

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

Application No. **19/01068/AMM**

Proposal Approval of matters specified in conditions of planning permission in principle 14/00768/PPM - Erection of 32 houses, 28 flats and associated works

Location **Blindwells
Tranent
East Lothian**

Applicant Hargreaves Surface Mining Ltd & Cruden Homes East

Per EMA Architecture + Design

RECOMMENDATION **Consent Granted**

REPORT OF HANDLING

PROPOSAL

Although this application is for the approval of matters specified in conditions of planning permission in principle 14/00768/PPM it has to be determined as a major development type application because the number of residential units 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.

A Development Framework for the allocated land of Blindwells was approved by the Council on the 08 June 2010. It sets out the role of the new settlement in the settlement hierarchy and its characteristics in terms of service provision, the consequent scale and range of development/ land uses expected, and how the Council requires it to be developed in terms of infrastructure and design requirements.

Planning permission in principle 14/00768/PPM was granted in May 2018 for the creation of a new settlement that could comprise residential, employment, education and commercial uses with park and ride and rail halt facilities and associated works, all on a site of 128 hectares on land at Blindwells which is located in close proximity to the settlements of Prestonpans, Tranent, Cockenzie and Port Seton.

In October 2019 planning permission (Ref: 19/00242/AMC) was granted for Approval of matters specified in conditions 1d and 1h (details of road infrastructure for Phase 1 Plot 1) of

planning permission in principle 14/00768/PPM - For remediation of site and creation of new settlement comprising residential, employment, education and commercial uses with park and ride and rail halt facilities and associated works.

In December 2019 planning permission (Ref: 18/00725/AMC) was granted for approval of matters specified in Conditions 1d and 1h (details of road infrastructure for Phase 1 Plot 2) of planning permission in principle 14/00768/PPM - For remediation of site and creation of new settlement comprising residential, employment, education and commercial uses with park and ride and rail halt facilities and associated works.

In May 2020 planning permission (Ref: 19/00620/AMM) was granted for approval of matters specified in conditions 1d, 1h, 1l and 1n (details of road, drainage and landscape infrastructure for Phase 1) of planning permission in principle 14/00768/PPM - For remediation of site and creation of new settlement comprising residential, employment, education and commercial uses with park and ride and rail halt facilities and associated works.

In May 2020 planning permission (Ref: 19/00900/AMM) was granted for approval of matters specified in conditions of planning permission in principle 14/00768/PPM for the erection of 146 houses and associated works.

A condition of planning permission in principle 14/00768/PPM requires that the phasing of the development of the site should be carried out in strict accordance with the phasing plans that are in the Masterplan Document docketed to the planning permission in principle, unless otherwise approved in writing in advance by the Planning Authority. The approved phasing plans of the docketed Masterplan Document split the housing development of the wider Blindwells site of 1600 houses into 11 Phases of development and sets out the number of housing completions for each phase of development in each audit year.

The erection of 146 houses and associated works approved within planning permission (Ref: 19/00900/AMM) constitutes Phase 2 of development of the wider Blindwells site.

Approval of matters is now sought for the erection of 32 houses, 28 flats and for associated works as an approval of matters specified in conditions of planning permission in principle 14/00768/PPM. The application site constitutes phase 1 of the phasing plan approved within planning permission in principle ref 14/00768/PPM.

The site is 1.28 hectares in size and located to the northwest of the wider Blindwells site. The site is in close proximity to the settlements of Prestonpans, Tranent, Cockenzie and Port Seton and is predominantly bounded to the south by land identified as Area 2 of the Blindwells site and the A1 trunk road beyond, to the west by the A198 public road, to the east by land the subject of the wider Blindwells site and to the north by the east coast main railway line.

The application site is within the inventory boundary of the Battle of Prestonpans, a battlefield included within the Inventory of Historic Battlefields.

A Scheduled Ancient Monument, known as the Seton West Mains Enclosures 500M SW Of, is located some 400 meters to the northwest of the application site.

