified by reference to the accompanying plan and schedule.

Trees and groups have been categorised in accordance with the guidelines contained in BS 5837 as follows:

5 Category A

6 Category B,

4 Category C

0 Category U.

For details of the tree categorisation, refer to the table on page 8. Categorisation is carried out without reference to the proposed development or site alterations, and is based solely on tree health, condition, safe life expectancy, and amenity value. The presence of trees and their quality is only one factor in the design and planning process, and the retention of good quality, healthy trees may be inappropriate in the context of wider planning and development considerations.

## **CONSTRAINTS POSED BY EXISTING TREES**

In order to minimise the risk of long-term damage to trees from construction operations, particular care is required to protect trees from physical damage. Significant damage can be caused to root systems by ground level changes; soil compaction; contamination from oils and cement; and changes in soil moisture content. For these reasons, BS 5837:2012 '*Trees in relation to design, demolition and construction – Recommendations*' sets out a minimum recommended Root Protection Area (RPA) in m<sup>2</sup> based on the stem diameter of the tree. The RPA represents the below-ground constraints presented by trees within the proposed development area and must be taken into account in the design process. The RPA may be adjusted where restrictions to normal rooting patterns suggest that root growth will be minimal (e.g. adjacent to walls, sealed surfaces, watercourses, or existing utility trenches).

Above-ground constraints include ultimate tree height and canopy spread which will affect both physical presence and daylight availability to any proposed structures. Species characteristics, such as evergreen or dense foliage, potential for branch drop, fruit fall, *etc*, will all have an influence on the potential for development of the site. Other factors that may need to be taken into account will include easements for underground and above-ground apparatus; road safety and visibility; or the proposed end use of space adjacent to retained trees.

## **ARBORICULTURAL IMPACT ASSESSMENT**

Designs have been prepared for the erection of three new houses within the open ground between the road and the southern boundary. Proposed house positions are outwith the canopy spreads and recommended Root Protection Areas of all the existing trees, although space required for construction operations would encroach slightly within RPAs.

Tree number 3 (Norway maple) is in poor condition with significant decay extending from ground level to the point of the main fork. This is a significant weakness that will result in an increasing risk of structural failure. This tree should be removed within the near future for safety reasons, although it does not impact directly on current development proposals.

Tree number 7 (red oak) has a large dead section in the middle of the crown and is producing epicormic growth throughout. This is evidence of a root disorder, although no immediate cause was evident at the time of inspection. The extent of decline and stress-induced epicormic growth suggests that the tree has a very limited safe life. Its removal should be considered in the near future for safety reasons. Again, the tree does not impact directly on current proposals, but in the event of development proceeding, subsequent removal would be difficult.

Tree number 12 (Norway maple) has grown with a heavy bias to the north due to shading from surrounding trees. It could be pruned to reshape and balance the crown, but this would leave some significant wounds due to the size of limbs that have developed. If development were to proceed it would be sensible to remove this tree and provide a suitable replacement specimen.

As noted earlier, tree number 14 is a small, self-seeded specimen growing against the boundary wall. It should be removed as part of good management to prevent long-term damage to the historic fabric.

Remaining trees have minor defects or cultural problems that can be remedied by minor pruning operations, detailed within the tree survey schedule.

## **TREE PROTECTION PLAN**

The Tree Protection Plan indicates appropriate Construction Exclusion Zones, which are based on the recommended Root Protection Areas and other identified constraints, including tree species, vigour, amenity values, and specific ground conditions which are likely to influence the rooting environment.

The Tree Protection Plan indicates the location of all proposed structures and hard surfacing, and the location of the required Construction Exclusion Zone (CEZ) around trees proposed for retention. Trees recommended for retention must be protected barriers and ground protection prior to commencement of any development works. Barriers should consist of Heras Fencing with panels joined together with a minimum of two anti-tamper couplings, and braced on the inside of the CEZ with stabiliser struts in accordance with Figure 3 of BS5837:2012.




There should be no movement of machinery, stockpiling of materials, excavations (including service runs), or changes in existing ground levels within the Construction Exclusion Zone throughout the duration of the construction works. Where service runs must pass through the protected area, excavations should be dug by hand, and all tree roots encountered that are greater than 25mm diameter should be retained intact. Cables, pipes and ducts should be fed below roots, and trenches should be backfilled as soon as possible to prevent desiccation of roots.

Construction working space and temporary construction access is required within the RPA of existing trees. Temporary ground protection should be installed as part of the implementation of physical tree protection measures prior to work starting on site in accordance with Section 6.2.3.3 of BS5837:2012. This should comprise a single thickness of scaffold boards placed either on top of a driven scaffold frame, so as to form a suspended walkway, or on top of a compression-resistant layer (e.g. 100 mm depth of woodchip), laid onto a geotextile membrane.

## **REPLACEMENT PLANTING**

The potential removal of trees 3, 7, 12 and 14 provides an opportunity to implement replacement planting to maintain the boundary feature in the longer term. As part of the proposed development, the planting of larger-sized semi-mature specimen trees is proposed and indicated on the Tree Protection drawing attached.

## BS 5837:2012 Tree Categorisation

TREES FOR REMOVAL				
Category and definition	Criteria			Identification on plan
<b>Category U</b> Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"> <li> Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other U Category trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning)</li> <li> Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline</li> <li> Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality</li> </ul> NOTE : <i>Category U trees can have existing or potential conservation value which it might be desirable to preserve.</i>			<b>Red</b>
TREES TO BE CONSIDERED FOR RETENTION				
Category and definition	Criteria – Subcategories			Identification on plan
	1 Mainly arboricultural values	2 Mainly landscape values	3 Mainly cultural values, including conservation	
<b>Category A</b> <b>Trees of high quality</b> with an estimated remaining life expectancy of 40 years	Trees that are particularly good examples of their species, especially if rare or unusual, or essential components of groups, or of formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural features and/or landscape features.	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	<b>Green</b>
<b>Category B</b> <b>Trees of moderate quality</b> with an estimated remaining life expectancy of at least 20 years	Trees that might be included in Category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention beyond 40 years; or trees lacking the special quality necessary to merit the Category A designation	Trees present in numbers, usually as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality.	Trees with material conservation or other cultural value	<b>Blue</b>
<b>Category C</b> <b>Trees of low quality</b> with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them a greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	<b>Grey</b>

## Tree Survey Schedule

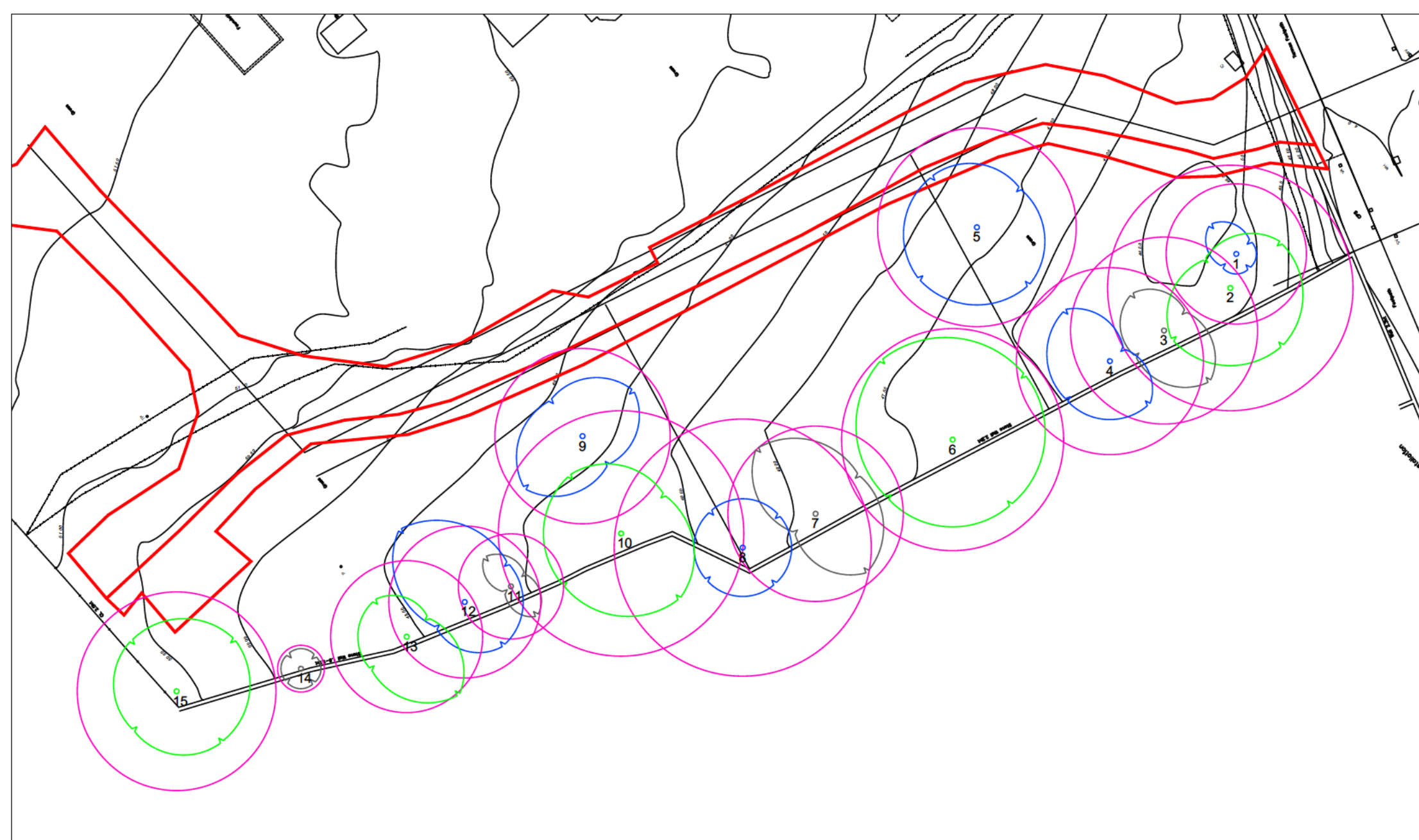
Tag No	Species	DBH	Canopy	Ht	C.Ht	BS Cat	Condition	Age	Stems	Comments	Recommendations
1	Common lime	0.60	2	20	1	B1	Good	M	1	Excessive epicormic growth. Minor dead wood (<50mm dia).	Remove epicormic growth clean off stem to give 3m clearance. Conservation dead wooding.
2	Sycamore	1.05	8	21	4	A1	Good	M	1	Crossing rubbing branch at 12m.	
3	Norway maple	0.80	7	18	3	C1	Poor	M	1	Significant cavity/decay in stem. Cavity/decay affecting main fork. Major dead wood (>50mm dia). Wound and decay from gl-3m. Dead limb arising, extends W from weakened fork.	Early removal recommended for safety.
4	Beech	0.80	6	19	2	B1	Good	M	1	Canopy 1-sided. Horizontal limb to SW at 4m, long-term structural weakness	
5	Sycamore	0.85	8	17	3	B1	Fair	M	1	Low vigour, poor shoot extension, thin foliage. Minor dead wood (<50mm dia).	Monitor general condition at regular intervals.
6	Beech	0.95	9	19	2	A1	Good	M	1	Major dead wood (>50mm dia) at 4m. Low branches to N.	Conservation dead wooding. Crown lift, prune off lowest 5 to N only. Retain larger lowest branch to W.
7	Red oak	0.75	8	20	4	C1	Poor	M	1	Major dead wood (>50mm dia). Low vigour, poor shoot extension, thin foliage. Large dead branch centre of crown, epicormics throughout. Under stress and in decline, probable root infection.	Monitor condition annually. Consider early removal and replacement with more appropriate species.
8	Sycamore	1.10	5	19	4	B1	Fair	M	1	Low vigour, poor shoot extension, thin foliage. Minor crown dieback. Declining.	Complete dead-wooding. Monitor condition at regular intervals.
9	Norway maple	0.75	4	14	3	B1	Fair	M	1	Stem wound, exposed timber remains sound. Minor dead wood (<50mm dia).	Complete dead-wooding.
10	Sycamore	1.05	9	21	4	A1	Good	M	1	Minor dead wood (<50mm dia) at 6m.	Complete dead-wooding.
11	Sycamore	0.45	4	14	3	C1	Fair	M-A	1	Canopy suppressed.	
12	Norway maple	0.65	6	16	3	B1	Fair	M-A	1	Canopy 1-sided. Heavily biased to (S)	Consider removal and replacement with suitable species.
13	Sycamore	0.65	8	15	3	A1	Good	M-A	1	Close to boundary wall	
14	Sycamore	0.20	2	10	1	C1	Fair	Y	M	Against boundary wall.	Fell.
15	Norway maple	0.85	7	17	3	A1	Good	M	1		



