

REPORT TO: Planning Committee
MEETING DATE: Tuesday 18 August 2020
BY: Head of Development
SUBJECT: Application for Planning Permission for Consideration

Application No. **19/00869/AMM**

Proposal Approval of matters specified in conditions of planning permission in principle 17/00917/PPM - Erection of 230 houses, 20 flats and associated works

Location **East Of Cowpits Road
Whitecraig
East Lothian**

Applicant Persimmon Homes Limited & Executors Of Late Sir John Hope

Per EMA Architecture and 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 17/00917/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 land is allocated for residential development and the provision of infrastructure and associated works by Proposal MH14: Land at Whitecraig North by the adopted East Lothian Local Development Plan 2018 (ELLDP 2018).

On 4th November 2018 following the conclusion of a S75 legal agreement planning permission in principle (Ref: 17/00917/PPM) was granted for a residential development of some 250 homes, a SUDS drainage system, open space and play area and associated infrastructure on some 11.4 hectares of predominantly agricultural land to the north of Whitecraig. Planning permission in principle 17/00917/PPM was granted subject to the prior conclusion of a Section 75 Agreement that secured from the applicant:

(i) a financial contribution to the Council of £3,152,750 for education contributions - £2079,250 (£8317 per residential unit) towards the provision of additional capacity at

Whitecraig Primary School, £59250 (£237 per dwelling) towards the cost of campus land for the new Musselburgh Secondary School and £1014250 (£4057 per dwelling) contribution towards the capital costs for the new Musselburgh Secondary School;

(ii) a financial contribution to the Council for campus land for Whitecraig Primary school. This contribution will be based on the value of the land as assessed by the District Valuer for the 250 units (or the number of units built) as a proportion of the 600 residential units to be built within the Whitecraig primary school catchment area;

(iii) a financial contribution to the Council of £288,637.50 (£1154.55 per dwelling) towards the provision of a new sports pitch facility at Whitecraig;

(iv) a financial contribution to the Council of £136,102.50 for transport improvements - £96,145 for road improvements to Old Cragihall Junction, Salters Road Interchange and Bankton Interchange, £24,197.50 for rail improvements, £5,780 for Musselburgh town centre improvements and £9,980 for Tranent Town Centre improvements.

(v) provision of 25% of the final approved number of residential units within the application site as affordable residential units or if it can be demonstrated to the Council that this, or the off-site provision of 25% of the final approved number of residential units as affordable units is not practicable, to secure from the applicant a commuted sum payment to the Council in lieu of such an on or off-site provision.

Condition 1 of planning permission in principle 17/00917/PPM requires that the development of the site should generally accord with the indicative masterplan docketed to this planning permission in principle.

Approval of matters specified in conditions now sought is for the erection of 230 houses and 20 flats and associated works on land to the north of Whitecraig and thus on the site to which planning permission in principle ref: 17/00917/PPM and the masterplan docketed to that permission apply.

This application site has a largely rectangular shaped footprint and forms the southern part of a larger agricultural field. It is bounded to the west by Cowpits Road, to the north and east by the remainder of the agricultural field and to the south by the village of Whitecraig.

In part of the field to the north is the Monktonhall Junction, Neolithic cursus Schedule Monument. The site is also with the Battle of Pinkie Battlefield Site. To the west side of the site, on the opposite side of Cowpits Road is the eastern boundary of the Dalkeith House Garden and Designed Landscape.

In accordance with planning permission 17/00917/PPM vehicular access to the development would be taken from two vehicular accesses – one from Cowpits Road to the west and one from the north side of Whitecraig road, beyond the eastern edge of the village.

Also in accordance with planning permission 17/00917/PPM a new 4m wide cycle path will also be formed through the site from Cowpits Road to Whitecraig Road. This cycle path will form part of the National Cycle Route (NCR1).

The SUDs for the site differs from that approved through planning permission 19/00917/PPM in that there is no longer a second SUDs basin proposed in the northeast corner of the site. Instead only one SUDS basin is proposed which will be in the northwest corner of the site.

A network of open space will be provided throughout the site with larger areas to the northwest and southeast, which would be linked by a green corridor that would run through the

centre of the site, adjacent to the new spine road, and which would also integrate the new the NCR1 cycle path within it.

