

REPORT TO: Planning Committee
MEETING DATE: Wednesday 24 June 2020
BY: Head of Development
SUBJECT: Application for Planning Permission for Consideration

Application No. **19/00796/AMM**

Proposal Approval of Matters specified in conditions of planning permission in principle 17/00020/PPM - Erection of 115 houses and associated works

Location **Land At Newtonlees Farm
Dunbar
East Lothian**

Applicant Robertson Homes Limited

RECOMMENDATION **Consent Granted**

REPORT OF HANDLING

PROPOSAL

Although this application is for the approval of matters specified in conditions of planning permission in principle 17/00020/PPM it has to be determined as a major development type application because the area of the application site is greater than 2 hectares and the number of dwellings detailed is greater than 49. Accordingly, the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

The application site is an area of agricultural land in the East Lothian countryside, located to the southeast of Dunbar and on the northwest side of Broxburn. It is some 8.3 hectares in area. The site is within the battlefield site of the Battle of Dunbar II that is included in Historic Environment Scotland's Inventory of Historic Battlefields.

The site is allocated by Proposal DR12 of the adopted East Lothian Local Development Plan 2018 for circa 115 homes.

The site is bounded to the east by the A1087 Bowmont Terrace public road and at its southeast corner by some of the residential properties of Broxburn, to the south by a road, to the west by a road leading to the residential properties of Newtonlees Cottages and by the residential properties of Cair Deil, Endrigg, The Bungalow and Newtonlees Farmhouse and to the north by the access road to Newtonlees Farm. The East Coast Main Line is to the west of the site.

The land on the north side of the access road to Newtonlees Farm was granted planning permission (ref: 15/00630/PM) in October 2016 for the erection on it of 240 houses and associated works. The development the subject of that planning permission is well underway and many of the houses are built and occupied.

In September 2018 following the conclusion of a S75 legal agreement to secure a financial contribution of a total of £1,356,655 towards the provision of additional accommodation at Dunbar Primary Lower School and Nursery, Dunbar Primary Upper School and Dunbar Grammar School, and to secure that 25% of all housing units be developed as affordable housing, planning permission in principle 17/00020/PPM was granted for a residential development of the application site, along with a cemetery together with associated access, infrastructure, landscaping and open space. Condition 2 of planning permission in principle 17/00020/PPM states that no more than 115 residential units are approved for the site.

Approval of the matters specified in conditions of planning permission in principle 17/00020/PPM is now sought for the erection on the application site of 115 houses and for associated works. Of the 115 proposed houses 29 would be affordable and the remaining 86 houses would be for private sale.

Of the 86 private sale houses to be erected within the site, 66 would be detached and 20 would be semi-detached. In terms of size, 4 of the 86 proposed houses would contain 6 bedrooms, 34 would contain 5 bedrooms, 40 would contain 4 bedrooms, and 8 would contain 3 bedrooms.

The 29 affordable units to be erected within the site would be a mixture of 2, 3 and 4 bedroomed houses, and 2 bedroom cottage flats.

It is shown that vehicular and cycle access to the sites would be taken by way of two new accesses from the A1087 public road to the east. Through separate application ref: 20/00159/P planning permission has been granted for the formation of the 2 vehicular accesses into the site from the A1087 public road to serve the housing development proposed in this application. The accesses themselves therefore do not form part of this application.

Pedestrian accesses to the site, as well as an alternative cycle accesses, would also be provided at 3 points at the north and southern boundaries of the site.

The submitted details also include for the internal access roads, garages, parking courts, boundary treatments, landscaping, areas of open space, a play area and SUDS.

Subsequent to the registration of this application, further drawings have been submitted showing revisions to the site layout including a change to the mix of residential units, the relocation of the residential units, the removal of an internal access road and the consequential provision of a second vehicular access into the site and information on safe routes to school.

In January 2019 planning permission (ref: 18/01147/PCL) was granted for the change of use of agricultural land to form a public burial ground and for the provision of infrastructure to permit use of the site for the burial of human remains and associated works on the area of land granted planning permission in principle 17/00020/PPM for a cemetery. Planning permission 18/01147/PCL has not yet been implemented.

