



**MINUTES OF THE MEETING OF THE  
PLANNING COMMITTEE**

**TUESDAY 6 OCTOBER 2020  
VIA A DIGITAL MEETING FACILITY**

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**Committee Members Present:**

Councillor N Hampshire (Convener)  
Councillor L Bruce  
Councillor J Findlay  
Councillor N Gilbert  
Councillor S Kempson  
Councillor K McLeod  
Councillor J McMillan  
Councillor F O'Donnell  
Councillor J Williamson

**Other Councillors Present:**

Councillor S Akhtar  
Councillor C Hoy

**Council Officials Present:**

Mr K Dingwall, Service Manager – Planning  
Ms E Taylor, Manager, Planning Delivery  
Mr M Greenshields, Senior Roads Officer  
Mr J Canty, Transport Planner  
Ms P Gray, Communications Adviser  
Ms F Currie, Committees Officer

**Clerk:**

Ms A Smith

**Visitors Present/Addressing the Committee:**

Item 2 – Mr P McLean, Mr G Shanks, Mr A Wilson

**Apologies:**

Councillor W Innes  
Councillor K Mackie  
Councillor C McGinn

**Declarations of Interest:**

None

## **1. MINUTES FOR APPROVAL**

The minutes of the following meetings were approved:

- a. Planning Committee of 18 August 2020
- b. Planning Committee of 1 September 2020

## **2. PLANNING APPLICATION NO. 19/00643/PM: ERECTION OF 232 HOUSES AND 42 FLATS AT LETHAM MAINS, HADDINGTON**

A report was submitted in relation to Planning Application No. 19/00643/PM. Emma Taylor, Manager, Planning Delivery, presented the report, summarising the key points. The report recommendation was to grant consent.

Ms Taylor and other officers responded to questions from Members. In relation to context Ms Taylor clarified that in terms of the adopted East Lothian Local Development Plan 2018 (ELLDP) the area moving out from Letham Mains Holdings was classed as a countryside around town area, which sought to protect the landscape setting of Haddington. On whether there were Tree Protection Orders (TPOs) to protect the general setting of the Holdings, she advised there were but would have to consult with Landscape officers as to the specifics. With regard to the criteria deemed necessary to open up this lane, Jon Canty, Transport Planner, stated that access was not provided to be required as part of the wider development; access could be taken from the new spine road. Road Services had not objected to the proposal however, but felt it unlikely that people would use this lane as it would not be quicker than using the spine road. He clarified that the lane was unnumbered and classified as a rural road; the spine road would be classified as a distributor road. Regarding audits carried out he indicated that the applicants had been asked to do a distribution of trips from the development, to the A1 mainly, their prediction was that it would be quicker through the new development so trips through the lane were unlikely and this was accepted by Road Services. On whether it would be a detriment to the development if this lane was not used as a vehicle link, he said he did not think so, but added that an emergency access somewhere on that area would be needed.

Ms Taylor confirmed that this area, through allocation of the site, had been taken out of the 'countryside' so was no longer within Policy DC1. Responding to further questions Ms Taylor said that the particular character of the Holdings was appreciated but officers did not feel that its rural character would be compromised by use of this lane by people from the new development; access would not be solely from this point, it was intended as a secondary access. As regards who had responsibility for maintenance of the lane, Marshall Greenshields, Senior Roads Officer, clarified that as it was an unclassified public road the Council was responsible. Ms Taylor confirmed that the proposal to use this lane was not in the Development Brief but said that this did not exclude any access from this point.

Graeme Shanks representing the applicant, Taylor Wimpey, and Phil McLean of Geddes Consulting, agent for the applicant, responded to questions. On the need for the proposed road access onto the Holdings lane Mr Shanks said this was to provide better connectivity to the site; he did not think it would make a big impact on the lane. It would not come into effect for some years and not until the spine road was in place. It would provide residents of the southwest corner the convenience of an exit onto the Pencaitland Road. It would be a better access for emergency vehicles. A new gateway would be fitted at that end of the site. Mr McLean confirmed that the transport study was carried out in August 2018. On engagement with residents regarding use of this lane Mr McLean clarified that the feedback from the public event was followed up with Council officers but there was no further follow up with residents. Regarding journey times and future interventions if this lane became a 'rat run' Mr McLean stated that all traffic modelling and journey time analysis had been done on the

baseline for the already approved development; even allowing for the 3 sets of traffic lights it was still a shorter route to go from the spine road to the A1. On how the developer would make it clear to people, if the Committee asked for this access to be limited and not available as proposed, Mr McLean said if that was the case it would form part of the approved layout. Mr Shanks agreed, adding that it would not then be included in the marketing material. He also clarified operation and enforcement of the wheel washing unit in response to queries.