In March 2020 a Section 75A was concluded to modify the planning obligations associated with the planning permission in principle for the Blindwells development of 1,600 homes (Ref:14/00768/PPM).

The section 75A secured mechanisms for the provision within the residential development of

1600 residential units of 30% affordable housing (i.e. 480 units of the proposed 1600 units). Additionally, the masterplan docketed to planning permission (Ref: 14/00768/PPM) indicates the parts of the wider Blindwells development that will provide for affordable housing.

Of the 60 residential units proposed within the application 32 would be houses and 28 would be flats. The 60 units are all proposed as affordable housing. In this regard the proposal is consistent with the indicative masterplan docketed to planning permission in principle (Ref: 14/00768/PPM) and with policy HOU3 (Affordable Housing Quota) of the adopted East Lothian Local Development Plan 2018. A condition can reasonably be attached to any grant of planning permission to ensure the development is operated as affordable housing.

Of the 32 houses, all would be terraced. 17 of the houses would be 2-bedroom, 11 would have 3 bedrooms and 4 would have 4 bedrooms. The proposed 28 flats would be provided within 7 flatted blocks located throughout the site. Each block would contain 4 residential units composed of twelve 1-bedroom and sixteen 2-bedroom flats. 3 of the flatted blocks would be one-and-a-half stories in height and 4 would be two stories in height.

The main vehicular, pedestrian and cycle access to the application site would be taken from a point on an approved northern distributor road running from a northern position on the A198 Road to the west to provide access to the wider Blindwells site.

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

This application is supported by a Design and Access Statement, a Landscape Design Statement and an updated Drainage Strategy.

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 the application. Proposal BW1 (Blindwells New Settlement) and Policies HOU1 (Established Housing Land), HOU3 (Affordable Housing Quota), DP1 (Landscape Character), DP2 (Design), DP3 (Housing Density), DP9 (Development Briefs), CH5 (Battlefields), T1 (Development Location and Accessibility), T2 (General Transport Impact), W3 (Waste Separation and Collection), OS3 (Minimum Open Space Standards for New General Needs Housing), NH10 (Sustainable Drainage Systems) and NH11 (Flood Risk) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of this application.

Also material to the determination of this application is Scottish Government Advice given in Planning Advice Note 67: Housing Quality. 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.

Also material to the determination of the application is the approved masterplan for the site as approved by the grant of planning permission in principle 14/00768/PPM. The masterplan sets out the land uses expected for the allocated site and how the Council requires the site to be developed.

Also material to the determination of the application is Supplementary Planning Guidance (SPG) on 'Design Standards for New Housing Areas' adopted by the Council in May 2020. The SPG expands on policies that are set out in the East Lothian Local Development Plan 2018.

REPRESENTATIONS

No public objection to this application has been received

COMMUNITY COUNCIL

Cockenzie and Port Seton Community Council as a consultee to the application have made no comment on the application

PLANNING ASSESSMENT

By the grant of planning permission in principle 14/00768/PPM approval has been given for the principle of the erection of up to 1600 houses on the wider Blindwells 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 60 residential units now proposed on this particular part of the site.

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 14/00768/PPM.

The proposed houses, flatted blocks and associated areas of ground, in their proposed groupings, orientations, and layout would be consistent with the principles of the Scottish Government Policy Statement entitled "Designing Streets". The proposed layout of roads, pathways and parking spaces would also generally be consistent with those principles.

The range of house types and flatted blocks 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 and flatted blocks is of a relatively traditional

pitched roof form. Submitted details propose render as the predominant wall finish with some use of reconstituted stone as a contrasting wall finish.

A condition can be imposed on any grant of planning permission to require the submission of a scheme of final finishes with a palette of colour of materials for the houses and flatted buildings, allowing for some use of reconstituted stone, providing it is limited to a distinctively complete feature of the houses and flatted buildings and respectful of their design integrity. In all of this, subject to the imposition of the above condition, the proposal would be an appropriate residential development of the site.