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.

There are no policies of the approved South East Scotland Strategic Development Plan (SESplan) relevant to the determination of this application. Proposal DR12: Land at Newtonlees Farm, of the adopted East Lothian Local Development Plan 2018 and Policies DP1 (Landscape Character), DP2 (Design), DP3 (Housing Density), DP4 (Major Development Sites), CH5 (Battlefields), T1 (Development Location and Accessibility), T2 (General Transport Impact), OS3 (Minimum Open Space Standards for New General Needs Housing), OS4 (Play Space Provision in new General Needs Housing Development), , HOU3 (Affordable Housing Quota) and HOU4 (Affordable Housing Tenure Mix) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of this application.

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

Also material to the determination of this application is the Scottish Government Policy Statement entitled "Designing Streets". It provides an overview of creating places, with street design as a key consideration. It advises on the detail of how to approach the creation of well-designed streets and describes the processes which should be followed in order to achieve the best outcomes.

REPRESENTATIONS

In total 19 representations to the application have been received. One makes comment on the proposals and the other 18 object to them. The main grounds of objection can be summarised as follows:

- * The proposed safe route to school cuts through a working farm yard;
- * The development would be on Greenbelt land;
- * The site is too close to Torness and the Cement Works for such a large housing development which could put people at risk for a future incident;
- * The pressure on Dunbar services and infrastructure (including schools, medical centre, water supply, sewage works, public car parking etc) would be intolerable without new

facilities and investment;

- * People wouldn't want to live next to a cemetery;
- * There is a large amount of wildlife including Graylag geese, badgers and deer which would be adversely affected;
- * Queens Road is too narrow between the Spott Road and Queens Place junctions, with parked cars on both sides it will not cope with increased traffic volumes and will see an increased risk of accidents;
- * There are active farm processing buildings at Newtonlees Farm with heavy farm vehicles and lorries driving along the farm lanes regularly and at night which could cause a danger to pedestrians, particularly children;
- * There are derelict old farm buildings in a dangerous state next to the proposed development which should be made safe prior to any development commencing;
- * Significant fencing improvements to prevent children accessing the East Coast Mainline would be required as only low fencing to keep animals out is in place;
- * A1 access/junction at Cement Works - this is currently an accident blackspot with short slip roads and traffic having to cross four lanes to turn right, this development will increase the pressure on this junction and would necessitate its upgrade with an underpass/bridge and new slip roads;
- * The layout of the development is too close to the existing farm houses;
- * Insufficient notifications of the application, many of the residents living adjacent on Comrie Avenue and Dempster Place have not been informed and are directly impacted by this development;
- * There are too many houses proposed;
- * Inefficient use of land;
- * Issues of privacy, light, noise and air pollution, overlooking and overshadowing and infrastructure should be taken into account;
- * Development should not take place until snagging and drainage issues have been dealt with on the neighbouring development site;
- * There will be disruption during the building process.

The application site is not part of the Greenbelt, it comprises of Proposal DR12: Land at Newtonlees Farm, of the adopted East Lothian Local Development Plan 2018.

The impact of the proposed development on the infrastructure of Dunbar was assessed through the previous application for planning permission in principle ref: 17/00020/PPM and found, with some mitigation, to be acceptable. Developer Contributions towards increasing capacity at Dunbar Primary Lower School and Nursery, Dunbar Primary Upper School and Dunbar Grammar School have been secured.

The application was notified in accordance with statutory requirements.

Snagging issues on a neighbouring development site is not a material consideration in the determination of this application.

COMMUNITY COUNCIL

Dunbar Community Council as a consultee to the application have made the following comments regarding the proposed development:

- (i) The grant of planning permission in principle ref: 17/00020/PPM remains of grave concern;
- (ii) The development of the site does not meet the Council's Climate Change Strategy;
- (iii) The proposed development will lead to coalescence;
- (iv) Development should be directed to brownfield sites;
- (v) There are infrastructure issues;
- (vi) The proposed development would add considerable traffic to the local road network;
- (vii) Clear pedestrian connections should be made including routes to school;
- (viii) Local schools are under pressure;
- (ix) The local health centre is under pressure;
- (x) Issues of noise, sewerage, allotments, public transport, habitat, residential amenity, environmental impact, factoring and housing mix;
- (xi) There should be conditions were the application to be granted.

