

REPORT TO: Planning Committee
MEETING DATE: Tuesday 19 May 2020
BY: Head of Development
SUBJECT: Application for Planning Permission for Consideration

Application No. **19/01131/PM**
Proposal Erection of 32 houses, 28 flats and associated works
Location **Land At Windygoul South
Tranent
East Lothian**
Applicant Springfield Properties

RECOMMENDATION **Consent Granted**

REPORT OF HANDLING

PROPOSAL

As the proposal is for more than 49 residential units, the development proposed in this application is, under the provisions of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, defined as a major development and thus it cannot be decided through the Council's Scheme of Delegation. The application is therefore brought before the Planning Committee for a decision.

The application proposes residential development on part of a wider site (Windygoul South) which was the subject of a Proposal of Application Notice (Ref: 17/00016/PAN) and thus of community consultation prior to this application for planning permission being made to the Council.

As an outcome of that and as a statutory requirement for dealing with major development type applications a pre-application consultation report is submitted with this application. The report informs that it is estimated that circa 43 people attended the pre-application public consultation event which was held regarding the wider site of Windygoul South for one day at the Loch Centre, Well Wynd, Tranent on the 24th January 2018 and that those attendees made a number of queries and suggestions regarding the proposals. The development for which planning permission is sought through this current application is of the same character as that which was the subject of the community engagement undertaken through the statutory pre-application consultation on the wider Windygoul South site.

This application relates to some 1.5 hectares of farmland, located at Windygoul South on the southern edge of Tranent. The land of the application site forms part of some 35 hectares of

agricultural land, the majority of which is allocated by Proposal (PROP) TT1 of the adopted East Lothian Local Plan 2018 (ELLDP) for circa 550 homes, the expansion of Windygoul Primary School campus as well as other community uses, infrastructure and associated works. Part of the 35 hectare site (approximately 1.12 hectares of land to the south of the current Windygoul Primary School campus) is also allocated by PROP TT2 for the expansion of Windygoul Primary School campus in line with PROP ED4, to accommodate the impacts generated by PROP TT1 and other housing sites in the school's catchment area and to provide community facilities in line with PROP CF1 and PROP OS6 of the ELLDP. The land allocated by Proposal TT1 is also subject to a Development Brief which forms part of the Council's approved Supplementary Planning Guidance Development Briefs as required by the ELLDP.

On the 19th December 2019, following the conclusion of a Section 75 Legal Agreement, planning permission in principle (reference 18/00937/PPM) was granted for a proposed residential development of the wider site to include some 561 homes and also for an expansion of the Windygoul Primary School site, a community sports pitch, a Sustainable Urban Drainage System (SUDS) detention basin, areas of open space including children's formal play areas, and for associated infrastructure including formation of vehicle accesses, internal roads and footpaths, shared use paths and landscaping.

This current application was submitted to the Council prior to the determination of planning permission in principle 18/00937/PM and as such it has been submitted as an application for full planning permission and not as an application for the approval of matters specified in conditions of a planning permission in principle.

A detailed planning permission (reference 19/00378/P) was granted on the 12th September 2019 for the formation of a vehicular access from the classified road of Ormiston Road and for the formation of part of a spine/link road through the land allocated by Proposal TT1 and another detailed planning permission (reference 19/00379/P) was granted on the 23rd December 2019 for the formation of a SUDS basin designed to serve the overall residential development the subject of planning permission in principle 18/00937/PPM. Site works have commenced on the developments the subject of those detailed planning permissions.

A further detailed planning permission (reference 19/00388/P) was granted on 26th February 2020 for the erection of 41 houses and associated works on an area of land located roughly in the centre of the wider site the subject of planning permission in principle 18/00937/PPM and immediately to the south of a section of the spine road the subject of detailed planning permission 19/00378/P. That residential site is referred to by the applicant in the drawings accompanying the application as 'Area D' of the overall site the subject of planning permission in principle 18/00937/PPM.