## Tree Survey Schedule

### KEY TO TREE SURVEY SCHEDULE

No	Number as shown on survey plan (refers to tree tags where used)
Species	Common name
DBH	Stem Diameter at Breast Height, measured at 1.5m above ground level. Diameter measured in 0.05m bands and <b>rounded up</b> to next 0.05m.
Canopy	Average canopy radius in metres (survey drawing shows actual canopy radius at 4 cardinal points).
Ht	Approximate tree height in metres
C Ht	Crown height, indicating clearance from ground level to lowest branches, measured in metres
BS Cat	British Standard 5837:2012 tree categorisation
Condition	General overall description of condition: Good, Fair, Poor, Dead
Age	Age class (Young, Middle-Aged, Mature, Over-Mature, Veteran)
Stems	Single (1) or multiple (M) stems from below 1.5m, used to determine the appropriate Root Protection Area.
Comments	Comments on any observed defects within the root zone or affecting visible buttress root system; on the main stem up to and including the point of the first main fork; and affecting main scaffold branch system or secondary branch structure. Will be left blank where no defects are noted and growth characteristics are normal
Recommendations	Description of any recommended remedial tree work operations to be carried out in accordance with BS 3998:2010, and following the specifications identified in the Arboricultural Association Specification for Tree Works. Will be left blank where no work is required




Alan Motion Tree Consulting Ltd  
Chartered Forester, Arboricultural Consultant

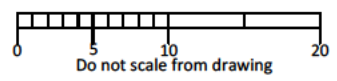
Fairlie House-Main Street-Buchlyvie-Stirling-FK8 3LX  
Tel-01360 850534  
alan@alanmotion.co.uk  
www.alanmotion.co.uk

CLIENT: KRA		
PROJECT: Tenterfield Drive, Haddington		
DRAWING TITLE: Tree Survey as existing		
DRAWING No: KRA-TD-TS-01		
DATE: 26-1-16	SCALE: 1:500 at A4	REV:

-  TREES CATEGORY A
-  TREES CATEGORY B
-  TREES CATEGORY C
-  TREES CATEGORY U

Tree survey details recorded in accordance with BS5837:2012. Numbers relate to tree tags. For detailed tree information refer to the accompanying report and schedule.

 TREE ROOT PROTECTION AREA



# Land South of Tenterfield Drive, Haddington

Application for Planning in Principle for Residential Development

## Supporting Document

28 May 2018

Prepared for Kenneth Reid Architects



By One Foot Square Architecture & Design



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*The following is based upon information that is considered to be true and accurate at the time of writing.*



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## INTRODUCTION

This supporting document looks to address the suitability of the land South of Tenterfield Drive for Residential Accommodation in support of the application for Planning in Principle for the same.

In order to suitably assess this, the document will focus on the material considerations and influential factors, both physical and perceived that contribute to the character and setting of the land proposed for development and the impact such development might have on its immediate locus and that of the wider Conservation Area. The document looks to determine whether such development in principle might be considered as appropriate place-making and consistent with the requisite growth regulated by the Conservation of this part of Haddington, East Lothian.

In other words, would the proposed development enhance the character of the Conservation Area without compromising the fundamental principles of its framework and would it contribute positively to the streetscape of the wider community to ensure sustainable, measured growth within the area?

In order to carefully measure these factors, the following matters have been considered and addressed with reference to the relevant Local and National Planning Policies, namely:

- [South East Scotland Strategic Development Plan 2013 \[SESplan.2013\]](#)
- [East Lothian Local Plan 2008 \[ELLP.2008\]](#)
- [Planning \(Listed Building and Conservation Area\) \(Scotland\) Act 1997 \[LBCA.1997\]](#)
- [Scottish Government's Scottish Planning Policy: June 2014 \[SPP.2014\]](#)
- [Historic Environment Scotland Policy Statement: June 2016 \[HESPS.2016\]](#)
- [Scottish Government's Policy Statement: Designing Streets \[SPS.STREETS\]](#)
- [Scottish Government's Policy Statement: Designing Streets \[SPS.PLACES\]](#)
- [HES operational guidance notes for Managing Change in the Historic Environment: Setting \[HES.SETTING\]](#)
- [Edinburgh and the Lothians Structure Plan 2015 \[ELSP.2015\]](#)

*It is recognised that this publication has been replaced by the Strategic Development Plan for Edinburgh and South East Scotland 2013, [SESplan.2013], but was in use at the time of the refused planning application on the subject land, (15/00835/PCL).*

## 1. THE AFFECTS ON A LISTED BUILDING OR ITS SETTING

- ELLP.2008: ENV3 (Listed Buildings)
- ELLP.2008: ENV7 (Scheduled Monuments and Archaeological Sites)
- SESPlan: Policy 1B (The Spatial Strategy: Development Principles)
- LBCA:1997: Section 59
- HES.SETTING

## 2. SETTING & PLACE-MAKING

- ELLP.2008: DP7 (Infill, Backland and Garden Ground Development)
- Planning Advice Note. 67 (Housing Quality)
- ELLP.2008: ENV1 (Residential Character and Amenity)
- SPS.STREETS
- ELLP.2008: DP1 (Landscape and Streetscape Character)

## 3. DEVELOPMENT WITHIN THE CONSERVATION AREA

- ELLP.2008: ENV4 (Development within the Conservation Area)
- ELLP.2008: DP7 (Infill, Backland and Garden Ground Development)
- LBCA:1997: Section 64
- ELLP.2008: DP2 (Design)
- SPP.2014
- ELSP.2015: ENV1D

## 4. HISTORICAL PLANNING OF THE SURROUNDING CONTEXT

- ELLP.2008
- SPS.STREETS
- SPP.2014
- SPS.PLACES

## 5. TREES ON OR ADJACENT TO THE DEVELOPMENT SITE

- ELLP.2008: NH5 (Protected Trees)
- ELLP.2008: DP14 (Trees on or Adjacent to Development Sites)
- British Standard 5837:2012
- British Standard 3998:2010



## CONCLUSION

This report has carefully and thoroughly tested the principle of residential dwellings on the application land against the necessary guidelines set out in the relevant local and national policies in place to safeguard suitable growth within the area. The findings of this report demonstrate that, not only do the proposals accord with the requisite planning policies, but moreover, this modest introduction of dwellings to the application land will actually enhance the setting by way of sympathetic *place-making* that completes the immediate streetscape and contributes to the wider Haddington townscape.

## SITE DESCRIPTION

The application site is situated in the predominantly residential area to the north and outside of the town centre of Haddington.

*[As defined by: ENV1, East Lothian Local Plan 2008]*

It is set within the context periphery of the Haddington Conservation Area which encompasses a large part of the historic market town as delineated in the Local Plan. Access to the site is off of the main north/ south running public road, Dunbar Road (A6093).

The application site comprises a three quarter acre (0.3 hectare) stretch of grassland which for a period of time was part of the garden grounds of the former Georgian Villa of Tenterfield House. There are a number of mature trees on the site subject to a Tree Preservation Order (TPO94). Accordingly, a Tree Survey has been completed by an Arboricultural Consultant.

*[See: Tree Survey and Arboricultural Constraints, Tenterfield Drive, prepared by Alan Motion Tree Consulting Ltd]*

The access road of Tenterfield Drive defines the northern boundary of the site.

Located to the north and south of the site, a number of detached dwellings within large garden grounds are set back off of Dunbar Road. The grounds are screened by mature trees and only glimpsed views towards the dwellings are offered from the main road.