Policy OS5 of the adopted East Lothian Local Development Plan 2018 informs on the requirement of allotment provision and this is only sought for new housing proposals over 500 dwellings, therefore Policy OS5 is not relevant to the determination of this application.

PLANNING ASSESSMENT

By the grant of planning permission in principle 17/00020/PPM approval has been given for the principle of the erection of up to 115 houses on the application site following technical assessments which demonstrated that local and wider infrastructure, subject to financial contributions and conditions, can accommodate such level of development. There can therefore be no objection in principle to the erection of the 115 residential units now proposed.

Therefore, in the determination of this application the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the development, the means of access to the site and the means of any enclosure of the boundaries of the site. In this regard the detailed proposals have to be considered against relevant development plan policy and the Illustrative Masterplan and conditions attached to planning permission in principle 17/00020/PPM.

The proposed residential development would form an extension to the existing housing on the southeastern edge of Dunbar. Due to the relationship the proposed new houses would have with the existing houses, including those still under construction to the north, the proposed residential development would be appropriate to its location and would not be out of keeping with the character of the settlement and local area. It would be seen as an extension to and against the backdrop of that existing housing and therefore would not appear isolated or sporadic. It would instead be well integrated into its surroundings.

The details now submitted for approval are for a scheme of development comprising a mix of detached, semi-detached and terraced houses (29 types of residential units), with the houses and cottage flats being two stories in height, some having accommodation in the roof space. The range of house types and sizes proposed would help to provide a distinctive layout and streetscapes with identity. The total number of units proposed accords with the planning permission in principle granted for the site and the mix of

residential units includes a range of sizes and types. The layout reflects the surrounding area, which is generally characterised by a mix of detached, semi-detached and terraced houses two-stories in height.

The range of house types proposed would give a variation of architectural form to the development, which coupled with the orientation and layout of the buildings, would give a degree of variety of appearance to the development. The architecture of the proposed houses is of a traditional pitched roof form. It should be ensured that the use of render is the predominant wall finish as this would respect the built form of this part of Dunbar. However, some use of a contrasting wall finish (i.e. reconstituted stone) would be acceptable providing it is limited to a distinctively complete feature of the houses and respectful of their design integrity. A condition can be imposed on a grant of approval of matters specified in conditions for the proposed development to address these matters of wall finishes.

The proposed layout is broadly consistent with the layout shown in the Illustrative Masterplan docketed to planning permission in principle 17/00020/PPM. The proposed houses, due to their positioning on the application site and by virtue of their height, size and scale, and architectural design would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features. This would ensure a visually attractive and cohesive development, with the proposed houses visible but not appearing incongruous or intrusive in their surroundings. The other components of the proposed development would not be harmful to the character and appearance of the area.

The proposed residential development would provide an attractive residential environment for future residents of the proposed houses. The houses 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.

Subject to the imposition of the aforementioned conditions the occupants of each of the new houses would be afforded an appropriate level of privacy and residential amenity. The layout of the houses would also adhere to the normally accepted standards of overshadowing.

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

On all of these foregoing findings on matters of design, layout and amenity, and subject to the imposition of conditions, the proposed development is consistent with Proposal DR12, Policies DP1, DP2 and DP3 of the adopted East Lothian Local Development Plan 2018, and the Scottish Government Policy Statement entitled "Designing Streets".

Condition 3 of planning permission in principle 17/00917/PPM requires the submission and approval of a scheme of landscaping prior to the commencement of development on the site, and thereafter secure the implementation of the scheme of landscaping. The approval of this matter as specified in Condition 3 of planning permission in principle application 17/00020/PPM is sought through this application.