Application (reference 20/00018/AMC) for the approval of matters specified in conditions of planning permission in principle 18/00937/PPM for the construction of the remainder of the spine/link road (Phase 2) and footpaths was granted on the 12th March 2020.

The application site is located in the north eastern part of the wider Windygoul South site. It is bounded to the west by a woodland strip and beyond by the existing residential properties of George Grieve Way and on all other sides by the remainder of the site the subject of planning permission in principle 18/00937/PPM. The indicative site plan docketed to that planning permission in principle indicates that the land to the north of this current application is to become landscaped open space with a public footpath running through it in an east to west alignment, the land to the east of this current application is to be developed with further residential properties, the land to the south of this current application is to be developed as a length of the spine road which is to be formed through the full length of the Windygoul South site from its eastern boundary to its western boundary and that beyond that to the south

would be further residential development. Beyond the landscaped open space to the north of the site lies the existing residential properties of Fleets View. The land of the site is generally flat.

The majority of the application site is within an area identified by The Coal Authority as being a Coal Mining Development High Risk Area. The north western corner of the site is within an area identified by The Coal Authority as being a Coal Mining Development Low Risk Area. Small areas of land on the north and west boundaries of the site are identified as being at risk from surface water flooding.

Detailed planning permission is sought through this application for the erection on the application site of 32 houses and 28 flats, all of which are to be provided as affordable housing representing the Affordable Phase 1 of the wider housing development the subject of planning permission in principle 18/00937/PPM. Since the registration of the application, a number of non-material amendments have been made to the proposals resulting in the submission of revised house types, landscaping, boundary treatments, footpath layouts and a reduction in the number of car parking spaces proposed.

The development site layout plan shows how the proposed 32 houses and 28 flats would be accommodated on the site along with associated access roads, parking spaces and areas of landscaping and footpaths. The houses would comprise of a mix of semi-detached and terraced and 1 detached house of 6 different house types and the flats would comprise of two types of cottage flats. The cottage flats would all be two-storey and the houses would be a mix of 3 single storey and 29 two storey properties.

In terms of size, of the proposed 32 houses 6 would contain 4 bedrooms, 14 would contain 3 bedrooms and 12 would contain 2 bedrooms. Of the cottage flats 12 would contain 2 bedrooms and 16 would each contain 1 bedroom. All of the houses and flats would be affordable housing to be managed by East Lothian Council.

Vehicular, pedestrian and cycle access to the site would be taken by way of an access which would be formed directly from the new spine road the subject of planning permission 19/00378/P which is currently being developed on site. The proposed access would continue northwards then eastwards through the site and would terminate at the eastern boundary of the site in a manner which would allow it to be continued beyond to the next area of land at a future date. Residential properties would be formed around the access road and would face towards the street or towards the new spine road to the south of the site. The majority of the proposed residential properties would have off curtilage parking created in parking courts or in spaces formed just off the access road. Visitor parking would also be formed throughout the site. Footpaths would be formed throughout the site and these would connect to the wider site the subject of planning permission in principle 18/00937/PPM to connect the development the subject of this application to areas of landscaping and other parts of the residential development the subject of that planning permission in principle and beyond. Small pockets of landscaped areas would be formed including tree planting in and around the parking areas.

The application is supported by a number of detailed drawings and reports including a Design and Access Statement, a Site Investigation, a Mineral Risk Assessment, a Coal Mining Consolidation Report, a Drainage Statement, an Odour Impact Assessment, a Noise Impact Assessment, an Ecology Report, some of which have been submitted since registration of the application.

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 the proposed development falls within the category of a Schedule 2 Development, being one that may require the submission of an

Environmental Impact Assessment (EIA). Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. On 29th September 2017 the Council issued a formal screening opinion relating to the wider development of the Windygoul South site. The screening opinion concludes that it is East Lothian Council's view that the proposed development of the overall Windygoul South Site is not likely to have a significant effect on the environment such that consideration of environmental information is required before any grant of planning permission. It is therefore the opinion of East Lothian Council as Planning Authority that there is no requirement for the proposed development to be the subject of an EIA.