The proposed layout is broadly consistent with the layout shown in the Illustrative Masterplan docketed to planning permission in principle 14/00768/PPM. The proposed houses and flatted blocks, 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 and flatted blocks 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 housing development would provide an attractive residential environment for future residents of the proposed houses. The houses and flatted blocks are largely shown to be laid out in such a way that adheres to the normally accepted privacy and amenity criteria on overlooking and overshadowing. The occupants of each of the new residential units would be afforded an appropriate level of privacy and residential amenity. In the interests of safeguarding the amenity of the future occupiers of the proposed flats it should be made a condition of the grant of planning permission for the proposed development that bin storage facilities for the proposed flats be formed prior to the occupation of those residential units.

The proposed development would be consistent with Policy DP3 of the adopted East Lothian Local Development Plan 2018, as the proposed development would achieve a minimum average density of at least 30 dwellings per hectare (net).

The application site is capable of accommodating all of the proposed development including vehicular and pedestrian access and amenity space without being an overdevelopment of it. The proposed positioning of the 60 residential units and other components of the development would not prejudice the form of development of the remainder of the 1600 houses approved in principle by the grant of planning permission in principle 14/00768/PPM.

The Council's Landscape Officer has been consulted and advises that a submitted scheme of landscaping generally accords with the 'Landscape Design Statement' which is docketed to planning permission in principle 14/00768/PPM and is acceptable. Subject to that landscaping plan being implemented, which can be made a condition of any grant of planning permission, he raises no objection to the planning application.

The Environmental Health Manager has been consulted and advises that a noise assessment carried out for the wider Blindwells site the subject of planning permission (Ref: 14/00768/PPM) concluded that it was likely that Road Traffic noise would impact upon properties located along the southern boundary, southwest corner and western boundary of that site. As the site the subject of this application is located on the western edge of the larger site, and in close proximity to the A198 Road, details of the precise mitigation measures required to abate road traffic noise impacts will be required.

Accordingly, prior to commencement of any development subject to this application the **Environmental Protection Manager** advises that a further noise impact assessment shall

be submitted to assess impacts of road traffic noise upon occupiers of proposed housing. The Noise Report shall specify details of any mitigation measures that may be required to achieve the following design criteria:

1. Daytime garden noise levels of 50-55dBAeq,t specified in paragraph 7.7.3.2 of BS8233:2014 "Guidance on sound insulation and noise reduction in buildings" The upper limit of 55dB must be achievable.
2. Daytime and night-time internal noise levels specified in Table 4 of BS8233:2014 "Guidance on sound insulation and noise reduction in buildings". The daytime level of 35dB and night time level of 30dB in should be achievable.

The Environmental Health Manager recommends that the required noise report to demonstrate noise mitigation measures, together with a timetable for their implementation, should be submitted to and approved by the Planning Authority. This can be secured by a condition attached to any grant of planning permission. Subject to the implementation of this condition, future residents would benefit from a satisfactory level of privacy and residential amenity.

The masterplan docketed to planning permission in principle 14/00768/PPM indicates how areas of formal and informal open space could be located throughout the allocated site.

The site that is the subject of this approval of matters application includes small areas of land shown on the docketed masterplan as being the location for areas of open space. However this site is not shown on the masterplan to have any areas for play area provision within it. The masterplan does show that there are to be more substantial areas of open space adjacent to the east side of the site that would include a local park.

Consequently, although the proposed development does not include the provision of formal play area provision, this is consistent with the docketed masterplan. On this consideration the proposed development is consistent with Policies OS3 and OS4 of the adopted East Lothian Local Development Plan 2018 and with the indicative masterplan docketed to planning permission in principle 14/00768/PPM.

On all of these foregoing findings on matters of design, density, layout, landscaping and amenity the details submitted for approval are consistent with Policies DP1, DP2, DP3 and DP4 of the adopted East Lothian Local Development Plan 2018, the Council's approved development framework for Blindwells, the Council's Supplementary Planning Guidance (SPG) on 'Design Standards for New Housing Areas' and the Scottish Government's Designing Streets.