Of the 250 residential units to be erected within the site 63 would be affordable housing and 187 would be for private houses for sale.

The 187 houses for private sale would be a mix of terraced (34), semi detached (28) and detached houses (125) which would give a mix of 16 x 2 bed terraces, 18 x 3 bed terraces, 28 x 3 bed semi detached, 17 x 3 bed detached, 101 x 4 bed detached and 7 x 5 bed detached houses.

The 63 affordable units would comprise 20 flat (4 x 1 bed flats, 16 x 2 bed), 18 x 2 bed roomed terraced houses, 21 x 3 bed roomed semi-detached houses, 2 x 4 bed roomed semi detached houses and 2 semi-detached bungalows.

Other than the 2 bungalows all the houses would be two-storey in height.

The submitted details also include for the internal access roads, garages, parking courts, boundary treatments and landscaping.

The application is supported by a Design and Access Statement.

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, a change to the alignment of the cycle path and omitting the SUDs basin that was previously proposed in the northeast corner of the site.

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) of relevance. Proposal MH14: Land at Whitecraig North and Policies HOU3 (Affordable Housing Quota), HOU4 (Affordable Housing Tenure Mix), OS3 (Minimum Open Space Standards for New General Needs Housing, DP1 (Landscape Character), DP2 (Design), DP3 (Housing Density), DP4 (Major Development Sites), DP9 (Development Briefs), DCN2 (Provision for Broadband Connectivity in New Development), T1 (Development Location and Accessibility), CH4 (Scheduled Monuments and Archaeological Sites), CH5 (Battfields), CH6 (Gardens and Designed Landscapes) and T2 (General Transport Impact of the adopted East Lothian Local Development Plan 2018 ELLDP 2018) are relevant to the determination of the planning 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.

Also material to the determination of the application is the development brief for allocated site MH14: Whitecraig North which is within the Development Briefs Supplementary Planning Guidance 2018 and the approved masterplan for the site as approved by the grant of planning permission in principle 17/00917/PPM. The Development Brief informed the masterplan and 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 the approved Sustainable Drainage Systems (SuDs) SPG adopted by the Council on 25th June 2019.

REPRESENTATIONS

No representations were received in respect of this application.

COMMUNITY COUNCIL

Whitecraig Community Council were consulted on the application but did not provide a consultation response.

PLANNING ASSESSMENT

By the grant of planning permission in principle 17/00719/PPM, approval has been given for the principle of the erection of up to 250 residential units on the application 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 landscaping of and means of access to the site and the means of any enclosure of the boundaries of the site. In this regard the detailed proposals have to be considered against relevant development plan policy and conditions attached to planning permission in principle 17/00917/PPM.

In accordance with the Development Brief access to the site will be taken from two new vehicular accesses to be formed – one from Cowpits Road and the other from Whitecraig Road. These accesses are also in accordance with the illustrative masterplan (Ref: 14003-MPDF-P002-D) approved through the grant of planning permission in principle 17/00917/PPM.

The proposed residential development would be located adjacent to the northern edge of the existing settlement of Whitecraig. The site is relatively flat therefore there is no requirement for any significant changes in ground levels to facilitate the development of the site. However, due to the ground levels towards the north boundary of the site the houses built along the north boundary of the site - plots 233-242 - would have rear gardens that would slope down towards the landscaped edge along that northern boundary. Due to their positioning on the site the houses with the more steeply sloping gardens along the north boundary would not appear incongruous or obtrusive and would not be harmful to the

landscape character of the area.

The proposed houses would be seen as a continuation of the existing housing of Whitecraig Road to the south. Due to the relationship the proposed new houses and flats would have with the existing houses of Whitecraig the proposed residential development would be seen 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 woodland planting along the northern and eastern boundaries of the site to the east of the site would give visual containment to the proposed residential development in views of it from Cowpits Road to the west and Whitecraig road to the south. In all of the this 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 sympathetic to the character of Whitecraig.