DEVELOPMENT PLAN

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

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Development Plan 2018 (ELLDP) together with its adopted supplementary guidance.

The purpose of the approved South East Scotland Strategic Development Plan (SESplan) is to set out the strategic planning framework to assist preparation of local development plans. Its policies are generally not relevant for assessing individual planning applications.

Relevant ELLDP Policies and Proposals are PROP TT1: Housing at Windygoul South, Tranent, PROP ED4: Tranent Cluster Education Proposals, PROP CF1: Provision of New Sports Pitches and Changing Accommodation, PROP OS6: Allotment Sites, Policy SECF1: Safeguarded Education and Community Facilities; Policy HOU3: Affordable Housing Quota, Policy HOU4: Affordable Housing Tenure Mix, Policy OS3: Minimum Open Space Standard for New General Needs Housing Development, Policy OS4: Play Space Provision in New General Needs Housing Development, Policy OS5: Allotment Provision, Policy T1: Development Location and Accessibility, Policy T2: General Transport Impact, Policy T4: Active Travel Routes and Core Paths as part of the Green Network Strategy, PROP T9: Safeguarding of Land for Station Car Parks – Musselburgh, Longniddry, Drem, PROP T10: Safeguarding of Land for Platform lengthening – Musselburgh, Prestonpans, Longniddry, Drem and Dunbar, PROP T15: Old Craighall Junction Improvements, PROP T17: A1 Interchange Improvements (Salters Road, Dolphinstone Interchange, Bankton Interchange and Gladsmuir), PROP T21: Musselburgh Urban Traffic Control System, PROP T27: Tranent Town Centre One-Way System, PROP T28: Junction Improvements at Elphinstone Road and Edinburgh Road, Policy T32: Transport Infrastructure Delivery Fund, Policy W3: Waste Separation and Collection, Policy NH10: Sustainable Urban Drainage Systems, Policy NH11: Flood Risk, Policy NH12: Air Quality, Policy NH13: Noise, Policy DP1: Landscape Character, Policy DP2: Design, Policy DP3: Housing Density, Policy DP4: Major Development Sites, Policy DP8: Design Standards for New Housing Areas, Policy DP9: Development Briefs and Policy DEL1: Infrastructure and Facilities Provision.

Material to the determination of the application is the non-statutory Development Brief (TT1 – Windygoul South, Tranent) which was adopted by the Council on 30 October 2018.

Also material to the determination of the application is Scottish Planning Policy: June 2014. One of the main 'Outcomes' of Scottish Planning Policy (SPP) is to create successful, sustainable places by supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places.

Scottish Planning Policy highlights that new housing developments should be integrated with

public and active travel networks, such as footpaths and cycle routes, rather than encouraging dependence on the car. There should be connectivity between new and existing streets with walking and cycling networks, and allow for links into future areas of development.

A further material consideration is Scottish Government Policy Statement Designing Streets, and Planning Advice Note 67: Housing Quality. They provide an overview of creating places, with street design as a key consideration. They advise on the detail of how to approach the creation of well-designed streets and describe the processes which should be followed in order to achieve the best outcomes. PAN 67 states that the planning process has an essential role to play in ensuring that the design of new housing reflects a full understanding of its context in terms of its physical location and market conditions, reinforces local and Scottish identity, and is integrated into the movement and settlement patterns of the wider area. The creation of good places requires careful attention to detailed aspects of layout and movement. Developers should think about the qualities and the characteristics of places and not consider sites in isolation. New housing should take account of the wider context and be integrated into its wider neighbourhood. The quality of development can be spoilt by poor attention to detail. The development of a quality place requires careful consideration, not only to setting and layout and its setting, but also to detailed design, including finishes and materials. The development should reflect its setting, reflecting local forms of building and materials. The aim should be to have houses looking different without detracting from any sense of unity and coherence for the development or the wider neighbourhood.