To the immediate north of the application site is the flatted development occupying the Category B Listed Tenterfield House, consisting of five apartments along with a single dwelling house occupying the converted Tenterfield Stables (circa. 1994). The grounds and setting of Tenterfield House are visually separated from the application site by hedging, mature planting and coniferous trees, whilst a perceived vertical barrier by way of a ha-ha embankment and the actual road of Tenterfield Drive itself bisect any physical connection between the adjacent sites.

To the northeast, traditional terraced housing sits back off of Dunbar Road with open gardens forming the western edge of a densely built-up Artillery Park estate (circa. 1958) comprising houses and blocks of flats.

Northwest of the site is the traditional courtyard development of Tenterfield Drive (circa. 2002) consisting of seven large detached dwellings within a cul-de-sac arrangement. Just beyond this to the west is the contemporary Affordable Amenity Housing of Victoria Park (circa. 2012) comprising 22-flats over three blocks.

To the south of the site, separated by substantial, heavily wooded grounds is the category B Listed villa of Old Bank House.

The southern boundary of the site is further defined by the Grade C listed Old Town Wall separating the application site from the grounds of the Old Bank House villa.

A detailed appraisal of the landscape characteristics of the site and its locale can be found in the following report:

*[See: The Landscape and Visual Appraisal, prepared by Victoria Mack of VLM Landscape Design Ltd, June 2018]*

The surrounding area has characteristically evolved, but fundamentally changed over time to accommodate the requisite growth and needs of the emerging town, whilst endeavouring to maintain *good planning of the area* in equilibrium of its qualities. As a result, only nostalgic fragments of the former estate remain intact, but these are now isolated, disparate remnants of an historic setting and are themselves incongruous with the wider locale.

The amenity advantages of the natural characteristics of *the place*, even those deemed *exhaustive* and protected by statute, will be examined and reviewed when measured against *good planning of the area* to meet contemporary, societal needs:

*[As inferred in: NH5, East Lothian Local Plan 2008]*

## SECTION 1: THE AFFECTS ON A LISTED BUILDING OR ITS SETTING

*From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P13)*

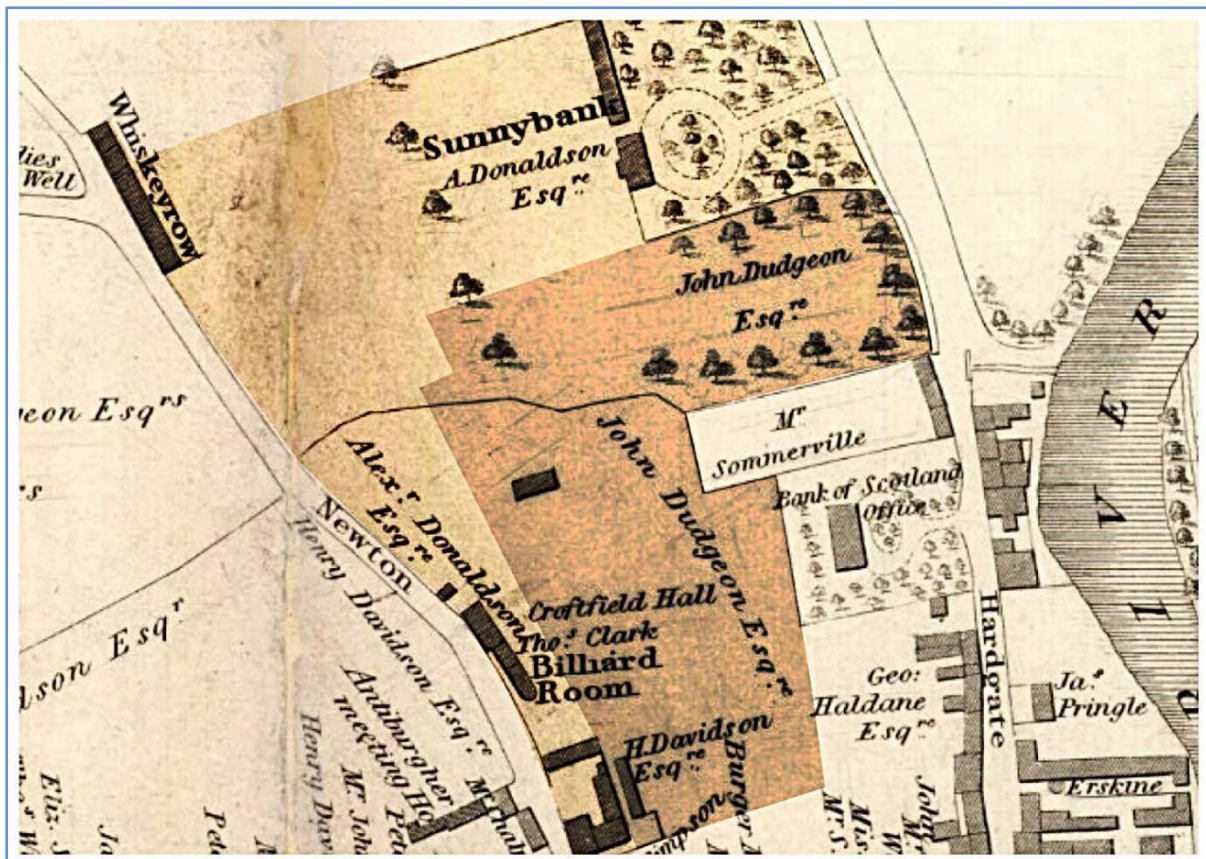
*'The proposed development does not preserve the setting of Tenterfield House or Haddington Town Wall nor does it preserve or enhance the character and appearance of the Conservation Area, but is instead harmful to the setting of Tenterfield House and Haddington Town Wall and the character and appearance of Haddington Conservation Area.*

*Historic Environment Scotland Managing Change in the Historic Environment guidance notes relating to 'Setting' state that setting can be important to the way in which historic structures or places are understood, appreciated and experienced. It can often be integral to a historic assets cultural significance and planning authorities should take into account the setting of historic assets or places when making decisions on planning applications.'*

*[HES.SETTING] Where development is proposed it is important for the Planning Authority to: define the setting of each historic asset.*

- 1.1. Tenterfield House is set within garden grounds that have diminished in size over the years to make way for residential development. The application site was not part of the original grounds when Tenterfield House (Sunnybank) was built, but was acquired at a later date, sometime between 1878 and 1895. It is understood that the application land was subsequently sold off by the Local Authority, circa. 1950.

SEE MAP 1 and MAP 2



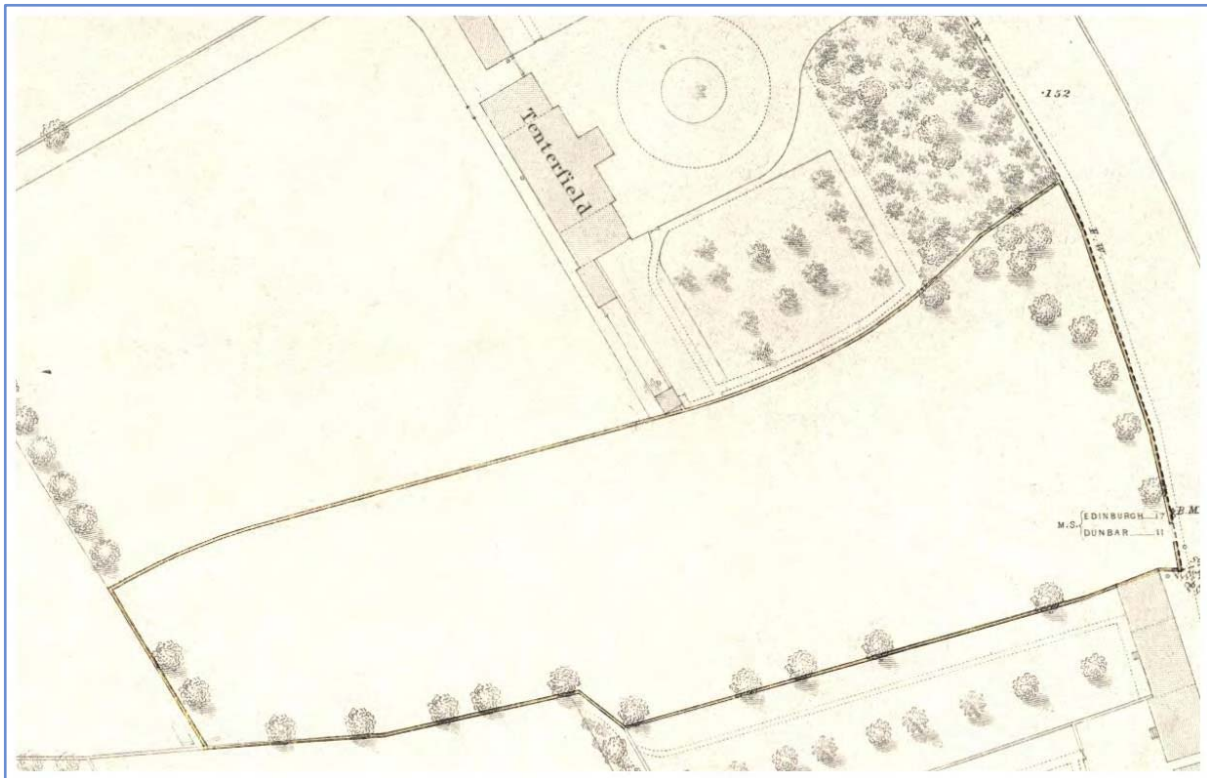
MAP 1 Town Plans By John Wood (circa. 1819)



MAP 2 *Ordnance Survey Maps of Scotland (circa. 1878)*

- 1.2. From these maps, it would appear that Sunnybank, (under the ownership of Alex Donaldson who purchased the property from his brother, Stewart Donaldson in 1812) was set within 'L' shaped grounds to the immediate west and southwest of the property. The land directly south of Sunnybank (including the application land) looks to be under the ownership of John Dudgeon.
- 1.3. The original planning of Tenterfield House which would have prescribed its setting; by design; its axis of orientation and its relationship with the immediate & wider context, did not rely upon, nor include the application land. Indeed, from the OS map of 1853, it seems that there is a continuous, unbreached wall completely dividing the two properties.