The details now submitted for approval of matters are for a scheme of development comprising a mix of detached, semi-detached, terraced houses and flats (22 types of residential units), with the houses and flats being largely two stories in height. The total number of units proposed accords with the planning permission in principle granted for this part of 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 single and two-storey houses. The layout which includes SUDs and openspace gives a density of development, at some 33 units per hectare, which is consistent with Policy DP3 of the ELLDP 2018 which requires a minimum density of some 30 units per ha.

The range of house types and flats 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 other housing developments in Whitecraig. 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 Design Concept docketed to planning permission in principle 17/00719/PPM. The houses due to their positioning on the application site and by virtue of their height, size and scale, would not appear incongruous in their landscape setting. This coupled with the proposed landscaping would ensure a visually attractive and cohesive development, with the proposed houses visible but not appearing 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.

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.

Thus on those matters of design the proposed development is consistent with Prop MH14, the adopted Development Brief for the site, with Policies DP1 and DP2 of the ELLDP 2018 and with Planning Advice Note 67.

Through the determination of planning permission in principle 17/0917/PPM it was established that the proposal would not have an adverse impact on the setting of

Monktonhall Junction, Neolithic cursus north of Whitecraig Scheduled Monument, the Battle of Pinkie Battlefield site or to the setting of the Dalkeith House Designed Landscape. The proposals are therefore consistent with Policies CH4, CH5 and CH6 of ELLDP 2018.

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 17/00917/PPM is sought through this application. The landscaping scheme submitted by the applicant generally complies with that shown in planning permission in principle 17/00917/PPM. Therefore, and provided the landscaping scheme is implemented in accordance with the drawings and within a timetable to be submitted to and agreed with by the Planning Authority which can be made a condition of a grant of Approval of Matters this landscaping scheme is acceptable.

The masterplan docketed to planning permission in principle 17/00917/PPM indicates how areas of formal and informal open space, could be provided on the allocated site.

An equipped play area is proposed in the area of open space towards the northeast part of the site. It can reasonably be made a condition of a grant of planning permission that the details of the play equipment be provided together with a timetable for its provision prior to works commencing on site.

The largest areas of open space would be provided within the northwest and southeast corners of the site and which would be linked by a linear strip of open space that would run adjacent to the north side of the spine road. Within that linear strip would be the NCR1 cycle path. Smaller area of open space would also be provided within the site. The proposed size and location of open space is consistent with Policy OS3 of the adopted East Lothian Local Development Plan 2018 and with the indicative masterplan docketed to planning permission in principle 17/00917/PPM.

The principles of the means of accessing the proposed housing area have already been decided by the grant of planning permission in principle 17/00917/PPM. These include vehicular access to the proposed site being taken from Cowpits Road and also from a vehicular access to be taken from Whitecraig Road.

Condition 10 of planning permission in principle 17/00917/PPM requires amongst other things the provision of a 2m wide footway on the east side of Cowpits Road from the proposed site access southwards to the existing pedestrian footway. In response to this it is proposed to form a 2m wide footway within the verge between the houses fronting onto Cowpits Road and that road. This will provide a separation between the footway the road and give a better walking experience. This footway will also extend beyond the site access on Cowpits Road to meet with the cycle path in the northwest corner of the site. The southern end of the footway will also link into and form part of the footway network to be formed through the site. In that respect it is consistent with the masterplan approved by the grant of planning permission in principle 17/00917/PPM.

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

Condition 10 of planning permission in principle 19/00917/PPM also requires that prior to the occupation of any of the residential units all roads and footpaths, including external footpaths as required shall be completed and brought into use in accordance with a phasing of them as agreed with the Roads Authority and which shall include:

- 1) a scheme of works to provide a controlled pedestrian/cycle crossing of the A6094 near NCR1 at a location to be agreed with East Lothian Council;
- 2) a scheme of works and associated measures on Cowpits Road to the north of the proposed new junction to control vehicle speeds. The proposed measures shall be submitted to the Council for approval and shall include a reduced speed limit with the relocation of the existing 30 miles per hour speed limit some 700m north of the proposed new junction onto Cowpits Road, the provision of a pedestrian footway/footway widening, traffic calming and street lighting;
- 3) Provision of a 2.0m wide footpath on the east side of Cowpits Road from the proposed site access, southwards to the existing pedestrian footway. Where the existing footway on Cowpits Road is less than 2.0m wide, the footway shall be increased to 2.0m in width;
- 4) Provision of a footpath link of not less than 2.0m width on the north side of Whitecraig Road between the proposed site access junction and the existing residential properties (no 2 Whitecraig Road) and the footpath shall have adequate width for cyclists and bus shelters.
- 5) If provision (of) a footpath link from the site to Whitecraig Road that adjoins the south side of the site is possible, the said footpath link shall be included in the scheme of landscaping. If such provision is not possible, the scheme shall nevertheless be designed so as to facilitate provision of such a link at a future date should circumstances change.
- 6) Street lighting shall be provided over the full extent of the proposed 30 mph speed limit on the A6094 and Cowpits Road from the existing lighting on both roads to a point beyond both proposed site access junctions.

Other than the footpath on the east side of Cowpits Road this Approval of Matters does not seek to implement any of those other offsite works listed in Condition 10. Therefore and to ensure that those works are undertaken to facilitate pedestrian and cyclist movement from the site including to the Whitecraig Primary school a condition should again be imposed on this Approval of Matters to ensure those works are carried out prior to the commencement of development.

The Council's Roads Services also recommend that within the site:

- (i) all adoptable footpaths shall be 2m wide;
- (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;
- (iii) within private parking areas, the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres. All visitor parking spaces within these areas shall be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings;
- (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. This can be reduced to a minimum length of 5 metres on the proviso that there is adequate road space to manoeuvre in adjacent to the parking bay;
- (v) Vehicle access to private parking areas shall be via a reinforced footway crossing and have a minimum width of 5.5m over the first 10m to enable adequate two movement of vehicles;

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

On these foregoing transportation and other access considerations and subject to the aforementioned conditions the proposed residential development is consistent with Policies

T1 and T2, of the adopted East Lothian Local Development Plan 2018.

The mechanism of a financial contribution towards additional educational provision for a housing development of 250 residential units has already been secured through the grant of planning permission in principle 17/00917/PPM.

Condition 11 of planning permission in principle 17/00917/PPM requires a scheme of intrusive investigation works in accordance with the Coal Mining Risk Assessment shall be submitted to and approved in writing by the Planning Authority in conjunction with the Coal Authority. However, the approval of this matter as specified in Condition 11 of planning permission in principle application 17/00917/PPM is not sought through this application and thus the requirement to submit that scheme of intrusive works remains embodied in Condition 11 of planning permission in principle 17/00917/PPM and therefore remains in force.

Condition 12 of planning permission in principle 17/00917/PPM requires the submission and implementation of a programme of archaeological work prior to the commencement of development. However, the approval of this matter as specified in Condition 12 of planning permission in principle application 17/00917/PPM is not sought through this application and thus the requirement to submit that programme of works remains embodied in Condition 12 of planning permission in principle 17/00917/PPM and therefore remains in force.

The mechanism of the provision within the residential development of 250 residential units of 25% affordable housing (i.e. 63 units of the proposed 250 units) is already secured through the Section 75 agreement associated with the grant of planning permission in principle 17/00917/PPM. The Council's Strategic Investment and Regeneration team has discussed the delivery of the affordable housing with East Lothian Housing Association and LAR Housing. The proposed mix and house types have also been agreed as delivering a mix of 30 units for social rent and 33 as an intermediate tenure.

Therefore, **the Strategic Investment and Regeneration Service Manager** raises no objection to the application which is consistent with Policies HOU3 and HOU4 of the adopted East Lothian Local Development Plan 2018.

The Council's Team Manager for Structures and Flooding raises no objection to the proposed revised drainage strategy for this application. However it would be prudent to attach a condition to any grant of approval that prior to the commencement of development prior to commencement of development on site, full details of the proposed Sustainable Drainage System (SuDS) shall be submitted to and approved in writing by the Planning Authority and the details shall include confirmation of Scottish Water's technical approval of the SuDS proposals.

The Council's Waste Service have been consulted on the application and have not raised an objection to it.

SEPA raise no objection to the 250 residential units now proposed.