The Council's Landscape Projects Officer is generally content with the proposed scheme of landscaping, however she advises that some of the required landscaping planting is not adequate, and that the submitted landscape maintenance schedule omits necessary information on the future maintenance of the landscaping of the site. Therefore, a revised scheme of landscaping should be submitted with an accompanying

updated maintenance schedule. Such a requirement can be made a condition of a grant of this approval of matters specified in conditions application.

The proposed site layout includes areas of open space to be formed within the site. There is also an area indicated for equipped play within the site. The Council's Amenity Services raises no objection to the application, satisfied that the size and locations of the areas of open space proposed will provide for adequate informal recreation for the proposed development and satisfied with the size and location for the play area. It is therefore consistent with Policy OS1 and OS4 of the adopted East Lothian Local Development Plan 2018.

The principle of the means of accessing of the proposed residential development as shown in the Illustrative Masterplan attached to planning permission in principle 17/00020/PPM showed a single point of access taken from the A1087 Bowmont Terrace public road. However in discussions with the applicant over the detail of the means of access to the site, and in the interests of the appearance of the proposed development, two access are now proposed to be taken into the site, each of them taken from the A1087 Bowmont Terrace public road. However as the accesses themselves are outwith the red line boundary of the application site they are the subject of a separate application for planning permission (ref: 20/00159/P), and which application has already been granted.

The Council's Road Services raise no objection to the submitted details, being satisfied that the proposed development can be safely accessed by both cars, pedestrians and cyclists. As required by Condition 7 of planning permission in principle 17/00020/PPM, a footpath link would be formed into the site from its north boundary providing a connection to the adjacent development site to the north. This link would form part of the safe route to school for future occupiers of the houses within the site. The Council's Roads Services advise that the development would not result in unacceptable traffic congestion on the local road network, and that it would not result in a road or pedestrian safety hazard.

With regard to the safe route to schools from the site, Road Services recommend that:

- * The point on the route to the Lochend Campus Primary School where it uses the East Coast Main Line railway underpass to the west of Newtonlees Farm, should be surfaced and lit to an adoptable standard;
- * The point on the route where it crosses Newtonlees Farm access track, should be surfaced and lit to an adoptable standard; and
- * The point on the route to the Lochend Campus Primary School where it crosses the vehicular access to Dunbar Garden Centre should have drop kerbs and tactile paving.

Road Services advise that the matter of resurfacing of the East Coast Main Line railway underpass was brought to the attention of Network Rail in January 2020 to go through their internal access release process. This process undertaken by Network Rail involves internal and external consultation with the Office of Rail and Road and potentially can take 12 months or more, with the resurfacing being able to take place once this process is complete.

Conditions 4 and 6 of planning permission in principle application 17/00020/PPM requires works including the introduction of a 30 mph speed limit and off site road improvements, as well as a road safety audit. However, the approval of these matters as specified in Conditions 4 and 6 of planning permission in principle application 17/00020/PPM are not sought through this application. The requirement for the works embodied in Conditions 4 and 6 of planning permission in principle 17/00020/PPM therefore remains in force. Thus there is no requirement to also secure these again

through conditions attached to this approval of matters specified in conditions application.

Condition 10 of planning permission in principle application 17/00020/PPM requires the submission of a Green Travel Plan, to have particular regard to provision for walking, cycling and public transport access to and within the site. However, the approval of this matter as specified in Condition 10 of planning permission in principle application 17/00020/PPM is not sought through this application. The requirement to submit the Green Travel Plan is embodied in Condition 10 of planning permission in principle 17/00020/PPM and therefore remains in force. Thus there is no requirement to also secure this again through a condition attached to this approval of matters specified in conditions application.

Condition 11 of planning permission in principle application 17/00020/PPM requires the submission of a Construction Method Statement to minimise the impact of construction activity on the amenity of the area. However, the approval of this matter as specified in Condition 11 of planning permission in principle application 17/00020/PPM is not sought through this application.