**SEE MAP 3**



MAP 3 Ordnance Survey Maps of Scotland (circa. 1853)

*[HES.SETTING] An objective written assessment should be prepared by the applicant to inform the decision-making process. The conclusions should take into account the significance of the asset and its setting and attempt to quantify the extent of any impact.*

- 1.4. The significance of Tenterfield House as an historical asset has been eroded over time and no longer bears the same relationship with its setting as it did when it was built.
- 1.5. In early 1900s, its architectural significance was diminished with the addition of Victorian extensions, changing the symmetrical character of the original Georgian design. In the 1950s, the lands surrounding it were sold off. (It is understood that the lands were sold off by the Local Authority, circa. 1950)
- 1.6. In the early 1990s, the property was left to fall into a dilapidated state and was sold for £100K by East Lothian Council for development in an attempt to safeguard its built fabric. The land accompanying the sale of the house only extended southwards as far as the original, planned curtilage of Tenterfield House; it did not include the application site. It has since been developed into flats which have further eroded its significance in both setting and character. Only the shell of the building remains; its interior function has entirely changed and it has become further removed and completely private in its setting, turning its back on the street and its surroundings by virtue of its new purpose and context.

This diminution is recognised and confirmed in the East Lothian Council's, Historic Building Recording and Conservation Area Assessment, by AOC Archaeology Group

(AOC 22335, 19 December 2012, P4) when it refers to 'the former Tenterfield House and Estate.'

- 1.7. In determining the granted application for Victoria Park (12/00466/PCL), (also within the former grounds of Tenterfield House), the Local Planning Authority recognised that the significance of the setting had changed and approval was given for a modern housing development. Furthermore, although consideration was to be given for the retention and conversion of the existing JA Carfrae buildings on the proposed Victoria Park site, (**East Lothian Planning Authority Officer Report, 12/00466/PCL, 27/06/13, P2**), it was again decided that the significance of the buildings was now depleted due to the loss of one of the buildings through neglect and fire. It was also argued that the relationship with Tenterfield House was severed as a result of the modern housing development of Tenterfield Drive to the west of Tenterfield House. East Lothian Planning Authority determined that the historic Tenterfield Cottage was to be demolished to permit *good planning of the area*.
- 1.8. Similarly, the walled garden to the west of Tenterfield House which once shared both a visual and physical relationship with the house, was deemed an appropriate site for residential development (**12/00466/PCL**). The Local Planning Authority concluded that the historic relationship between Tenterfield House and the walled garden had been 'destroyed' due to recent additions to the built landscape within the grounds, namely the residential development of Tenterfield Drive.

SEE MAP 4



MAP 4 Ordnance Survey Maps of Scotland (circa. 1892)

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P13)**

*'The Guidance notes inform that 'setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced. Monuments, buildings, garden and settlements were almost always placed and orientated deliberately, normally with reference to the surroundings topography, resources, landscape and other structures. Over time, these relationships change, although aspects of earlier setting can be retained. Setting can therefore not simply be defined by a line on a map, and is likely to be unrelated to modern landownership or to curtilage often extending beyond immediate property boundaries into the wider area.'*

*[HES.SETTING] 'Setting' is the way the surroundings of a historic asset contribute to how it is understood, appreciated and experienced. The setting of a historic asset can incorporate a range of factors. These include:*

*[HES.SETTING] Current townscape context.*

- 1.9. Tenterfield House is set back from the main road and continues to be private in its setting and is confined to its reduced garden grounds. Its historical *private* context remains unchanged and has been adopted by the current flatted development for its benefit. This *privacy* is unaffected by the proposed development of the application land.

*[HES.SETTING] Views to and from the historic asset.*

- 1.10. Only glimpsed views of Tenterfield House can be viewed from the main Dunbar Road through mature tree cover. The designed axis of the house runs from east to west and historically, Tenterfield House would have enjoyed views towards its garden grounds and walled garden directly to the west and towards open fields and the river Tyne to the east. Principal views to and from the house have transformed over time and are interrupted by the adjacent residential developments to the east (Artillery Park) and west (Tenterfield Drive and Victoria Park).

*[HES.SETTING] Relationships with other features, both built and natural.*

- 1.11. Tenterfield House now only relates to its immediate grounds. It does not appear to have had a relationship with any built features within the townscape, whether tangible or otherwise and there is no inter-visibility between it and any significant historical buildings or settings within the wider Haddington Conservation Area. As such, the setting and character of Tenterfield House are not significantly influenced by the landscaping of the application land, nor have they ever been, other than a brief circumstance of pairing through Title Association.

*[HES.SETTING] A 'sense of place': the overall experience of an asset.*

- 1.12. As the setting and character of Tenterfield House have devolved over time, it has become private and autonomous not only in how it is perceived, but how it relates to its immediate surroundings and the wider context of the Haddington townscape. This



is concurrent with the original intended character of the private Georgian Villa and typical of its contemporary role as an enclosed, private flatted development.

*[HES.SETTING] Define and analyse the setting by establishing how the surroundings contribute to the ways in which the historic asset is understood, appreciated and experienced.*

*[HES.SETTING] How do the present surroundings contribute to our ability to appreciate and understand the historic asset?*

- 1.13. The present surroundings are removed from the setting of Tenterfield House, both visually and physically. The brief association that the application land shared with the former estate never significantly contributed to or influenced an understanding, experience or appreciation of the historical asset or its setting. This is compounded by the fractured relationship between the former estate and the application site today.

*[HES.SETTING] How does the historic asset or place contribute to its surroundings?*

- 1.14. The private flatted development that now occupies the former Tenterfield House does not engage with or positively contribute to its surroundings. It is considerably set back off of the built-line of Dunbar Road and is disengaged from *the street*. The sense of exclusion and privacy is reinforced by heavy screening by mature trees surrounding the immediate grounds as well as a sign at the entrance to the development that reads 'Private Grounds. CCTV Cameras Are In Operation.' These characteristics are not typical of the open frontage gardens of surrounding residential properties and inconsistent with the local streetscape.

**SEE PLATE 1**



**PLATE 1** Views towards Dunbar Road from Tenterfield House are obscured by heavy tree screening

*[HES.SETTING] When the historic asset was developed or in use (both originally and subsequently):*

*[HES.SETTING] How was it intended to be viewed?*

1.15. Historically, Tenterfield House would only be glimpsed from the surrounding environs, reinforcing its stature and offering privacy to the villa. Its disassociation with *the street* and introverted setting are elements of deliberate architectural planning to signify hierarchy within the immediate and wider townscape.

1.16. Subsequently, the modern flatted development has assumed the attributes of its setting and exploits them as positive characteristics of the private development:

The following is taken from marketing material compiled by Savills to promote the sale of the five apartments within the former villa.

*'Tenterfield House is set back from Dunbar Road. . .'*

*'Set in private and secluded communal grounds. . .'*

*' . . .mature hedges, shrubs, flower beds and trees providing both shelter and privacy.'*

*[HES.SETTING] What views was it intended to have?*

1.17. Historically, Tenterfield House would have had views towards its private grounds to the west as well as open, uninterrupted views towards the natural landscape to the east. Its original symmetry and its orientation of view to the east and west have been eroded over time and are now interrupted.

1.18. Subsequently, the modern flatted development occupying the former Tenterfield Villa only has isolated, introverted views to its immediate private grounds.

*[HES.SETTING] Changes in the surroundings since the historic asset was built should be considered, as should the contribution of the historic asset to the current landscape.*

1.19. Over the lifetime of Tenterfield House and its estate, the adjacent landscape, built environment and townscape have changed consistently and considerably to meet the contemporary societal needs of the emerging town of Haddington. Residential developments form the immediate and wider context to the setting of Tenterfield House, with 33 residential units now erected on the grounds of the former Tenterfield House Estate alone.

1.20. With the conversion of Tenterfield House into flats, its present character and purpose is consistent and harmonious with the evolved residential pattern of the surrounding built area.

*[HES.SETTING] Factors to be considered in assessing the impact of a change on the setting of a historic asset include:*

*[HES.SETTING] Whether key views to or from the historic asset are interrupted.*

- 1.21. The principal views to and from Tenterfield House to the east and west have been obstructed over time by the development of the adjacent built residential landscape. The application land lies to the south of Tenterfield House and as such sits outside of the historical and contemporary east/ west axis of importance. The subservience of the southern aspect of Tenterfield House appears to have been acknowledged and compounded during its conversion into contemporary flats. The internal remodelling of the Listed Building, has resulted in non-principal rooms, such as kitchens, occupying the south elevation. The Listed Building Application process would not have permitted this had the south elevation been considered a principal elevation.
- 1.22. Views from Tenterfield House, as currently glimpsed by the flatted development, are framed by the predominance of the adjacent residential built environment.
- 1.23. The proposed development of the application land does not detract from or obstruct any intended views to and from Tenterfield House.

*[HES.SETTING] The presence, extent, character and scale of the existing built environment within the surroundings of the historic asset or place and how the proposed development compares to this.*

- 1.24. The immediate surroundings to Tenterfield House and its former estate grounds as well as the wider context of the built environment are predominantly made up of residential dwellings, comprising a combination of detached villas, traditional terraced housing and banks of flats, all of varying massing and all contributing to the domestic scale of the surrounding area.
- 1.25. The context of the surrounding townscape is concurrent with the proposed residential development on the application site, allowing for seamless integration and immediate correlation with its setting.

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P13)**

*'The Guidance Notes acknowledge that individual developments may not cause significant impacts on their own, but may do so when they are combined.'*

*[HES.SETTING] Factors to be considered in assessing the impact of a change on the setting of a historic asset or place include:*

*[HES.SETTING] Cumulative Impact and the magnitude of the proposed change relative to the sensitivity of the setting of an asset.*

- 1.26. The setting has an established capacity to sustainably absorb residential development. The modest scale of the proposed development and the context of the application land within its residential surroundings will not erode any of the setting's key characteristics,

but rather, enhance them, whilst contributing to the familiar residential pattern of the area.