Scottish Water raise no objection to the application.

The Council's Service Manager – Protective Services raises no objection to the application, satisfied that the proposed development would not result in a loss of amenity to any neighbouring or nearby residential property.

Policy DCN2 requires that developments of 5 houses or more shall as part of the development make provision for deliverable opportunities for digital infrastructure to the

proposed new homes, particularly for ducting and fibre or wiring for broadband connectivity. The applicant's agent has confirmed that in this instance Fibrenest will provide full fibre optic broadband up to 500Mb on this site. Therefore the proposal is consistent with Policy DCN2 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 for planning permission. Such a condition should be imposed on a grant of planning permission for this proposed development.

RECOMMENDATION

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

- 1 Prior to the commencement of development, final site setting out details shall be submitted to and approved in writing 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 the position of adjoining roads, land and buildings;
- b. finished ground levels and finished floor levels of the development relative to existing ground levels of the site and existing ground and road levels of adjoining land. 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 hereby approved, shown in relation to the finished ground and finished floor levels on the site.

Thereafter, the details shall be implemented as approved.

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 ensuring active frontages and to enhance character and appearance of the area.

- 3 Notwithstanding that which is stated on the drawings docketed to this planning permission, a detailed specification of all external finishes of the houses 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 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. However, some use of a contrasting wall finish (i.e. reconstituted stone or facing brick) would be acceptable providing it is limited to a distinctively complete feature of the houses and flats and respectful of their design integrity. All such materials used in the construction of the houses 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.

- 4 Notwithstanding that shown on the drawings docketed to this approval of matters, and unless otherwise agreed by the Planning Authority, 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.

Notwithstanding that shown on the drawings docketed to this planning permission, the boundary enclosures shown on those drawings are not hereby approved. Instead, and prior to the commencement of development, revised details of all boundary enclosures to be erected on the application site, and the timescales for their provision, shall be submitted to and approved in advance by the Planning Authority. Those details shall show 1.8 metre high solid enclosures around rear gardens of the houses hereby approved except where those boundaries are adjacent to a road or pathway where they shall be some other form of enclosure such as feature walls or hedges to heights and finishes to be approved in advance by the Planning Authority.

Details submitted shall also include the design, construction and materials of the entrance feature walls at the main accesses to the site.

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

Reason:

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

- 5 The landscaping scheme as shown on docketed landscape drawings(ref: 143 121 01G -143 121 11G) shall be carried out in accordance with the details so approved unless otherwise approved by the Planning Authority. A timetable for the implementation of the landscaping scheme shall be submitted to and approved by the Planning Authority prior to the commencement of development. Thereafter the landscaping of the site shall be carried out in accordance with the approved timetable, unless otherwise agreed by the Planning Authority.

Reason:

To ensure the implementation and maintenance of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area.

- 6 Unless otherwise agreed in writing by the Planning Authority all new planting as approved in terms of the detailed scheme of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings in the phases of the site, and any trees or plants which within a period of five 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 size and species, unless the Planning Authority gives written consent to any variation.

All the new planting shall be maintained in accordance with the maintenance programme of the approved revised detailed scheme of landscaping.

No trees or shrubs which are to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority.

Reason:

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

- 7 A play area with equipment suitable for children aged 0 - 15 years shall be provided on the area of open space in the northwest part of the application site to the west of plot 233 as shown on docketed site layout drawing no. 18167(PL)001-Z . 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 maintained and 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 play areas in the interest of the amenity of the future

occupants of the residential units hereby approved.

- 8 Prior to the commencement of development a plan showing all areas of factored open space shall be submitted to and approved by the Planning Authority, Thereafter all the open space areas indicated on the docketed site layout plan and on the factoring plan shall be available for use prior to the occupation of the last house on the site.

Other than to provide the play area as required by Condition 7 above, 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 Prior to commencement of development on site, full details of the proposed Sustainable Drainage System (SuDS) shall be submitted to and approved in writing by the Planning Authority.

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

Thereafter, the approved details shall be implemented as approved.

Reason:

To ensure that the final SuDS design complies with Sewers for Scotland 3 and can be vested by Scottish Water in the interest of flood prevention, environmental protection and the long term amenity of the area.