REPRESENTATIONS

Material to the determination of the application are the written representations received to it. One written representation has been received. It raises concerns that due to higher ground levels of the application site in comparison to Fleets View, properties in Fleets View could be overshadowed, particularly from any new two storey properties or if the ground levels of the application site were not to be lowered significantly. A copy of the written representation is contained in a shared electronic folder to which all Members of the Committee have access.

COMMUNITY COUNCIL COMMENTS

Tranent and Elphinstone Community Council have been consulted on the application but have not provided any comments on it.

PLANNING ASSESSMENT

The primary material consideration in the determination of this application is whether or not the principle and the detail of the proposed development accords with development plan policy and other supplementary planning guidance and if not, whether there are material considerations that outweigh any conflict with the development plan and other supplementary planning guidance.

The land of the application site forms part of an allocated housing site (TT1 Windygoul South) in the ELLDP. Thus the Council recognises its potential for residential development. By the grant of planning permission in principle application 18/00937/PPM the Council has accepted the principle of a development of 561 residential units over the wider allocated site which includes the provision of some 60 affordable housing units on the site of this current detailed planning application. The indicative site plan docketed to planning permission in principle application 18/00937/PPM is indicatively detailed down to the level of individual house plots and house types which could be accommodated on the overall site the subject of that planning permission in principle and the detailed layout the subject of this current application shows a layout, a density, overall number of units and house types that are broadly consistent with the indicative layout docketed to permission in principle 18/00937/PPM for this part of the Windygoul South site. Full regard has therefore been had to the terms of the approved site layout drawing that relates to the wider site and the development now

proposed is in conformity with the overall provisions of that approved site layout drawing including the principle that this part of the wider site be a development of 60 affordable housing units.

The proposed houses and flats, due to their positioning on the application site and by virtue of their height, size and scale, architectural design and finishes would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features. The other components of the proposed development would not be harmful to the character and appearance of the area.

The architecture of the proposed houses and flats is of a relatively traditional pitched roof form. Render is proposed as the predominant wall finish with some use of facing brick and feature 'weatherboard' style cladding as contrasting wall finishes to add visual interest to the development. Roof tiles are to be slate grey coloured. These materials already feature extensively throughout the existing Windygoul residential area to the north and west of the site. In all of this the proposal would be an appropriate residential development of the site. It would be well designed and integrated into its landscape and settlement setting.

The proposed development would provide an attractive residential environment for future residents of the proposed houses and flats. The units are shown to be laid out in such a way that adheres to the normally accepted privacy and amenity criteria on overlooking and overshadowing, whilst affording the future occupants of the houses and flats an appropriate level of privacy and residential amenity. The proposed new houses and flats would be so sited, oriented and screened such as not to harm the privacy and amenity of existing or future neighbouring or nearby residential properties through overlooking or overshadowing.

Footpath links to the wider residential site the subject of planning permission in principle 18/00937/PPM are proposed and they will allow for pedestrian and cycle access to the wider area and will allow for good connectivity with the remainder of the Windygoul South site.

In respect of landscape matters the applicant has taken into consideration a number of comments of the Council's Landscape Projects Officer in the submission of revised drawings to incorporate enhanced landscape planting within the site. The provision, maintenance and retention of a scheme of landscaping of the site can be made a condition of a grant of planning permission. On this consideration the proposed development is consistent with Policy DP1 of the ELLDP.

The Council's Road Services have considered the details of the application and raise no objection to the proposed development, being satisfied that it could be accessed safely and would not led to a road or pedestrian safety hazard. They advise that the 100% level of parking provision would not be sufficient for a private housing development but is an adequate level to serve an affordable housing development. They recommend a number of transportation requirements which can be met through a conditional grant of planning permission for the proposed development. With the imposition of conditions to cover these recommendations of Roads Services, the proposed development does not conflict with Policies T1 or T2 of the ELLDP.