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)**

*'Furthermore, the existing mature trees on the site and the proposal to provide hedge planting along the rear garden boundaries of each house would not mitigate the impact of the development on the setting of the listed buildings and the contribution it makes to the setting of Haddington Conservation Area.'*

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P13)**

*'The Guidance Notes further state that vegetation such as trees are subject to environmental and other factors (e.g. wind blow, felling and seasonal changes which affect leaf cover) and cannot necessarily be relied upon to mitigate adverse impacts of a development.'*

1.27. As per the above observations and considerations, the proposed development of the application land does not detract from or obstruct views to and from Tenterfield House, nor will it have a negative impact on the ability to experience, understand or appreciate the setting or the contemporary diminished context of the Listed Building. As such, the proposed development does not require mitigation in the form of environmental screening, but rather, it will conserve the consistency of *openness* that characterises the surrounding residential developments.

1.28. The screening that currently surrounds Tenterfield House has been planted historically when it was a private villa and more recently when converted to private flats (circa. 1994) in order to maintain the privacy characteristics of its outlook and setting. Such privacy screening is however incongruous with the residential pattern of the area.

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)**

*'The application site also provides an open setting to the listed Haddington Town Wall that bounds the site to the south; views of which are taken from within Tenterfield Drive.'*

1.29. The proposed development incorporates an area of open green space at the entrance to Tenterfield Drive, approximately one fifth of an acre, which will display a substantial section of the Category C Listed Old Town Wall in an attempt to restore its historical significance as viewed from the immediate context of its setting. In its current condition, the wall is inconspicuous and overgrown with ivy. This section of wall, approximately 30m in length, is to be cleaned up and re-established in its setting.

**SEE PLATE 2**



*PLATE 2 The Old Town Wall as currently viewed from Dunbar Road is completely concealed by ivy and planting*

- 1.30. The Category C Listed Old Town Wall has unfortunately lost a great deal of its presence over the years which has weakened its comprehensiveness and historical significance. As recent as 2012, Listed Building Consent (**12/00466/ELL**) was granted to demolish 4.5 meters of the historical wall to enable the Victoria Park residential development which lies to the immediate west of the application site. The integrity and continuity of the historical defensive Old Town Wall has been further eroded as a consequence. The erosion of the setting of the Old Town Wall is recognised in the (***East Lothian Planning Authority Officer Report, 12/00466/PCL, 27/06/13, P8***):

*'The setting of the Town Wall has been changed over the years by the presence of those buildings.'*

**SEE PLATE 3**



*PLATE 3 Old Town Wall as viewed from the Victoria Park development with 4.5m of wall demolished*

**SECTION 1: SUMMARY**

The proposals for the principle of residential development on the application land will not have a significant adverse impact on the integrity of adjacent Listed Buildings or their setting and therefore accords with the conditions set out in **Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan** as well as **(ENV3 Listed Buildings)** of the adopted **East Lothian Local Plan 2008**.

## **SECTION 2: SETTING & PLACE-MAKING**

*From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P13)*

*'Policy DP7 states that the principle of new development within infill and backland locations will be supported where there will be no material loss of Greenfield land or open space important to the character or recreation and amenity requirements of the area, and no loss of important physical or natural features.'*

*[ELLP.2008: DP7] Outwith greenbelt and the countryside and undeveloped coast, the principle of development within infill and backland locations, including the subdivision of garden ground, will be supported where:*

*[ELLP.2008: DP7] The site can accommodate the entire development, including an appropriate amount of open space, satisfactory vehicle and pedestrian access, car parking, and where necessary vehicle turning space.*

- 2.1. NB The subject land is not an area designated in Historic Environment Scotland's Inventory of Gardens and Designed Landscapes in Scotland.
- 2.2. Concerns over car parking, pedestrian access and vehicle turning space have all been addressed, mitigated and subsequently accepted by the local authority under the previous application **(15/00835/PCL)**. The current proposal for Residential Development in Principle will assume the approved strategies.
- 2.3. The natural constraints of the subject land permits only a modest built addition to the setting. The built footprint would likely only represent around 12% of the subject land. This figure is based on the scale of the 3 unit proposal from the historic application **(15/00835/PCL)**. The limiting of built form within the landscape has been deliberately proposed by the applicant to avoid overdevelopment and to ensure an appropriate visual balance between the built and natural landscape that is respectful of the setting's capacity to absorb its new characteristics, inherent with those of its surroundings. This careful moderation of density will safeguard the perceived openness and natural visual amenity of the setting.

*From the adopted East Lothian Local Plan 2008. Chapter 13, Development Policies: Ensuring that development is well integrated into the landscape and streetscapes of East Lothian will maintain the setting, character, identity and amenity of the area.*

- 2.4. Furthermore, it is proposed that an area of the application site adjacent to Dunbar Road (approximately one quarter of the application site) is to be left as open amenity space to maintain the pattern of small pockets of green space that are prevalent along Dunbar Road and the wider Haddington Area. It is further proposed that this area will address the historical *essence of the place* by maintaining the visual connection with the Grade C Listed wall and its setting as viewed from Dunbar Road. Currently the association between the historical town wall and its immediate setting is fragmented.
- 2.5. By adhering to the existing language of the Haddington Streetscape, the proposed development will enhance the residential character of the area by following the existing

principles of place-making that have evolved throughout the immediate and wider area, signifying and defining the context of *the place*. Neighbourhoods are announced by glimpsed views of dwellings that visually address the street and physically connect with it.

**SEE PLATE 4**



**PLATE 4** *Glimpsed views of residential form amidst green landscaped pockets viewed along Dunbar Road, adjacent to the application site*

- 2.6. It is uncharacteristic within the current streetscape to have a private, ambiguous driveway leading up to a secluded residential pocket, such as Tenterfield Drive.

*From the Scottish Government's Policy Statement, Designing Streets:*

*Conventional culs-de-sac, are strongly discouraged. The preference is for networked routes and spaces which connect new residential and mixed use areas together and link with existing development forms.*

*[ELLP.2008: DP7] The occupants of existing neighbouring development experience no significant loss of privacy and amenity, and occupants of any new development must also enjoy privacy and amenity.*

- 2.7. The Subject land did not form any part of the granted application for the Tenterfield Drive development (15/00835/PCL). Amenity space for the Tenterfield Drive development has been provided by open frontage gardens (also providing visual



amenity to the immediate context) and enclosed rear gardens (providing private amenity space to the development). With a carefully considered residential scheme of appropriate architectural form and sympathetic place-making, there will be no loss of privacy or amenity to the existing development of Tenterfield Drive. Any new dwellings should be designed with high regard to their respective privacy and amenity needs, both spatial and visual.

*[ELLP.2008: DP7] The scale, design and density of the proposed development will be sympathetic to its surroundings, overdevelopment of the site will be unacceptable and landscape and boundary features important to the character of the area must be retained where possible.*

- 2.8. Concerns relating to density and overdevelopment have been addressed in **ITEM 2.3**.
- 2.9. This application for Planning in Principle seeks only to ascertain whether the subject lands are suitable for residential dwellings in the context of the developed setting. It is accepted that the same level of importance and consideration is given to the architectural treatment of the dwellings and the spaces they create around them.

*From Planning Advice Note. 67:*

*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.*

- 2.10. It is further accepted that the previous scheme was perhaps not architecturally appropriate for the setting.

*[ELLP.2008: DP7] There will be no material loss of Greenfield land or open space important to the character or recreation and amenity requirements of the area, and no loss of important physical or natural features.*

- 2.11. The subject land (currently private) does not form part of any recreational amenity for the area. The historical and contemporary character of the setting has been identified and addressed in Section 1. As such it is considered that there will be no material loss of open space important to the character of the area. The natural features within the application land are to be retained, maintained and thereby enhanced by introducing a tree management plan. The Old Town Wall is to be cleaned up and given back its historical prominence as it is viewed and appreciated from Dunbar Road. Currently, it has no historical reference in its setting other than that discerned from a map. The proposals set out by the applicant look to better this, thereby enhancing its place and historical significance within the Conservation Area.

*[ELLP.2008: ENV1] The predominantly residential character and amenity of existing or proposed housing areas will be safeguarded from the adverse impacts of uses other than housing. . . . Proposals for new development will be assessed against appropriate local plan policies. In the case of infill, backland and garden ground development, this will include assessment against Policy DP7.*

- 2.12. The proposed development safeguards the Residential Character and Amenity of the area against other forms of development, as supported in the adopted **East Lothian Local Plan 2008, ENV1**, assessed against **DP7 (Infill, Backland and Garden Ground Development)** of the same local plan.

## **SECTION 2: SUMMARY**

The introduction of the application site for residential accommodation in principle embodies an harmonious form of infill development that would enhance the character of the setting by continuing the rhythm of streetscape in the area, whilst maintaining the general essence of the place. This is achieved by respectful and modest infill which is easily absorbed by the application site and representative of the wider setting.

It is firmly believed that the proposal for residential dwellings on the application site exhibit the principles and satisfy the conditions set out and supported in **Policy DP7**, whilst integrating with and responding to the character of the setting in both its historical and contemporary locus. The introduction of carefully measured infill development to the application site will ensure the requisite and appropriate growth within the backdrop of the Conservation Area.

Furthermore, the proposals accords with **DP1 (Landscape and Streetscape Character)** of the adopted **East Lothian Local Plan 2008**:

*[ELLP.2008: DP1] All new development . . . Be well integrated into its surroundings by responding to and respecting landform, and by retaining existing natural and physical features at the site that are important to the area and incorporate these into the development in a positive way.*

### **SECTION 3: DEVELOPMENT WITHIN THE CONSERVATION AREA**

*From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P4)*

*'It is stated in Scottish Planning Policy that proposed development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area.'*

*[ELLP.2008: ENV4] All new development in Conservation Areas must be located and designed to preserve or enhance their special architectural or historic character. New development should accord with the size, proportions, orientation, positioning, density, materials, and boundary treatment of nearby buildings and public and private spaces.*

*[SPP.2014: 143] Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.*

- 3.1. On the above matters of positioning and density and as previously stated in **ITEM 2.3**, and the qualifications in **ITEM 2.9**, the principle of the proposed residential development does not conflict with the respective clauses within Policies, **ENV4**, **DP2** and **DP7** of the adopted **East Lothian Local Plan 2008** and **Item 143** of **Scottish Planning Policy 2014**, and as such are considered to preserve the character and appearance of the Conservation Area. The architectural treatment of the built form and its aesthetic relationship with the Conservation Area will be tested by the above policies under the scrutiny of a full planning application, should the application in principle for residential dwellings be accepted.
- 3.2. NB There is no mention of Tenterfield House or its surrounding lands in the **East Lothian Local Plan 2008, Haddington Conservation Area Character Statement**. It states that the core of the Conservation Area lies to the south on the axis of High Street, Market Street and Hardgate. (**East Lothian Local Plan 2008, Appendix 7**)

*[ELSP.2015: ENV1D] Development affecting the following regional or local areas of natural heritage and built environmental interest, or their settings, will only be permitted where it can be demonstrated that:*

*[ELSP.2015: ENV1D] The objectives and overall integrity of the designated area (Conservation Area), will not be compromised;*

- 3.3. The residential character, setting and appearance of this northern fringe of the Conservation Area are sustained by the proposals, reinforcing the integrity of *the place* as a residential area that shares a direct relationship with the street and consequently, the wider community of Haddington town.