The Council's Waste Services have been consulted on the application and raise no objection to the application.

Scottish Water has no objection to the application.

The Coal Authority has been consulted and has no objection to the application on the basis that Ground Remediation conditions 18, 19, 20 and 21 of planning permission (Ref: 14/00768/PPM which seek to address coal mining legacy related issues can be addressed.

Parking for the proposed houses would be primarily located to the side and rear of primary frontages. On street parking would be interspersed with areas of landscaping. Road widths would be narrowed with on-street visitor parking and traffic calming measures, and the back lanes/courts would be short in length with widths narrowing. All of this would encourage lower vehicle speeds on primary streets and in back lanes/courts. In all of this the proposed

housing development would provide an attractive street setting which would not be dominated by parking.

The Council's Road Services are generally satisfied with the detailed proposals for site access and parking, subject to the following requirements:

- i) All roads and paths shall conform to ELC Standards for Development Roads.
- ii) 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.
- iii) Prior to the commencement of development details of all electric vehicle charging points and required infrastructure, along with a timetable for provision, shall be submitted to and approved in writing by the Planning Authority.
- iv) Prior to commencement of development, a Factoring Plan should be submitted clearly indicating the different responsibilities for long term maintenance including: private and shared private areas, factored areas, and prospectively adoptable roads.
- v) Prior to commencement of development, a Quality Audit to independently assess walking, cycling, access and road safety aspects within and around the development should be submitted and approved by the planning authority. This will be reviewed after construction is substantially complete and the developer required to make good any issues.
- vi) A Travel Information Pack with information for residents to encourage use of sustainable modes of transport such as trains, buses, cycling and walking shall be submitted to and approved by the Planning Authority prior to construction commencing. The Travel Information Pack will include local bus and train timetables, local cycling and walking maps, information on bike hire / car sharing, and shall include details of how it will be distributed to residents.
- vii) A Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area 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 noise, dust, construction traffic (including parking, routes to/from site and delivery times) and shall include hours of construction work. Temporary measures shall be put in place to control surface water drainage during the construction of the SuDS.
- viii) Wheel washing facilities must be provided and 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.

All of these requirements can reasonably be made conditions of an approval of matters specified in conditions for the proposed housing development.

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.

Transport Scotland have been consulted on this application and raise no objection.

The Council's Biodiversity Officer offers no comment on the application.

Historic Environment Scotland raise no objection to the principles of the proposed

development.

The Council's Contaminated Land Officer was consulted and, taking into account the findings of previous site-wide investigation reports, advises that there are potential pollutant linkages that may have an impact on the proposed development of the site, related to both chemical contamination of the backfill material as well as elevated ground gas associated with the former mining works and areas of made ground. He further advises that it was also indicated in these reports that more site specific investigations would need to be carried out once the design layout for the development had been decided.

In light of the above and given the nature of the proposed development, further information will be required to determine the ground conditions and potential contamination issues impacting on the proposed development site.

The Council's Contaminated Land Officer therefore advises that prior to any site development works a suitable Geo-Environmental Assessment be carried out, with the Report(s) being made available to the Planning Authority for approval. It should include details of the following:

- * A Preliminary Investigation incorporating a Phase I Desk Study (including site reconnaissance, development of a conceptual model and an initial risk assessment);
- * A Ground Investigation comprising a survey of the extent, scale and nature of contamination, and an updated conceptual model of the site. It is required if the Desk Study has indicated that the site is potentially contaminated and the degree and nature of the contamination warrants further investigation;
- * An appraisal of the remediation methods available and proposal of the preferred option(s). Should a requirement for remedial works be identified, then prior to the site being occupied a detailed Remediation Statement will be required to be produced that shows how the site is to be brought to a condition suitable for the intended use by the removal of unacceptable risks to all relevant and statutory receptors.

Following completion of the measures identified in the approved Remediation Statement, a Verification Report that demonstrates the effectiveness of the remediation carried out should be submitted to the Planning Authority for approval prior to commencement of the new use of the land. Should unexpected contamination that was not previously identified be found at any time when carrying out the approved development, work on site shall cease and the issue reported to the Planning Authority.