- 10 Prior to the occupation of the last of the residential units hereby approved, the proposed site access roads, parking spaces and footpaths shall have been constructed on site, in accordance with that which is shown on the docketed drawings, otherwise the layout shall be subject to the following requirements:

1) Parking for the residential elements of the development shall be provided at a rate as set out in the East Lothian Council Standards for Development Roads – Part 5 Parking Standards.

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

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

4) 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.

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

Thereafter those access, parking and footpath provisions shall not be used for any other purpose than for accessing and for parking in connection with the residential use of the houses 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.

- 11 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.

Reason:

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

- 12 A Construction Method Statement to minimise the impact of construction activity on the 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 construction traffic and shall include hours of construction work.

Thereafter, unless otherwise agreed in writing, the measures identified within the CMS must be implemented on site for the duration of construction works.

Reason:

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

- 13 A Construction Method Statement to specify the measures to be adopted to protect the amenity of neighbouring residential properties from the effects of noise and dust arising as a result of the construction phase of the proposed development shall be submitted to and approved by the Planning Authority prior to the commencement of development.

Thereafter the measures identified in the report shall be implemented on site until the build out of the site is complete unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of the amenity of the area.

- 14 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 wheelwash 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 for the duration of constructions works on site unless otherwise agreed by the Planning Authority.

Reason:

In the interests of road safety.

- 15 Prior to the commencement of development the following offsite works shall be completed to the satisfaction of the Planning Authority:

- 1) the provision of a controlled pedestrian/cycle crossing of the A6094 near NCR1 at a location to be agreed with East Lothian Council;
- 2) a scheme of works and associated measures on Cowpits Road to the north of the proposed new junction to control vehicle speeds. The proposed measures shall be submitted to the Council for approval and shall include a reduced speed limit with the relocation of the existing 30 miles per hour speed limit some 700m north of the proposed new junction onto Cowpits Road, the provision of a pedestrian footway/footway widening, traffic calming and street lighting;
- 3) Provision of a 2.0m wide footpath on the east side of Cowpits Road from the proposed site access, southwards to the existing pedestrian footway. Where the existing footway on Cowpits Road is less than 2.0m wide, the footway shall be increased to 2.0m in width;
- 4) Provision of a footpath link of not less than 2.0m width on the north side of Whitecraig Road between the proposed site access junction and the existing residential properties (no 2 Whitecraig Road) and the footpath shall have adequate width for cyclists and bus shelters.
- 5) If provision (of) a footpath link from the site to Whitecraig Road that adjoins the south side of the site is possible, the said footpath link shall be included in the scheme of landscaping. If such provision is not possible, the scheme shall nevertheless be designed so as to facilitate provision of such a link at a future date should circumstances change.
- 6) Street lighting shall be provided over the full extent of the proposed 30 mph speed limit on the A6094 and Cowpits Road from the existing lighting on both roads to a point beyond both proposed site access junctions.

Reason:

In the interests of road safety.

- 16 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.

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

Reason:

In the interests of road and pedestrian safety.

- 18 Prior to the commencement of development, a programme for monitoring the condition of the section of the public road (i) between the roundabout at the junction of Carberry Road/Whitecraig Road and the new site access to be formed on Whitecraig Road, and (ii) between the A6094 (Whitecraig Road) and the new site access to be created on Cowpits Road, prior to and immediately following the completion of the housing development, shall be submitted to and approved in writing by the Planning Authority. Thereafter the approved programme of monitoring shall be implemented. Any remedial works shown by the monitoring as arising from the construction of the development, shall be undertaken by the applicant within 3 months of the completion of the final monitoring undertaken, unless an alternative means of securing the works is approved in writing by the Planning Authority.

Reason:

To ensure that damage to the public road network resulting from the construction of the housing development is rectified.

- 19 Prior to the commencement of development a phasing plan detailing the number of housing completions on this site in any one year shall be submitted to and approved by the Planning Authority. Thereafter the build out of the site will be in accordance with the agreed phasing plan, unless otherwise agreed by the Planning Authority.

Reason:

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

- 20 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.