The deliberate modesty of the development will provide an acceptable density of housing that is well-balanced with the perceived landscape character that interweaves the residential setting whilst ensuring permitted and acceptable growth within an aesthetic framework respectful to the language of the Conservation Area.

*From the adopted East Lothian Local Plan 2008. Chapter 13, Development Policies: Accommodating further growth by securing sensitive, integrated development design.*

- 3.4. The glimpsed visual amenity currently provided by the application site as viewed from the narrow perspective of the main Dunbar Road is to be maintained and enhanced. The substantial area of open landscaping provided at the entrance to Dunbar Road, comprises approximately one quarter of the application site. This will offer a natural *pause space* and visual continuity to the *green pockets* that are prevalent along the main road, whilst providing intervisibility with the proposed domestic built form, thus reinforcing the identity of this predominantly residential setting on the curtilage of the Conservation Area.

*[ELSP.2015: ENV1D] Or, the social or economic benefits to be gained from the proposed development outweigh the conservation or other interest of the site.*

- 3.5. The proposals will neither harm, nor compromise the character of the Conservation Area, but rather, complement it. By maintaining continuity with the evolving streetscape and visual language of the area, the proposed development will naturally integrate within the confines of the parameters prescribed to allow controlled growth throughout the Conservation Area.
- 3.6. Notwithstanding the above, the proposed development offers societal benefits to the evolving Haddington Townscape by providing appropriate residential place-making that sympathetically integrates with the wider community, providing a better quality of living and social value from a *positive sense of identity, community and place*.

*From the Scottish Government's Policy Statement, Designing Streets:*

*A positive sense of place is fundamental to a richer and more fulfilling environment. It comes largely from creating a strong relationship between the street and the buildings and spaces that frame it.*

*Designing Streets and Creating Places is national planning policy and its policies should be taken into account by local authorities when determining planning applications and producing guidance. Designing Places and Designing Streets stand together as the two key design policy statements for Scotland.*

- 3.7. As well as the social benefits from connecting a detached residential pocket to the wider community, the proposals are *resource efficient* and offer economic benefits by way of sharing an established infrastructure.

*[SPP.2014: Resource Efficient, 45] This is development that re-uses or shares existing resources, maximises efficiency of the use of resources . . . This can mean denser development that shares infrastructure and amenity with adjacent sites.*

### **SECTION 3: SUMMARY**

The proposal for residential development in principle has been appropriately located to preserve both the historical and contemporary character of the Conservation Area with careful consideration to density, positioning and connection with *the street* in accordance with **ENV4 (Development Within Conservation Areas)** of the adopted **East Lothian Local Plan 2008**.

Furthermore, the application adheres to and delivers a *Spatial Strategy with Development Principles associated with Urban Planning and its impact on Local Communities*.

*From the Scottish Government's Policy Statement, Creating Places:*

*Quality places are often central to community life. A successful place is accessible to all and encourages people to connect with one another. The relationships which are fostered help to create communities where there is a high level of positive activity and interaction. These are communities which are safe, socially stable and resilient.*

## **SECTION 4: HISTORICAL PLANNING OF THE SURROUNDING CONTEXT**

The original application for three dwellings on the application land (15/00835/PCL) was assessed by way of Environmental Impact Assessment Screening by East Lothian Council:

***From (Policy & Projects Manager, EIA/ SCREEN – POL46890)***

*'I have assessed the likely impact of the development against Schedule 3 criteria and the guidance given in Planning Circular 3/2011. Key issues for this proposal are as follows:*

- The likelihood of impacts on areas or features of historic importance, including nearby Listed Buildings, the Haddington Conservation Area, and potential archaeological remains.*
- The potential for impacts on bio-diversity and trees.*

*. . . taking into account its nature, scale and location, I do not consider a significant effect on the environment is likely. . .'*

***From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P1)***

*'The site was originally part of the gardens of Tenterfield House. The ground is now subdivided from Tenterfield House.'*

- 4.1. The application site was amalgamated with the Tenterfield House Estate latterly and for a brief period of time only. Historical records indicate that the application site was acquired by the Tenterfield House Estate circa. one hundred years after it was built and then, as noted, subsequently sold off again, circa. 1950.

***From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)***

*'The application site with its open parkland character continues to make a positive contribution to the setting of Tenterfield House and is an intrinsic part of the setting of this part of Haddington Conservation Area.'*

- 4.2. The open landscape character is to be maintained and enhanced in the foreground of the proposed development with the inclusion of an open landscaped pocket that comprises 25% of the application site. The landscape setting will continue to be perceived and experienced in the context of the Conservation Area as viewed from Dunbar Road. By continuing the pattern of residential form within the visual context of an open landscaped setting, the proposals will maintain the language of the surrounding streetscape and connect the setting with the wider townscape of Haddington.

***SEE PLATE 5***



*PLATE 5 Views from Dunbar Road towards the application site will maintain the landscape characteristics of the setting*

4.3. The relationship between the setting of the application site and the former Tenterfield House is tenuous and disjointed resulting from the following:

- historical and contemporary erosion of the setting,
- a lack of intervisibility and physical connection as perceived from the adjacent context,
- an evolved sense of autonomous and independent identities,
- the former Tenterfield House has been converted to private flats which are set back off of the main road in a self-contained setting that is secluded from the immediate and wider context of the Conservation area by coniferous tree screening,
- the residential develops to the rear of Tenterfield House (Tenterfield Drive and Victoria Park) along with the housing estate (circa. 1950) directly opposite, have destroyed the principal east/ west axis of the former villa.

**SEE PLATE 6**





*PLATE 6 Contemporary view from the entrance driveway of Tenterfield House looking east towards the Artillery Park Housing Estate*

***From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)***

*'In north approaches to Tenterfield House from the Dunbar Road to the east, the application site with its mature trees forms a back drop and thus a landscaped setting to Tenterfield House.'*

- 4.4. It is difficult to discern any visual or implied relationship between the application site and Tenterfield House when viewed from Dunbar Road or indeed from anywhere in the immediate context. The density of the mature screening that provides privacy to the flatted development of Tenterfield House, precludes any significant intervisibility between the two locations and distinguishes them as separate settings and the new road into Tenterfield drive physically divides any visual or contextual association.

***SEE PLATE 7 and PLATE 8***



*PLATE 7 Application site and Tenterfield House grounds viewed from northern approaches along Dunbar Road*



*PLATE 8 Application site and Tenterfield House grounds viewed from southern approaches along Dunbar Road*

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)**

*'In views of Tenterfield House from the access driveway to it, there is an appreciation of the parkland setting of the listed building. This appreciation is further amplified in glimpsed views of Tenterfield House from Dunbar Road opposite the access to Tenterfield Drive.'*

- 4.5. The landscape setting that provides the contemporary backdrop to Tenterfield House is very much confined to the curtilage of its own grounds. It does not visually extend beyond the periphery of its own tree screening to the north of the application site.

**SEE PLATE 9 and PLATE 10**



**PLATE 9** Contemporary secluded landscape setting for the Tenterfield House flattened development



**PLATE 10** Southern views from Tenterfield House towards application land

***From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)***

*'The positioning of the access and public road of Tenterfield Drive does not compromise the historical association the application site has with the greater curtilage and setting of Tenterfield House.'*

- 4.6. The historical association between the application site and Tenterfield House is based on a brief pairing that defined a virtual existence in Title Deed only. Neither setting has been influenced by the other. The access driveway to the Tenterfield Drive development lies along the historical and natural delineation that continues to separate the two settings. The continual presence of mature tree screening along this edge as well as a significant height difference by way of a ha-ha embankment separation, naturally prescribe the route for the contemporary road to follow. The curtilage to Tenterfield House has been further defined by the introduction of the access road to Tenterfield Drive along its natural boundary.

**SEE PLATE 11**



**PLATE 11** Tenterfield Drive access road visually leading towards residential form of Victoria Park development

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)**

*'... the existing Tenterfield Drive development, including the most recent development at Victoria Park has not, in combination, eroded the setting of Tenterfield House and Haddington Town Wall.*

*... In being largely contained, they do not encroach on the open parkland setting of Tenterfield House that includes the application site.'*

- 4.7. The above statement is not consistent with East Lothian Council's, Historic Building Recording and Conservation Area Assessment, by AOC Archaeology Group (**AOC 22335, 19 December 2012, P9**):

*'... the cottage's relationship with Tenterfield House has now been destroyed by the insertion of a modern housing estate, set within the former grounds, between the cottage and the house.'*

- 4.8. Historically, Tenterfield House was built on an east/ west orientation, having a notable front entrance set some way back in its approach from the main Dunbar Road; uninterrupted views to the east and generously landscaped gardens to the rear. It was bound by a stable block to the north (now a dwelling) and neighbouring land to the south.

**SEE PLATE 12**



*PLATE 12 Tenterfield House visual showing original Georgian symmetry with intended main entrance as approached from Hardgate to the west*

- 4.9. The contemporary developments of Tenterfield Drive (15/00835/PCL) and Victoria Park (12/00466/PCL) have unquestionably confined the flattened development to a significantly condensed version of the former setting of the category B Listed Building and by doing so, have eroded its setting.