The Convener asked about proposals for landscaping and finishing of the development; he appreciated it was a large scale site but referred to other sites where people had to live, in effect, on a building site, which was not acceptable. Mr Shanks stated that road surfacing would be completed as soon as was practicable after construction traffic had finished using the roads. He agreed it was important to get landscaping completed as soon as possible; this would start at the north of the development and work down to the south area.

Andrew Wilson, a resident of Letham Mains Holdings for 25 years, spoke against the application on behalf of 80% of the residents. Their objection was on one specific point, the proposed road access onto the Holdings lane at the southwest boundary of the new development. Residents had serious concerns about the danger and loss of amenity resulting from this proposal. The proposed road access was contrary to the Development Brief and breached all 5 points of Policy T2. He provided supporting evidence. This lane was the sole access for 30 households; it had no lighting, no pavements, terrible sight lines, blind bends, a blind summit and blind T-junction. It was used by walkers, runners, cyclists, schoolchildren and horses; any extra traffic would exacerbate the situation. This lane was uniquely vulnerable to the danger from even moderately increased volumes of traffic. Councillors were being asked to overrule the officer's recommendation on this specific point.

Responding to questions, Mr Wilson confirmed that traffic on the lane had increased as a result of nearby developments, particularly since the Dovecot development. On whether there had been an increase in other incidents he stated there had and gave some examples. He added that this rural lane was twisty, dangerous, with no footpath so people had to walk on the tarmac. As regards construction traffic and the associated noise and dust he said that these were all realistic issues but residents accepted that the wider development had been approved. On whether other large vehicles, apart from the Council's refuse vehicles, used this lane he stated that LPG and oil delivery vehicles did, as there was no mains gas in Letham Mains Holdings. The lane was also used by agricultural vehicles. He reiterated that as there was no footpath pedestrians had to go onto the verge when vehicles approached.

Local Member Councillor McMillan welcomed the application, it showed how planning could benefit communities and how growth could be integrated. However, in considering the points put forward and the line of questioning, there were serious concerns around issues of wellbeing and safety in relation to the use of this lane as planned. He was not convinced by the audits carried out by the developer. If it was a requirement that this lane be opened up as a connection to this new development he proposed that access should only be for pedestrians, cyclists, etc.; access for vehicles should be prevented. This would also be in accord with the Council's declaration of a climate emergency. He would be prepared to support the application if this change could be made.

Local Member Councillor Hoy, not a member of the Planning Committee, echoed Councillor McMillan's remarks. He agreed with comments expressed by Mr Wilson; use of this lane as proposed was a serious cause for concern. If it was used as proposed there would undoubtedly be an increase in traffic with the associated risks to walkers, cyclists, horse riders, etc. There would also be an adverse impact on the environment and local amenity.

Local Member Councillor Akhtar, also not a member of the Planning Committee, agreed with the other ward councillors. Mr Wilson spoke on behalf of 80% of Letham Mains Holdings residents. She agreed with all of his comments, this lane would become a 'rat run'; trying to

turn a rural lane into a road was not practicable. Given the Council's declaration of a climate emergency, walking and cycling, rather than car use, should be encouraged.

Councillor Williamson agreed with all comments expressed. If access to the lane was restricted to pedestrians and cyclists then he would support the rest of the application.

Councillor O'Donnell welcomed the application, particularly the affordable housing element and the two wheelchair accessible garden flats. She felt that Mr Wilson's evidence had been very compelling; giving vehicles access to this lane would mean loss of amenity to residents of Letham Mains Holdings. She also referred to the need to reduce carbon emissions. She supported and would second Councillor McMillan's proposal.