The Council's Waste Services have provided comments, initially expressing reservations that the proposed street layout, and in particular the rows of perpendicular parking spaces, could cause difficulties for operatives having to manoeuvre bins around rows of parked vehicles. The applicants have subsequently amended the parking layout and reduced the extent of parking spaces so that gaps between the spaces have been introduced which will aid the collection of waste containers. With these amendments carried out the proposal complies with Policy W3 of the ELLDP.

The Council's Senior Environmental Health Officer raises no objection to the proposed development, satisfied that it would not result in harm to the amenity of any neighbouring land use and future residents of the proposed development would also benefit from a satisfactory level of amenity.

In relation to considerations of contaminated land issues, the Council's Environmental Health Service Manager advises that taking account of the historic uses of the site and the possibility of associated contamination issues, a condition should be attached if planning permission is to be granted requiring that a Geo-Environmental Assessment be carried out by the applicant with the Report on it submitted to and approved by the Planning Authority prior to any site development works taking place. This requirement can be secured through a condition attached to a grant of planning permission for the proposed development.

On all of these foregoing findings on matters of density, design, layout, road, pedestrian, cyclist and other transportation design considerations, landscaping and amenity, and subject to the imposition of conditions, the proposed development is not inconsistent with Proposal TT1 or Policies DP1, DP2, DP3, DP4, DP8, DP9, NH12, NH13, T1, T2 or T4 of the ELLDP, the Council's adopted development brief for the site or the Scottish Government Policy Statement entitled "Designing Streets".

The Scottish Environment Protection Agency (SEPA) raise no objections to the proposed development and nor do they request any conditions be imposed in the event that planning permission is granted. They have provided details of regulatory requirements and good practice advice for the applicant in their consultation response and these recommendations have been forwarded to the applicant for their attention.

Scottish Water have been consulted on the proposals. They raise no objection and have provided comments relevant to servicing the proposed development which have been forwarded to the applicants for their information.

The matter of flood risk was fully considered in the assessment of application 18/00937/PPM. The Council's Team Manager for Structures, Flooding & Street Lighting has been consulted on this current application and raises no objections on flood risk grounds. The proposals are consistent with Policies NH10 and NH11 of the ELLDP.

Small areas of landscaped open space are proposed to be created on the site of this current application however the majority of open space provision and the formal play provision are to be formed elsewhere on the wider Windygoul south site. In terms of open space and formal play provision the details for this site are consistent with the indicative details shown for this area of the wider site in the indicative site plan docketed to planning permission in principle application 18/00937/PPM and therefore the proposals are consistent with Policies OS3 and OS4 of the ELLDP.

As the majority of the site is within a Coal Mining Development High Risk Area **the Coal Authority** has been consulted on the application. The Coal Authority initially objected to the application on the grounds of lack of information relating to potential coal mining features and hazards. In response to that objection the applicant submitted a number of documents including a Mineral Risk Assessment Report. Based on a review of appropriate sources of coal mining and geological information, and the results of intrusive site investigation, the Mineral Risk Assessment concludes that recorded mine entries and former underground coal mine workings pose a risk to development across the wider site. The indicative extent of the area of potential mineral instability, which the report author advises should be subject to pre-commencement remedial treatment works (drilling and grouting), is shown on Drawing No. E10959/0104 contained in Appendix D of the report. The Coal Authority notes that the current application site falls entirely outside the identified area of potential mineral instability.

As such, based on the submitted information and the professional opinions of the report authors set out therein, the Coal Authority has subsequently withdrawn their objection to the planning application and do not request any conditions be imposed in the event that planning permission is granted. They advise that further considerations of ground conditions, foundation design and gas protection measures may be required as part of any subsequent building warrant application.