*[HES.SETTING] An objective written assessment should be prepared by the applicant to inform the decision-making process. The conclusions should take into account the significance of the asset and its setting and attempt to quantify the extent of any impact.*

- 4.10. Based on the above statement from Historic Environment Scotland, it is clear that the already diminished significance of the historic asset and its setting was taken into consideration by the Local Planning Authority and accordingly, permission was granted for the Victoria Park and Tenterfield Drive developments in the interest of good planning of the area. It is accepted that the landscaped capsule that Tenterfield House now occupies is sufficiently adequate for and befits its contemporary purpose as a private flattened development.

***From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)***

*'In their positioning to the west (rear) of Tenterfield House, the existing 7 houses of the Tenterfield Drive development are contained within their setting and thus are not readily visible in public views of Tenterfield Drive from Dunbar Road to the east. . .'*

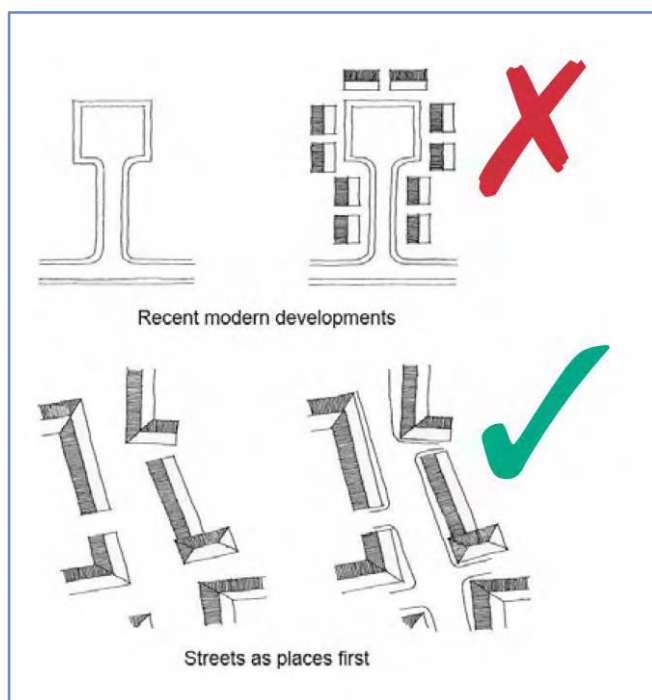
- 4.11. The anonymity of the isolated Tenterfield Drive development and its disassociation with the arterial street of Dunbar Road and the wider community, does not in any way correspond with the Scottish Government's current Planning Guidelines nor the Local Plan for contemporary place-making and the necessity for connectivity of residential form and function with the street and wider community.

*From the adopted East Lothian Local Plan 2008. Chapter 13, Development Policies:*

*Development must maximise potential to make connections, integrate with the existing urban form and reflect local architectural styles. It should create a sense of place, safety and welcome, be easy to navigate and must maximise accessibility to all in the community.*

As noted in **ITEM 2.6**, by tucking housing developments away in disengaged convenient bubbles that lack a sense of belonging to the place and thereby fracturing communities is not a planning strategy endorsed by the current Scottish Government Planning Guidelines, in fact, it is strongly discouraged.

**SEE PLATE 13**



*From the Scottish Government's Policy Statement, Designing Streets:*

*A sense of place can be considered as the character or atmosphere of a place and the connection felt by people with that place. A positive sense of place is fundamental to a richer and more fulfilling environment. It comes largely from creating a strong relationship between the street and the buildings and spaces that frame it.*

**PLATE 13** *From the Scottish Government's, Designing Streets*

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P14)**

*'The houses proposed in this application would be positioned on the higher ground level of the application site and in following the rising ground level from east to west would have stepped ridge heights. In their elevated position the proposed houses would, like the land on which they would sit, be readily visible within the streetscape of Tenterfield Drive and from Dunbar Road to the east of the access to Tenterfield Drive. In such a position the proposed houses would appear as imposing and disruptive features harmful*

*to the open parkland setting of the listed buildings of Tenterfield House and Haddington Town Wall.'*

- 4.12. The cul-de-sac development of Tenterfield Drive does not exhibit any of the streetscape principles that allow for positive integration with *the place* and as such, is disconnected from the wider community. Currently, these houses already overlook the residential built forms of the flatted developments of Tenterfield House and Victoria Park. Furthermore, and by the very nature of cul-de-sac planning, the houses of Tenterfield Drive are all overlooking one another. The proposed modest introduction of housing on the application land would not be an *'imposing or disruptive feature'*, but rather, a sympathetic arrangement of sensitive infill development that would enhance the essence of the setting by engaging the secluded Tenterfield Drive cul-de-sac with the streetscape of Dunbar Road and wider townscape.
- 4.13. Although the proposed houses on the application land would install a visual connection to the street and sense of belonging to the surrounding town as glimpsed from Dunbar Road, they would not be *'readily visible'* from Dunbar Road to the east of the access to Tenterfield Drive as noted by the East Lothian Planning Authority Officer. This view would remain unchanged other than the cleaning up and reinstatement of the Haddington Old Town Wall.

*See ITEM 4.2 and PLATE 5 above.*

- 4.14. The elevated position of the proposed houses on the application land are similar to those of the Artillery Park Housing Estate diagonally opposite, though set back further from Dunbar Road.

**SEE PLATE 14**



**PLATE 14** Artillery Park as viewed from the entrance to Tenterfield Drive is elevated at approximately the same level as that of the application site



- 4.15. The open parkland setting as described above by the East Lothian Planning Authority Officer is visually dominated by the residential built form of the Victoria Park development (**12/00466/PCL**). The houses of Victoria Park are prominently situated and clearly form a backdrop to the setting of the application site as viewed from Dunbar Road and consequently, a visual backdrop of residential built form already frames the setting of the application site.

**SEE PLATE 15**



**PLATE 15** *The residential built form of Victoria Park clearly viewed from Dunbar Road at the entrance to Tenterfield Drive*

- 4.16. It is understood that the Scottish Government's Strategy for modern residential *place-making* must be measured against the setting of the existing historical and environmental constraints. It must therefore be concluded that the significance of the application site as a Parkland Setting for the wider curtilage of Tenterfield House was taken into account and dismissed by the East Lothian Planning Authority in order for the Victoria Park development to proceed.

The above comments from the Officer's Report in relation to Planning Application (**15/00835/PCL**) are inconsistent with the decision making process that granted the neighbouring Victoria Park development (**12/00466/PCL**), which clearly frames the backdrop of the application site with its residential identity and would not have been permitted to do so if there was a significant relationship between the application site and the setting of Tenterfield House.

*[SPP.2014: Delivery, 47] Planning should adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard.*

#### SECTION 4: SUMMARY

The Historical Development and Planning History of the site and surrounding area have been assessed to provide an accurate picture of the contemporary setting of the application site and how the historical transformations have influenced the built form, character and *Essence of the Place* and its setting. The interpretations of the relevant policies have also been considered over various planning applications within the context of the area to establish a consistency of purpose. The principle of residential dwellings on the application site enhances the evolved character of the setting and correlates with the principles and precedents established by adjacent developments.

## **SECTION 5: TREES ON OR ADJACENT TO THE DEVELOPMENT SITE**

- 5.1. A number of mature trees occupy the application land, some of which are covered by Tree Preservation Order 94. As such, a Tree Survey and Arboricultural Constraints report have been prepared by Alan Motion Tree Consulting Ltd in support of the application and to ensure that the introduction of residential built form to the landscape adheres to legislation and does not compromise the current or future physical welfare of the trees adjacent to the proposals.

*[See: Tree Survey, Tenterfield Drive, Haddington, 27 January 2016]*

The relevant guidance set out in the adopted East Lothian Local Plan 2008 has been strictly adhered to in order to safeguard the trees so they may continue to positively influence the character of the natural landscape.

Due consideration has been given to the following policies and guidance:

- DP14 (Trees On or Adjacent To Development Sites)
- NH5 (Protected Trees)
- BS 5837:2012
- BS 3998:2010

- 5.2. NB The proposals do not rely on the removal of any of the trees on the application land to enable the development and meticulous care has been taken in the design of the scheme to ensure that the trees continue to provide a natural backdrop to the setting in its revised context.

***From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P15)***

*'The land of the application site is densely populated with trees and other plantings and provides visual relief within this part of the Conservation Area. It forms part of a wider area that makes a positive contribution to the visual amenity of the Conservation Area.'*

- 5.3. The visual relief provided by the trees on the land of the application site is to be retained and will not be adversely affected by the introduction of housing on the site. The large open green space proposed at the Hardgate edge of the development will maintain the character of a landscape pocket when viewed from Dunbar Road and the existing mature trees will continue to provide a backdrop to this context with no loss of visual amenity. This arrangement is indicative of the street pattern along Dunbar Road with its natural green corners that announce and lead to residential streets. The proposed development looks to continue this pattern.

***From the Scottish Government's Policy Statement, Designing Streets:***

*The urban form should be distinctive with landmarks and vistas that provide good orientation and navigation of an area.*

**SEE PLATE 16**



**PLATE 16** *The residential corner that announces the Artillery Park Housing Estate with the visual amenity of the green pocket of parkland in the foreground as viewed from the application site*

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P15)**

*'The Council's Policy and Projects Team confirms that whilst the Tree Survey and Arboricultural Constraints report identifies the site is more or less level, rising slightly from east to west it does not take into account the ground level drops by some 1.5 metres to the south boundary of the site and assess the effect the difference in ground level will have on the spread of tree roots. Root protection areas have not been plotted taking into account factors including morphology and the disposition of the roots when influenced by past or existing site conditions such as structures. Policy & Projects advise that the presence of Haddington Town Wall and the lower ground level to the south of the site would suggest that root development will be limited to the south and therefore the tree roots and the corresponding need for the protection of them are likely to extend much further within the site than indicated.'*

- 5.4. The ground level drop of 1.5m adjacent to the southern boundary wall is referred to in the Alan Motion Tree Survey as part of a comprehensive arboricultural assessment. Site level changes as well as site condition influences have been carefully considered when plotting tree Root Protection Areas (RPAs) in order to provide an accurate framework of 'build zones'.