However since the grant of planning permission in principle 17/00020/PPM, planning permission (ref: 18/01147/PCL) has been granted for the change of use of agricultural land to form a public burial ground and for the provision of infrastructure to permit use of the site for the burial of human remains and associated works on the area of land granted in planning permission in principle 17/00020/PPM for a cemetery. Planning permission 18/01147/PCL has not been implemented but remains extant until January 2022. Therefore it should now be ensured that any future funerals on that adjacent site could take place without disturbance from construction works on this residential development site. Therefore in these particular circumstances it would be prudent to impose a condition on a grant of this approval of matters specified in conditions again requiring the submission of a Construction Method Statement but to include measures to ensure that noise generating activities cease for the duration of funerals taking place on the cemetery land.

On these foregoing transportation and other access considerations the proposed residential development is consistent with Policies T1 and T2 of the adopted East Lothian Local Development Plan 2018.

Condition 12 of planning permission in principle 17/00020/PPM requires the submission of a noise report, to specify any mitigation measures necessary to ensure the amenity of future occupiers of the development is not harmed by noise impacts associated with existing road and rail traffic. A noise impact assessment has been submitted with the application.

The Councils Environmental Protection Service has appraised the submitted noise report and recommends that:

- (i) 1.8m high acoustic fence barriers should be provided in the positions shown for them in Appendix A of the submitted Noise Impact Assessment report, with the fencing being of a close boarded form with no holes or gaps. The barrier can be a masonry wall or a timber fence with close boarded or overlapping boards. The boards should have a minimum density of 12kg/m², typically 18mm boards and have no holes or gaps at the base;
- (ii) The glazing specification for living rooms/bedrooms shall be in accordance with that specified in Appendix C of the submitted Noise Impact Assessment report.

Subject to these mitigation measures being implemented, which can be secured by a condition imposed on a grant of matters specified in conditions, there would be no loss of amenity to future occupiers of the proposed houses from noise impacts associated with existing road and rail traffic.

The Council's Biodiversity Officer advises that deer may be present on the site at times but they will range over a wide area, and therefore would simply move on to an alternative location if disturbed by the proposed development. The Biodiversity Officer further states that Canada Geese are a non-native species, however they are afforded some protection by the Wildlife & Countryside Act (1981). This means that (as with all wild birds) it is an offence to kill, injure or take the birds, however it does not provide any protection against disturbance of their feeding areas. This particular field the subject of the application may provide suitable foraging for Canada Geese, however there are alternative foraging areas in the vicinity such that she advises the loss of this particular field will not have a detrimental impact on geese feeding grounds.

Historic Environment Scotland have been consulted on this application and they have raised no objection to the proposed development nor do they have any comments to make in terms of impact of the proposals on the Battle of Dunbar II Battlefield Site.

The Council's Archaeology/Heritage Officer advises that the application site lies within the landscape designated for the Battle of Dunbar II and there is some potential for archaeological related remains to be located within the site. Because of this the Archaeology/Heritage Officer recommends that if approval of matters specified in conditions is to be granted for this proposal, a programme of archaeological works (Metal Detecting Survey and Evaluation) should be carried out prior to the commencement of development. This requirement can be secured through a condition attached to a grant of approval of matters specified in conditions. This approach is consistent with Scottish Planning Policy: June 2014, Planning Advice Note 2/2011: Planning and Archaeology and with Policy CH5 of the East Lothian Local Development Plan 2018. Subject to this planning control, the proposed development would not have a significant adverse effect on the key features of the battlefield.

Condition 13 of planning permission in principle 17/00020/PPM requires the details for the proposed sustainable urban drainage scheme (SUDS) should be submitted for the written approval of the Planning Authority. A SUDS scheme has been submitted to the Planning Authority. SEPA raise no objection to the 115 residential units now proposed.

The Council's Team Manager for Structures, Flooding & Street Lighting advises that further information for the SUDS scheme and the drainage strategy for the site is required to demonstrate that the surface water drainage strategy for the site is acceptable. Such a requirement can be secured by the imposition of conditions on a grant of approval of matters specified in conditions.

Scottish Water raise no objection to the application.