At its meeting on Tuesday 27th August 2019 the Council approved a motion declaring a Climate Emergency. Thereafter, at its meeting on Tuesday 3rd September 2019 the Council's Planning Committee decided that a condition requiring a developer to submit for the approval of the Planning Authority a report on the actions to be taken to reduce the carbon emissions from the building and from the completed development should be imposed on relevant applications for planning permission. Such a condition should be imposed on a grant of planning permission for this proposed development.

The Council's Economic Development & Strategic Investment Manager advises that in the case of this application, for Affordable Area Phase 1 of the wider housing masterplan the subject of planning permission 18/00937/PPM, as a minimum serviced land should be available for 60 units of affordable housing. The Economic Development & Strategic Investment Manager advises that the mix, size and location of the 60 affordable units proposed to be provided on the site is acceptable and in this respect the proposal is consistent with Policies HOU3 and HOU4 of the ELLDP.

Consideration must then be given to the potential impact of the proposed development on the infrastructure of the area. Policy DEL1 of the ELLDP stipulates that new housing will only be permitted where appropriate provision for infrastructure, required as a consequence of the development, is made. In the event that the Council were minded to grant planning permission for a proposal such as this for more than 4 residential units, such a decision would normally be subject to the prior conclusion of a Section 75 Agreement designed to secure developer contributions towards primary and secondary education, transportation and sports pitches as well as the securing of affordable housing. However, the Planning permission in principle (ref:18/00937/PPM) for the overall Windygoul South site, of which this site forms part, was granted subject to conditions and following the conclusion of a Section 75 Legal Agreement to secure from the applicant, sports pitch provision, the transfer of land for additional school campus provision, financial contributions towards primary and secondary school provision, transport improvements, allotment provision, path provision and the provision of 141 units of affordable housing on the overall planning permission in principle site.

That Section 75 Legal Agreement applies in respect of the planning permission in principle application (ref: 18/00937/PM) and in respect of the detailed planning permission for 41 houses (ref: 19/00388/P) elsewhere on the overall site the subject of the planning permission in principle. It does not however refer to this current planning application. In order to tie this application to the Section 75 Agreement relating to the overall site, that Agreement needs to be modified so that the definition of "planning permission" in the Agreement is also inclusive of this new detailed planning application. Doing so would ensure that the development the subject of this application is included within the 561 unit total to which the Agreement relates and ensures that the 60 units to which this current application relates cannot be built out without the associated planning obligations being fulfilled. An application has been submitted (reference: 20/00003/OBL) to modify the existing S75 Agreement in such a manner and the delegated planning decision has recently been taken to approve this modification. However, the modified S75 Agreement has yet to be registered with Registers for Scotland and until that has taken place the Council cannot issue its decision notice on the application to modify the existing S75 Agreement.

Subject to the process detailed above first being concluded, there would be no requirement to secure through a further Section 75 Agreement the relevant developer contributions, affordable housing, paths or allotment provision or land transfers as all relevant contributions which would be required as a consequence of this development of 60 residential units would be secured in the existing S75 Legal Agreement as it will be modified. On this basis the proposed development would be consistent with Policies DEL1, SECF1, HOU3, HOU4, OS5, and T32 and, as applicable Proposals TT1, ED4, CF1, OS6, T9, T10, T15, T17, T21, T27 and T28 of the ELLDP.

In summary, the site is capable of accommodating the proposed development including vehicular and pedestrian access and landscaped open space. A grant of planning permission for the proposed development in the context of the site being part of housing allocation PROP TT1 of the East Lothian Local Development Plan, and in that its impacts in respect of amenity and technical considerations are acceptable in themselves, or can be mitigated through the appropriate use of planning conditions and necessary developer contributions, would not be inconsistent with Scottish Planning Policy: June 2014, with the relevant policies and proposals of the East Lothian Local Development Plan 2018 or with its adopted supplementary guidance.