These recommendations can reasonably be secured by the imposition of a condition on any planning permission granted for the proposed development. Subject to this planning control the contaminated land officer raises no objection to the proposed development

Further to the submission of updated below-ground Drainage Layout drawings providing details of permeable paving areas and silt traps, the Council's Team Manager for Structures, Flooding & Street Lighting has no objection to the application, being satisfied that there would be no unacceptable flood risk.

The Scottish Environment Protection Agency (SEPA) has been consulted and raise no objection to the proposals, being satisfied that the updated Drainage Strategy is acceptable in principle.

RECOMMENDATION

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

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

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

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of 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 Other than in exceptional circumstances where the layout or particular building type does not permit, the residential units shall be orientated to face the street. Notwithstanding that shown on the docketed site plan the houses denoted with an asterisk shall have dual frontages. Otherwise where a building is located on a corner of more than one street, it shall have enhanced gable(s) to ensure it has an active elevation to each street it faces.

Reason:

In the interests of safeguarding the character and appearance of the development.

- 3 Notwithstanding that shown on the drawings docketed to this approval of matters, all semi private and defensible spaces in front of or to the side of dwellings and to the side of parking courtyards shall be enclosed by walls/hedges/fences/ or railings to define areas of private space from public space.

Details of the form and appearance of all boundary treatments, including the 1.8m high fences within the rear gardens of the houses and flatted blocks, shall be submitted to and approved by the Planning Authority prior to the occupation of the first house.

A timetable for the provision of those boundary treatments shall be submitted to and approved in advance by the Planning Authority and 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 appropriate boundary enclosures and in the interest of safeguarding the privacy and amenity of future residents of the development

- 4 Landscaping of the site shall be carried out in accordance with that shown on drawing numbers 374.17.01b, 374.17.02b and 374.17.03b docketed to this planning permission. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation or completion of any part of the development hereby approved, whichever is the sooner.

Any trees or plants which within a period of 10 years from the completion of the development 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.

Reason

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

- 5 The details to be submitted pursuant to condition 1 above shall include full details of all noise mitigation measures. The mitigation measures shall include, but may not be limited to, final heights and locations of any acoustic bunds and/ or barriers, upgraded glazing/ ventilation specification within specific properties and possible re-orientation of residential properties. These mitigation measures shall be such that the following design criteria shall be met:

1. Daytime garden noise levels should not exceed 55 dB (A);
2. Daytime internal noise levels should not exceed 35 dB (A) and night-time internal noise levels should

not exceed 30 dB (A); and

3. The Rating Level, L_{ArTr}, of noise emanating from any proposed commercial unit (when measured 3.5m from the façade of any existing or proposed residential property shall be no more than 5 dB (A) above the background noise level, LA_{90T}.

The details to be submitted shall also include a further noise report to demonstrate the noise mitigation measures required to ensure compliance with this design criteria, together with a timetable for the implementation of all of the proposed noise mitigation measures.

Development shall thereafter be carried out in accordance with the details so approved.

Reason:

To ensure an appropriate level of acoustic screening in the interests of the amenity of the future occupants of the site.

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

i) All roads and paths shall conform to ELC Standards for Development Roads.

ii) 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.

iii) Prior to the commencement of development details of all electric vehicle charging points and required infrastructure, along with a timetable for provision, shall be submitted to and approved in writing by the Planning Authority.

iv) Prior to commencement of development, a Factoring Plan should be submitted clearly indicating the different responsibilities for long term maintenance including: private and shared private areas, factored areas, and prospectively adoptable roads.

v) Prior to commencement of development, a Quality Audit to independently assess walking, cycling, access and road safety aspects within and around the development should be submitted and approved by the planning authority. This will be reviewed after construction is substantially complete and the developer required to make good any issues.

vi) A Travel Information Pack with information for residents to encourage use of sustainable modes of transport such as trains, buses, cycling and walking shall be submitted to and approved by the Planning Authority prior to construction commencing. The Travel Information Pack will include local bus and train timetables, local cycling and walking maps, information on bike hire / car sharing, and shall include details of how it will be distributed to residents.

vii) A Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area 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 noise, dust, construction traffic (including parking, routes to/from site and delivery times) and shall include hours of construction work. Temporary measures shall be put in place to control surface water drainage during the construction of the SuDS.

viii) Wheel washing facilities must be provided and 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.