Condition 14 of planning permission in principle 17/00020/PPM requires the submission of the details of artworks to be provided on site or on a location away from the site and the artwork provided as approved prior to the occupation of the final residential unit approved for erection on the site. However, the approval of this matter as specified in Condition 12 of planning permission in principle application 17/00020/PPM is not sought through this application.

The mechanism of a financial contribution towards additional educational provision for a housing development of 115 residential units has already been secured through the

grant of planning permission in principle 17/00020/PPM.

The mechanism of the provision within the residential development of 25% affordable housing units (i.e. 29 units of the proposed 115 units) is already secured through the grant of planning permission in principle 17/00020/PPM. The proposed mix and house types for the affordable units has been agreed with the Strategic Investment and Regeneration Service Manager, and therefore they raise no objection to the application, which is consistent with Policies HOU3 and HOU4 of the adopted East Lothian Local Development Plan 2018.

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. Such a condition should be imposed on a grant of approval of matters specified in conditions for this proposed development.

RECOMMENDATION:

That approval of matters specified in conditions permission in principle 17/00020/PPM for the proposed housing development be granted subject to the following conditions:

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

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

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of 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 Notwithstanding that which is stated on the drawings docketed to this approval of matters specified in conditions, the external finishes of the houses and flats shall be in accordance with a co-ordinated scheme of materials and colours that shall be submitted to and approved in advance by the Planning Authority. This co-ordinated scheme shall in detail promote render as the predominant finish to the walls of the houses and flats, with a use of more than one render colour and with a strongly contrasting difference in the colours such that they will not each be of a light colour. All such materials used in the construction of the houses and flats shall conform to the details so approved.

Reason:

To ensure the development is of a satisfactory appearance in the interest of the amenity of the locality.

- 3 Prior to the occupation of the last house or flat 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 safety.

- 4 Prior to the commencement of development, the section of the dedicated safe route to school for future residents of the development to Dunbar Primary Lochend Campus that is located within the underpass of the East Coast Main Line (the safe route to school as shown on docketed drawing no. NLD-ARC-009 Rev C) shall be surfaced in tarmac, brought up to an adoptable standard and shall be lit. Details of the tarmac surfacing, adoptable standard construction and lighting, including a timetable for its implementation shall be submitted to and approved in writing by the Planning Authority and thereafter those works shall be implemented as so approved unless otherwise agreed in writing by the Planning Authority.

Reason:

To ensure appropriate pedestrian and cycle links to and from the site.

- 5 Prior to the commencement of development, the section of the dedicated safe route to school taken from the footpath link formed into the site from its north boundary and where it crosses over the open space of the adjacent development site to the north (the safe route to school as shown on docketed drawing no. NLD-ARC-009 Rev C) shall be surfaced in tarmac, brought up to an adoptable standard and shall be lit. Details of the tarmac surfacing, adoptable standard construction and lighting, including a timetable for its implementation, shall be submitted to and approved in writing by the Planning Authority and thereafter those works shall be implemented as so approved unless otherwise agreed in writing by the Planning Authority.

Reason:

To ensure appropriate pedestrian and cycle links to and from the site.

- 6 Prior to the commencement of development, the section of the dedicated safe route to school from the site to the Lochend Campus Primary School where it crosses the vehicular access to Dunbar Garden Centre shall have drop kerbs and tactile paving. Details of the provision of the drop kerbs and tactile paving, including a timetable for their installation, shall be submitted to and approved in writing by the Planning Authority and thereafter those works shall be implemented as so approved unless otherwise agreed in writing by the Planning Authority.

Reason:

To ensure appropriate and safe pedestrian and cycle links to and from the site.

- 7 A timetable for the provision of all boundary treatments, including the erection of the 1.8 metre high boundary enclosures for the rear gardens of the houses 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.

- 8 All the open space recreation areas indicated on the docketed drawings shall be available for use prior to the occupation of the last house or flat on the site. The open space recreation areas, when provided, shall be used for such purposes at all times thereafter unless agreed in writing by the Planning Authority.