RECOMMENDATION

It is recommended that planning permission be granted subject to:

1. The undernoted conditions.
2. The satisfactory modification of the existing Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 which relates to planning permission in principle 18/00937/PPM, so that the definition of "planning permission" in the Agreement is also inclusive of this new detailed planning application.
3. That in accordance with the Council's policy on time limits for completion of planning agreements it is recommended that the decision should also be that in the event of the Section 75 Agreement not having been satisfactorily modified by the applicant, the landowner and any other relevant party within six months of the decision taken on this application, the application shall then be refused for the reason that without the developer contributions to be secured by the Agreement the proposed development is unacceptable due to an insufficient provision of a community sports pitch, related changing facilities, allotments, paths provision, a lack of roads and transport infrastructure, a lack of sufficient primary and secondary school capacity, and the lack of provision of affordable housing contrary to Policies DEL1 and, as applicable Proposals TT1, TT2, ED4, CF1, OS6, HOU3, HOU4, OS5, and T32 of the adopted East Lothian Local Development Plan 2018.

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

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

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed buildings shown in relation to the finished ground and floor levels on the site.

Reason:

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

- 2 Prior to the commencement of development, a report on the actions to be taken to reduce the Carbon Emissions from the build and from the completed development shall be submitted to and approved in writing by the Planning Authority. This shall include the provision of renewable technology for all new buildings, where feasible and appropriate in design terms, and new car charging points and infrastructure for them, where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report so approved.

Reason:

To minimise the environmental impact of the development.

- 3 Prior to the commencement of development, to ensure that the site is clear of contamination, a Geo-Environmental Assessment shall be carried out and the following information shall be submitted to and approved by the Planning Authority:

o Phase I - A preliminary investigation incorporating a desk study, site reconnaissance, development of a conceptual model and an initial risk assessment.

o Phase II - Incorporating a site survey (ground investigation and sample analysis) and risk evaluation. It is required if the Phase I investigation has indicated that the site is potentially contaminated and the degree and nature of the contamination warrants further investigation.

o Phase III - Where risks are identified, a Remediation Strategy should be produced detailing and quantifying any works which must be undertaken in order to reduce the risks to acceptable levels.

Should remedial works be required then, prior to any residential units being occupied, a Validation Report shall be submitted to and be approved by the Planning Authority confirming that the works have been carried out in accordance with the Remediation Strategy.

The presence of any previously unsuspected or unforeseen contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority. At this stage, further investigations may have to be carried out to determine if any additional remedial measures are required.

Reason:

To ensure that the site is clear of contamination and that remediation works are acceptable prior to the occupation of any of the residential units.

- 4 Unless otherwise approved in writing by the Planning Authority:

(a) Housing completions on the application site and otherwise on the site of planning permission in principle 18/00937/PPM in any one year (with a year being defined as being from 1st April to 31st March the following year) shall not cumulatively exceed the following completion rates, unless otherwise approved in writing by the Planning Authority:

Year 2020/21 - 30 residential units

Year 2021/22 - 118 residential units

Year 2022/23 - 60 residential units

Year 2023/24 - 105 residential units

Year 2024/25 - 105 residential units

Year 2025/26 - 60 residential units

Year 2026/27 - 60 residential units

Year 2027/28 - 23 residential units

(b) If fewer than the specified number of residential units is completed in any one year then those shall be completed instead at Year 2029 or beyond and not added to the subsequent year.

Reason:

To ensure that the completion rate of residential development within the application site accords with the provision of education capacity.