Councillor Findlay also complimented Mr Wilson on the evidence presented. He supported the proposal by Councillor McMillan that vehicular access to the lane should be withdrawn.

The Convener brought the discussion to a close. He remarked that this was another quality development for East Lothian; the much needed affordable housing was particularly welcomed. He stressed that developers should finalise landscaping and roads/footpaths as quickly as possible. Regarding vehicular access onto the lane through Letham Mains Holdings there had been considerable comments as to why this should not happen. Given the proposal from Councillor McMillan, seconded by Councillor O'Donnell, and the expressions of support for this, he asked officers for an appropriate course of action.

Ms Taylor advised that an extra condition stipulating no vehicular access from the site to this lane, but access for pedestrians and cyclists, could be added to the grant of planning permission; appropriate wording was provided.

The Convener moved to the vote on the report recommendation (to grant consent) with the addition of the extra condition as outlined – this vote was taken by roll call:

For: 9  
Against: 0  
Abstentions: 0

### **Decision**

The Committee agreed to grant planning permission subject to:

1. The undernoted conditions.
2. The satisfactory conclusion of an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997, or some other legal agreement designed to secure from the applicant:
  - (i) a financial contribution to the Council of £3,764,486 towards the provision of additional accommodation at Letham Mains Primary and Nursery School and Knox Academy;
  - (ii) a financial contribution to the Council of £92,500 towards the cost of a 7 a side sports pitch and £353,460 towards the enhancement of existing sporting facilities within the Haddington Area;
  - (iii) 69 affordable residential units within the application site;
  - (iv) a financial contribution to the Council of £148,470 for transport improvements. (Comprised of £2696 for road improvements to Old Craighall Junction, £1948 for improvements to Salters Road Interchange, £6431 for improvements to Bankton Interchange, £688 for Musselburgh town centre improvements, £1495 for Tranent town centre improvements and £135,212 for Segregated Active Travel).

3. That in accordance with the Council's policy on time limits for completion of planning agreements it is recommended that the decision should also be that in the event of the Section 75 Agreement not having been executed by the applicant, the landowner and any other relevant party within six months of the decision taken on this application, the application shall then be refused for the reason that without the developer contributions to be secured by the Agreement the proposed development is unacceptable due to a lack of sufficient school capacity at Letham Mains Primary and Nursery School and Knox Academy, a lack of provision of affordable housing, a lack of formal play provision and a lack of roads and transport infrastructure improvements contrary to, as applicable, Policies ED5, DEL1, HOU3 and T32 of the adopted East Lothian Local Development Plan 2018.

- 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 drawings 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 of the development.

- 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:

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

- 4 Notwithstanding that shown on the drawings docketed to this planning permission, 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. Thereafter the boundary treatments erected shall accord with the details so approved unless otherwise agreed 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 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.

- 6 The front gardens of the houses shall be enclosed where possible with a hedge including to the front of plots 410, 411-413, 419-422, 501-502. Other than the provision of additional hedging to plots 410, 411-413, 419-422, 501-502 and unless otherwise agreed by the Planning Authority all development shall be carried out in accordance with Landscape General Arrangement Plan ref: 17021-LAGA-P001 rev D. Thereafter development shall be carried out in accordance with the landscape plan unless otherwise agreed by the Planning Authority. The scheme shall provide details of; the height and slopes of any mounding on or re-contouring of, the site; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting.

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:

To allow the consideration of details yet to be submitted and in the interest of residential and environmental amenity.

- 7 All existing trees shown to be retained on landscape drawing ref: 17021-LAGA-P001-D shall be retained and protected unless otherwise agreed with the Planning Authority.

No development shall take place on site until temporary protective fencing in accordance with Figure 2 of British Standard 5837\_2012 "Trees in relation to design, demolition and construction" has been installed, approved by the arboriculturist and confirmed in writing by the Planning Authority. The fencing must be fixed in to the ground to withstand accidental impact from machinery, erected prior to site start and retained on site and intact through to completion of development. The position of this fencing must be positioned outwith the Root Protection Area (RPA) as defined by BS5837:2012 for all trees and approved in writing by the Planning Authority.