Reason:

To ensure the satisfactory laying out of all areas of open space in the interest of the amenity of the future occupants of the dwellings hereby approved.

- 9 A play area with equipment suitable for children aged 0 - 8 years shall be provided on the area shown for it on docketed planning layout drawing no. NLD-ARC-004 Rev D. Prior to the commencement of the development hereby approved the details of the play equipment and surfacing materials to be installed in the play area shall be submitted to and approved in advance by the Planning Authority. The details to be submitted shall include a timetable for its installation.

The play equipment and surfacing materials shall thereafter be installed in accordance with the details so approved. The equipped play area, when provided, shall be used for such purposes at all times thereafter unless agreed in writing by the Planning Authority.

Reason:

To ensure the satisfactory provision of a play area in the interest of the amenity of the future occupants of the residential units hereby approved.

- 10 1.8m high acoustic barriers shall be provided in the positions shown for them in Appendix A of the docketed Noise Impact Assessment report, prior to the occupation of the residential properties which gardens they will enclose. Where the 1.8m high barrier will be fencing, the fencing shall be of a close boarded form with no holes or gaps and shall have a minimum density of 12kg/m², typically 18mm boards and have no holes or gaps at the base.

The glazing specification for the glazing units of the residential properties as shown in Appendix C of the submitted Noise Impact Assessment shall be in accordance with that shown and as specified in Appendix C of the submitted Noise Impact Assessment report.

Thereafter such form of attenuation shall be retained in place unless otherwise approved by the Planning Authority.

Reason:

In the interest of safeguarding the residential amenity of future occupiers of the proposed residential development.

- 11 No development shall take place on the site until the applicant has undertaken and reported upon a programme of archaeological work (Metal Detecting Survey and Evaluation) in accordance with a written scheme of investigation which has been submitted by the applicant (or their agent) and approved by the Planning Authority.

Reason:

In the interests of archaeological and natural heritage.

- 12 Prior to the commencement of development a revised detailed scheme of landscaping shall be submitted to and approved by the Planning Authority. This shall include details of:

i) all trees and shrubs on site and denote those to be retained and those to be removed and the root protection areas in accordance with BS5837: 2012;

ii) tree protection measures in accordance with BS5837: 2012 and construction method statements for all works encroaching on root protection areas, including that any such work shall be supervised by a qualified arboriculturalist;

iii) new tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting, including for the SUDS pond with existing and proposed levels;

iv) a planting schedule, specification and maintenance programme, including details of maintenance access where required;

v) details of the landscape planting/boundary treatment to all semi private and defensible spaces in front of or to the side of dwellings and to the side of parking courtyards, showing them to be enclosed by walls/hedges/fences/ or railings, to define areas of private space from public space.

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

Reason:

In the interests of achieving an appropriate landscaped setting for the housing development.

- 13 Prior to commencement of development full details of the proposed Sustainable Drainage System scheme and a Drainage Assessment for the site, which both must meet the vesting requirements of Scottish Water and be in accordance with the Council's Supplementary Planning Guidance 'Sustainable Drainage Systems (SuDS)', shall be submitted to and approved by the Planning Authority. The development shall thereafter be carried out in strict accordance with the details and Drainage Assessment so approved, unless otherwise agreed in writing with the Planning Authority.

Reason:

To ensure that development is not at risk from flooding, there is no increase in flood risk elsewhere and appropriate long-term maintenance arrangements are in place.

- 14 A Construction Method Statement to minimise the impact of construction activity on the amenity of the area and on the burial ground the subject of planning permission 18/01147/PCL shall be submitted to and approved by the Planning Authority prior to the commencement of development. The Construction Method Statement shall recommend mitigation measures to control construction traffic, shall include hours of construction work and shall include measures to ensure that noise generating activities cease for the duration of funerals taking place on the burial ground the subject of planning permission 18/01147/PCL. The Construction Method Statement shall also include details of wheel washing facilities to be provided, and that these facilities shall be maintained in working order during the period of operation of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

Reason:

To minimise the impact of construction activity in the interests of the amenity of the area.

- 15 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.