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

Reason:

To enable the Planning Authority to control the positioning, appearance, form, finishes and colour of the

substations and gas governors to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 6 No development shall take place until there has been submitted to and approved in writing by the Planning Authority a scheme of landscaping. The scheme shall provide details of: the height and slopes of any mounding on or re-contouring of the site including SUDS basin/ponds details; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. Non-thorn shrub species should be located adjacent to pedestrian areas. The scheme shall specifically include:
- Hedge planting to front and side gardens as indicated on the drawing 'Boundary Treatments' numbered SL_PH1-003 rev E
 - Hedge planting to the north side of the rear fences to plots 28-35
 - Hedge planting to the rear edge of the footway to the distributor road
 - Tree planting as indicated on the drawing 'Boundary Treatments' numbered SL_PH1-003 rev E
 - Shrub planting underneath trees between parking bays

The scheme shall also include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development or occupation of any residential unit hereby approved, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased during the course of the development or within 10 years of the completion of the development shall be replaced in the next planting season with others of similar species and final size, unless the Planning Authority gives written consent to any variation. No trees or shrubs, detailed in the approved landscaping plans to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority. All new planting comprised in the scheme of landscaping shall be retained and maintained unless the Planning Authority gives written consent to any variation.

Reason:

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

- 7 A timetable for the provision of the erection of the boundary enclosures for the gardens of the houses and flats hereby approved shall be submitted to and approved in advance by the Planning Authority and development shall thereafter be carried out in full accordance with the timetable so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure the satisfactory provision of the boundary enclosures in the interest of safeguarding the privacy and amenity of future residents of the development and residential properties nearby.

- 8 No work shall be carried out on the site unless and until an effective vehicle wheel washing facility has been installed in accordance with details to be submitted to and approved by the Planning Authority prior to its installation. Such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.

Reason:

In the interests of road safety.

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

The Construction Method Statement shall include details of:

- * Mitigation measures to control noise, dust, construction traffic (including routes to/from site and delivery times).
- * Hours of construction work
- * Routes for construction traffic
- * Wheel washing facilities.

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

Reason:

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

- 10 Prior to the occupation of any of the residential units hereby approved a Green Travel Plan shall be submitted to and approved by the Planning Authority prior to the occupation of any of the residential units hereby approved.

The Green Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site, and will include a timetable for its implementation, details of the measures to be provided, the system of management, monitoring, review, reporting and duration of the Plan and details of how it will be distributed to residents.

Thereafter, the Green Travel Plan shall be implemented in accordance with the details so approved.

Reason:

In the interests of ensuring sustainable travel patterns in respect of the residential development.

- 11 Prior to the commencement of development on site details demonstrating how the site can be serviced for waste collection shall be submitted to and approved in writing by the Planning Authority. The details shall include a swept path assessment of the roads based on a waste collection vehicle measuring 2.5 metres wide, 10 metres long with a 6.1 metres wheelbase and details of any amendments to the site layout required for the safe and efficient waste collection on the development.

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

Reason:

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

- 12 The development shall comply with the following transportation requirements:

(i) All roads and paths shall conform to East Lothian Council Standards for Development Roads;

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

(iii) Vehicle accesses to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing. Within private parking areas, the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres;

(iv) All prospectively adoptable parking bays (i.e. that will form part of the public road) shall have minimum dimensions of 2.5 metres by 6 metres;

(v) Cycle parking for dwellings without private back garden with a gate (e.g. flats/mid-terraces), shall be included at a rate of 1 space per dwelling. This shall be in the form of a lockable room or shed.

Reason:

In the interests of road safety.

- 13 Prior to the occupation of the last residential unit hereby approved, the proposed access roads, parking spaces, and footpaths shall have been constructed on site in accordance with the docketed drawings.

Those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles in connection with the residential use of the houses and flats and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

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

- 14 Unless otherwise agreed in writing by the Planning Authority prior to the occupation of any residential unit, pairs of bus stops shall be provided on both sides of the primary spine road on the site of planning permission 19/00378/P, in accordance with details showing the number and locations of the bus stops to be submitted to and approved in advance of their construction by the Planning Authority.

Reason:

In the interests of ensuring sustainable travel patterns in respect of the residential development.