The housing development shall thereafter be carried out in accordance with the details so approved unless otherwise agreed in writing with the Planning Authority.

Reason:

In the interests of road and pedestrian safety.

7 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

- 8 Notwithstanding that which is stated on the drawings docketed to this approval of matters specified in conditions, a detailed specification of all external finishes of the houses and flats of the proposed development shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. 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, 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.

- 9 Prior to the commencement of development details of the bin storage facilities for the flatted properties hereby approved shall be submitted to and approved in advance by the Planning Authority. Prior to the occupation of any of the flats the bin storage facilities shall have been formed in accordance with the approved details and made available for use. Thereafter, the storage facilities shall be retained in use solely as bin storage areas.

Reason:

To ensure the provision of adequate bin storage in the interest of the residential amenity of the future occupants of the flats hereby approved and the visual amenity of the locality.

- 10 Prior to the commencement of development confirmation from Scottish Water shall be provided that demonstrates that there is an available connection to the public sewer and that Scottish Water will accept waste from this development. If Scottish Water cannot accept foul drainage from this site, proposals for alternative arrangements should be provided, prior to the commencement of development and SEPA should be re-consulted.

Reason:

In the interests of ensuring that foul drainage from the site can be accommodated.

- 11 Unless otherwise agreed by the Planning Authority, no house shall be occupied unless and until the amended Phase 1 Drainage Strategy (Waterman) June 2019 has been implemented to the satisfaction of the Planning Authority.

Prior to the commencement of development a Surface Water Management Plan for the housing site hereby approved, with details of all SuDS features/structures to be constructed on the site shall be submitted to and approved by the Planning Authority. This Surface Water Management Plan must demonstrate how onsite SUDs features will integrate with the Blindwells Phase 1 Drainage Strategy (Waterman) June 2019 (as amended on 6 February 2020) and should include technical approval of the Surface Water Management Plan by Scottish Water. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

To ensure adequate protection of the water environment from surface water run-off.

- 12 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.

- 13 Prior to the commencement of development a detailed condition survey of the construction access route from the Bankton interchange shall be jointly undertaken by the developer and East Lothian Council Roads Services. During the period of construction of the development a similar joint inspection shall be carried out to assess the condition of the route on each anniversary of the commencement of development. Any damage identified as a result of construction activities shall be repaired or resurfaced by the developer in compliance with the Council's specifications and requirements at no cost to the Council as Roads Authority.

Reason:

In the interests of road safety.

- 14 No development shall be commenced on site unless and until written evidence that a contract has been entered into for the provision as affordable housing of all of the 60 residential units hereby approved has been submitted to and agreed by the Planning Authority.

Reason:

In order to ensure the development is operated as affordable housing and is therefore compliant with Policy HOU3 of the adopted East Lothian Local Development Plan 2018.

- 15 Prior to the commencement of development details shall be submitted to and approved by the Planning Authority of overlying subsoil/topsoil to be provided to the front and back gardens of the houses hereby approved on a plot by plot basis and on all soft landscaping areas to ensure the provision of a layer of subsoil/topsoil of at least 600 mm in thickness. Thereafter the subsoil/topsoil shall be provided in accordance with the details so approved unless otherwise agreed in writing by the Planning Authority.

Confirmatory testing for both subsoil and topsoil materials is to be included within the Remediation Strategies being produced for the development site, with validation of these results being included within subsequent Verification Reports.

Reason

To ensure the provision of a suitable growing medium for garden areas and other areas of soft landscaping.