All weather notices should be erected on said fencing with words such as "Construction exclusion zone - Keep out". Within the fenced off areas creating the Construction Exclusion Zones the following prohibitions must apply:-

- \_ No vehicular or plant access
- \_ No raising or lowering of the existing ground level
- \_ No mechanical digging or scraping
- \_ No storage of temporary buildings, plant, equipment, materials or soil
- \_ No hand digging
- \_ No lighting of fires
- \_ No handling discharge or spillage of any chemical substance, including cement washings

Planning of site operations should take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees.

Reason

In order to form Construction Exclusion Zones around retained trees and protect retained trees from damage.

- 8 Prior to the commencement of development a delivery schedule and phasing plan that establishes the phasing and timing programme for the proposed development shall be submitted to and approved in advance by the Planning Authority. It shall include the phasing and timing for the provision of footpaths/cycleways, landscaping and openspace. It must also include for public road links, including paths, to local services, schools and the public road network. It shall further include the provision of drainage infrastructure, equipped play facilities, sports pitch, landscaping and open space. The details to be submitted shall also include construction phasing plans. The footpaths/cycleways, landscaping and openspace of each phase of development must be completed and available for use prior to the commencement of the next phase of the development unless otherwise agreed by the Planning Authority.
- The phasing of the development of the site shall be carried out in strict accordance with the phasing plan so approved, unless otherwise approved in writing in advance by the Planning Authority.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the good planning of the site.

- 9 Construction access to the site will not be permitted via the Knox Place junction via West Road. All access shall be from West Road. A Construction Method Statement to minimise the impact of construction activity on the amenity of the area should be submitted to and approved by the Planning Authority prior to the commencement of development. The Construction Method Statement should recommend mitigation measures to control noise, dust, construction traffic, surface water during construction, and should include hours of construction work and delivery routes. This should also include the phasing of the development and restrictions that may be required particularly for those travelling to existing and/or proposed schools.

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

Reason:

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

- 10 Unless otherwise agreed by the Planning Authority a play area with equipment suitable for children aged 0 - 15 years shall be provided on the large centrally located area of open space within the development hereby approved as shown on landscape General Arrangement Plan drawing ref: 17021-LAGA-P001. Prior to the commencement of the development hereby approved the details of the positioning of that play area, 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 retained on that site, 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.

- 11 Unless otherwise agreed by the Planning Authority all areas of areas of landscaped open space and factored open space as shown on docketed drawings 17021-LAGA-P001 & 17021-LAGA-P002 shall be available for use prior to the occupation of the last house on each phase of the development hereby approved and in accordance with the phasing plan ref: 17021-MPPH-P001.

Other than to provide the play area as required by Condition 10, 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.

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

Reason:

In the interests of road safety.

- 13 Prior to the commencement of development on site details demonstrating how the site can be serviced for waste collection shall be submitted to and approved in writing by the Planning Authority. The details shall include a swept path assessment of the roads based on a 12 metre waste collection vehicle and details of any amendments to the site layout required for the safe and efficient waste collection on the development.  
Thereafter, development shall be carried out in accordance with the approved details.

Reason:

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

- 14 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.

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.

6) Cycle parking shall be included at a rate of 1 space per flat. The parking shall be in the form of 1 locker per flat or communal provisions in the form of a lockable room or shed.

7) a 2m wide footway shall be provided on at least one side of the road between plots 86 & 85 and along the frontages of plots 1 to 16 of the McTaggart and Mickle part of the site;

8) The entrance to the rear parking courtyard serving plots 103-114 of the MM site so should be redesigned and the parking bay relocated if necessary;

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:

In the interests of Road Safety.

- 15 Unless otherwise agreed by the Planning Authority no residential unit shall be occupied unless and until the footpath along the front of the site on the north side of the A6093 Pencaitland Road has been constructed to adoptable standards the details of which shall be submitted to and approved by the Planning Authority prior to its construction. The footpath shall thereafter be carried out in accordance with the details so approved unless otherwise agreed by the Planning Authority.



Reason:  
In the interests of road safety.