As quoted above from **BS 5837:2012, Section 4.6.3:**

*Any deviation in the RPA from the original circular plot should take account of the following factors whilst still providing adequate protection for the root system:*

- *the morphology and disposition of the roots, when influenced by past or existing site conditions (e.g. the presence of roads, structures and underground apparatus)*

5.5. As per the observations by East Lothian Council's Policy & Projects Team, tree root proliferation may well be limited towards the southern boundary of the site where existing conditions such as the Old Town Wall and the level change in topography inhibit and therefore divert natural root spread patterns. However, these restricting factors to the south would neither exaggerate nor influence root development in areas further within the site. The morphology of such disposition might cause the root system to naturally spread out along the southern boundary wall of the site, but this would not give rise to an increase in the root footprint in areas where natural growth is unrestricted. As per the arboriculturist's report, the RPAs that are plotted in proximity to the potential build zones of the site are accurate and in accordance with the guidance set out in the **British Standard, BS 5837:2012.**

5.6. Furthermore, the RPAs plotted for the proposed development on Tenterfield Drive follow the same pattern as those shown on the Proposed Tree Removal Plan submitted by East Lothian Council for the adjacent residential development on Victoria Park (12/00466/PCL), **Drawing No. AL(01)04.**

The western edge of this site is bounded by a stone wall and a road. The RPAs mapped on the drawing in proximity to the wall and road do not indicate any increase in root distribution towards the east of the site as a result of morphology caused by these obstructions.

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P16)**

*'Policy & Projects further advises that the Tree Survey and Arboricultural Constraints report identifies that the proposed houses and works associated with it cannot be constructed without incursion into the root protection area of the Tree Preservation Order trees. Given the visual importance and sensitivity of these large mature trees Policy & Projects do not support the incursion of the development into the root protection area of the trees and thus recommend refusal of the application.'*

**From the adopted East Lothian Local Plan 2008: DP14, (Trees On or Adjacent to Development Sites)**

*The erection of buildings (including extensions to buildings) near trees should conform with British Standard 5837:1991 Guide for Trees in Relation to Construction, and any subsequent revisions of this standard.*

5.7. The current proposals and indeed the strategy proposed in the previous application for the site (15/00835/PCL) as referred to above, have been designed with specific regard to tree welfare, both during the construction phase and over the lifetime of the

development. There will be no real necessity for incursion into the RPAs for any works associated with construction of the houses. Furthermore, it is proposed that an additional 3m *buffer zone* could be provided outwith the RPAs to allow enabling works during the construction phase. These Construction Exclusion Zone have been imposed to guarantee the welfare of the trees on the application land. As outlined in the Tree Report, further mitigation will also be implemented during the construction phase by way of protective barriers, ground protection and a Construction Management Method Statement, all in accordance with **BS 5837:2012**.

- 5.8. Notwithstanding the above, the **British Standard BS 5837:2012** accepts that incursion into RPAs may be permitted in particular circumstances to enable development either for temporary enabling works, hard surfacing or permanent structures and provides guidance on best practice methodology to minimise the impact of development on trees where construction works have been accepted within RPAs.

*From BS 5837:2012:*

*Where tree retention or planting is proposed in conjunction with nearby construction, the objective should be to achieve a harmonious relationship between trees and structures that can be sustained in the long term. The good practice recommended in this British Standard is intended to assist in achieving this objective.*

- 5.9. The granted application for the residential development on the adjacent Victoria Park site (**12/00466/PCL**), required both temporary and permanent construction works within tree Root Protection Areas in order to enable the development. This was not objected to by East Lothian Council's Tree Officer and recommendations, in accordance with **BS 5837:2012**, were provided for tree protection during construction as well as a specification for car parking and other works within tree root protection zones.
- 5.10. Notwithstanding that the previous application for residential development on Tenterfield Drive (**15/00835/PCL**) looks to have been misinterpreted by East Lothian Council's Policy & Projects Team, the implementation of the above policies and guidance, (**DP14, NH5 and BS 5837:2012**) does not seem consistent between the two applications, namely Tenterfield Drive and Victoria Park.
- 5.11. East Lothian Council's Policy & Projects Team recommended the Tenterfield Drive Planning Application (**15/00835/PCL**) for refusal because they did not support the incursion of the development into the root protection area of the trees. As noted, the development does not require, nor did the application propose, construction works within any of the RPAs on the site.
- 5.12. East Lothian Council's Policy & Projects Team raised no objection to the Victoria Park Planning Application (**12/00466/PCL**) for the incursion of the development into the root protection area of the trees. Works within these protected zones was necessary to enable the development. These incursions include enabling works and permanent works such as drainage, paving, masonry constructed bin stores and foundations.

**SEE PLATE 17, PLATE 18 and PLATE 19**



*PLATE 17 Victoria Park development showing area of incursion into RPAs for paving and foundations*



*PLATE 18 Victoria Park development showing area of incursion into RPAs for paving, foundations and drainage*





**PLATE 19** Victoria Park development showing area of incursion into RPAs for drainage

- 5.13. The above determinations are inconsistent and indicate a maladministration of their relevant policies.

*[SPP.2014: Delivery, 47] Planning should adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard.*

**From (East Lothian Planning Authority Officer Report, 15/00835/PCL, 09/06/16, P16)**

*'Policy & Projects also advise that Tree Survey and Arboricultural Constraints report identifies a tree to be removed adjacent to the site. The report recommends that if development were to proceed it would be sensible to remove the tree and replace it with a suitable specimen. Policy & Projects advise that the removal of the tree would only be required due to safety concerns over the proximity of it to the proposed development and thus only required to facilitate the proposed development. Four other trees are indicated to be removed from the site due to ongoing safety issues. Policy & Projects advises they support good tree management and where trees have been identified as dangerous and requiring immediate removal by an arboriculturist, they recommend that this be attended to and replacement tree planting carried out in accordance with separate Tree Preservation Order legislation and procedures. They advise that this matter should not be controlled through any possible grant of planning permission.'*

*From BS 5837:2012:*

*The constraints imposed by trees, both above and below ground (see Note to 5.2.1) should inform the site layout design, although it is recognized that the competing needs of development mean that trees are only one factor requiring consideration. . . care should be taken to avoid misplaced tree retention.*

- 5.14. It would seem from the above Tree Officer's comments that the recommendations from the Tenterfield Drive Tree Report have been taken out of context and misinterpreted. The design of the scheme revolves around the natural context and constraints of the site and as such, no trees are required to be removed in order to enable the development. The only tree proposed for felling is dead.

The other four trees referred to above are not indicated to be removed. The tree report produced by Alan Motion Tree Consulting Ltd makes a comprehensive analysis of the condition of the trees on site and recommendations for the ongoing management of the trees. The condition of the four trees is such that their safe life is limited, irrespective of adjacent development, and in the interest of good tree management for the wider site and public safety, the early removal of these trees and replacement with suitable specimens, should be considered. None of the trees in question are required to be removed to facilitate the development.

These observations and recommendations are very clear in the tree report and misconstrued in the East Lothian Council's Officer Report.

- 5.15. Notwithstanding the above, comparisons should once again be drawn between the determination of the granted application for the neighbouring Victoria Park residential development and that of Tenterfield Drive.
- 5.16. East Lothian Council's Policy & Projects Team recommended the Tenterfield Drive Planning Application (15/00835/PCL) for refusal on the basis that they do not support the removal of trees purely for the enabling of development. As noted, the development does not require the removal of any trees on the application site in order for it to be achieved, nor does the application seek for such removal.
- 5.17. East Lothian Council's Policy & Projects Team raised no objection to the Victoria Park Planning Application (12/00466/PCL) for the removal of trees from the site to facilitate the development. It is noted that substantial tree removal was required on this site to enable the development.
- 5.18. As stated in the East Lothian Planning Authority Officer's Report for the granted Victoria Park Planning Application, "He (**East Lothian Council's Tree Officer**) accepts that the removal of the large beech tree would have to be removed."

The tree referred to above is recorded in the Tree Survey compiled by **East Lothian Council's Landscape and Countryside Team (Amenity Services)** as follows:

*Class A2 Retention; Mature; Good Condition; a large tree of good form and of significant amenity value.*

Overall, 40 trees were felled to enable the Victoria Park development. All of which would have been protected by statute and subject to protection under Trees within the Conservation Area.

- 5.19. The above determinations over the two sites suggest an inconsistent approach to the relevant policies.

*[SPP.2014: Delivery, 47] Planning should adopt a consistent and relevant approach to the assessment of design and place quality such as that set out in the forthcoming Scottish Government Place Standard.*

- 5.20. NB It has been observed that no trees within the Victoria Park application land were subject to Tree Preservation Order 1994. All TPOs stop at the boundary of this land which is owned by East Lothian Council. Even TPO grouped trees have been curtailed by the ownership boundary of the Council's land. By splitting up trees that have significant amenity value as groups is contrary to **Policy DP14** of the adopted **East Lothian Local Plan 2008**, which sets out specifically to safeguard against the erosion of such groups and to protect, *'the overall appearance and value as linear features for biodiversity and landscaping.'* *[ELLP.2008.DP14]*

Furthermore, it suggests an inconsistent and somewhat biased administration of policy and statute to suit a particular purpose or gain.

SEE PLATE 20



*PLATE 20 TPO94 diagram showing the discontinuation of protected tree groups as they are severed on the boundary of East Lothian Council's land*

**SECTION 5: SUMMARY**

In that the proposals follow the guidelines set out within Policies **DP14** and **NH5** of the adopted **East Lothian Local Plan 2008** and **BS 5837:2012** and **BS 3998:2010**, the development establishes an harmonious relationship with its natural setting and is respectful of the trees on and around the site. Furthermore, the future welfare of the adjacent trees will actually benefit from the proposals with the implementation of an appropriate and sustainable Tree Management Plan.

## Proposal Details

Proposal Name	100155979
Proposal Description	Planning Appeal to the LRB for Application Site 2
Tenterfield Drive (1 House) Planning Reference:	18/00616/PP
Address	
Local Authority	East Lothian Council
Application Online Reference	100155979-001

## Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

## Attachment Details

Notice of Review	System	A4
3D Visualisations	Attached	A3
Elevations	Attached	A1
Site Location Plan	Attached	A3
Block Plan	Attached	A1
Design Statement	Attached	A4
Landscape Appraisal	Attached	A4
Tree Survey	Attached	A4
Supporting Document	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0