- 16 Unless otherwise agreed in writing by the Planning Authority prior to the occupation of any residential unit, a pair of covered bus shelters with associated hardstanding shall be provided on either side of the Pencaitland road, in accordance with details showing the locations of the bus shelters to be submitted to and approved in advance of their construction by the Planning Authority. Unless otherwise agreed in writing the bus shelters and associated hardstanding shall be provided in accordance with the details so approved.

Reason:  
In the interests of road safety.

- 17 Prior to the occupation of any dwelling hereby approved, details of a Green Travel Plan shall be submitted to and approved in writing by the Planning Authority. This should seek to encourage the minimisation of private car trips and increased use of active means of travel and the use of public transport.

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.

Thereafter, the Green Travel Plan shall be implemented as per the approved details.

Reason:  
To encourage sustainable and active travel in the interests of environmental and residential amenity.

- 18 Unless otherwise agreed by the Planning Authority no house shall be occupied unless and until a new Haddington Gateway feature has been installed on the A6093 Pencaitland Road in a location to be submitted to and approved by the Planning Authority. The new Haddington Gateway feature shall introduce a new 30 mph speed limit from the existing 30 miles per hour (mph) speed limit on the A6093 Pencaitland Road westwards to include along the entire length of site frontage. Details of the new 30 miles per hour speed limit shall be submitted to and approved in advance by the Planning Authority and shall include the provision of street lighting over the full extent of the proposed new 30mph speed limit and shall incorporate town entry treatments and the new Haddington Gateway feature. Thereafter the new 30 miles per hour speed limit, street lighting, town entry treatments and Haddington Gateway feature shall be implemented and installed in accordance with the details so approved.

Reason:  
In the interests of road safety.

- 19 Housing completions on the application site in any one year (with a year being defined as being from 1st April to 31st March the following year) shall not exceed the following completion rates, unless otherwise approved in writing by the Planning Authority:

Year 1 (2022/23) -	42 houses	(TW 30 & MM 12)		
Year 2 (2023/24) -	75 houses	(TW 50 & MM 25)		
Year 3 (2024/25) -	75 houses	(TW 50 & MM 25)		
Year 4 (2025/26) -	35 houses	(TW 10 & MM 25)		
Year 5 (2026/27) -	25 houses	(TW 0 & MM 25)		
Year 6 (2027/28) -	22 houses	(TW 0 & MM 22)		
Total	274	140	134	

If less than the specified number of residential units are completed in any one year then those shall be completed instead at Year 6 or beyond and not added to the subsequent Year.

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

- 20 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.

- 21 Prior to the commencement of development details of the proposed glazing mitigation scheme for each dwelling with an exposed elevation within the noise mitigation zones shown in Figures 4.1 and 4.2 of The Airshed's Technical Report Ref AS 0649 of 5th July 2019 shall be submitted for approval to the planning authority.

Thereafter the glazing installed shall accord with the details so approved unless otherwise agreed with the Planning Authority.

Reason:

To safeguard the amenity of the future occupants of houses and flats hereby approved.

- 22 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.

- 23 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.

- 24 Prior to the commencement of development the large agricultural shed located adjacent to the west boundary of the application site and to the north of 30 Letham Holding shall be demolished and removed from site.

Reason:

In the interests of safeguarding the amenity of the future occupants of the housing development.

- 25 Prior to commencement of development a Quality Audit of the changes to Pencaitland Road shall be undertaken.

Reason:

In the interests of road safety.

- 26 Notwithstanding that shown on the drawings docketed to this planning application, there shall be no direct vehicular access from the application site to the unnumbered road to the southwest of the application site. Instead, the access between plots 460 and 461 shall be designed solely for use by pedestrians and cyclists. Prior to the commencement of development, details of the design of this

pedestrian and cycle access shall be submitted to and approved by the Planning Authority. The details to be submitted shall include a timetable for the provision of this pedestrian and cycle access. Development shall thereafter be undertaken in accordance with the details so approved.

Reason:

To protect the amenity of nearby residential properties served by the unnumbered road and in the interests of road safety.

Signed .....

Councillor Norman Hampshire  
Convener of the Planning Committee