

REPORT TO: Planning Committee
MEETING DATE: Tuesday 7 September 2021
BY: Executive Director of Place
SUBJECT: Application for Planning Permission for Consideration

Application No. **21/00308/AMM**

Proposal Approval of matters specified in conditions of planning permission in principle 14/00768/PPM - Erection of 185 houses, 12 flats and associated works

Location **Blindwells
Tranent
East Lothian**

Applicant Persimmon Homes and Hargreaves Services (Blindwells) Ltd

RECOMMENDATION Consent Granted

REPORT OF HANDLING

BACKGROUND

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 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 allocated land constituting the Blindwells site is in close proximity to the settlements of Prestonpans, Tranent, Cockenzie and Port Seton. It 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 300 meters to the northwest.

A Development Framework for the allocated land at Blindwells was approved by the Council on the 08th 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 mixed use community on land at Blindwells which is located in close proximity to the

settlements of Prestonpans, Tranent, Cockenzie and Port Seton. Elements of the proposed settlement include up to 1600 residential units, a school campus, 10 hectares of employment land, a local centre with commercial units, a supermarket, a park and ride facility, playing fields, open space, allotments, a cemetery, landscaping, roads, footpaths and associated infrastructure provision.

The approved 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.

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 a new settlement 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 a 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 a 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. Development involving the erection of 146 houses and associated works approved within planning permission (Ref: 19/00900/AMM) has commenced on site and constitutes phase 2 of the phasing plan approved within planning permission in principle ref 14/00768/PPM. Development has commenced on that site.

In June 2020 planning permission (Ref: 19/01068/AMM) was granted for approval of matters specified in conditions of planning permission in principle 14/00768/PPM for the erection of 32 houses, 28 flats and associated works. Development involving the erection of 32 houses, 28 flats and associated works approved within planning permission (Ref: 19/01068/AMM) has commenced on site and constitutes phase 1 of the phasing plan approved within planning permission in principle ref 14/00768/PPM.

In December 2020 planning permission (Ref: 20/01030/PM) was granted to amend condition 30 (Transport Scotland Requirements) of planning permission in principle (Ref: 14/00768/PPM) to delay the timing of the interventions required to be undertaken amongst other things to the Bankton Interchange and its slip road until prior to the occupation of the 236th house on the larger Blindwells site. That condition 30 was approved to read:

'Development of the application site shall be carried out in accordance with the following requirements:

* Prior to the occupation of the 236th residential unit hereby approved, the proposed upgrade of the northern and southern roundabouts at Bankton Interchange to traffic signal control, generally as illustrated in WYG's Drawing No. SK002, shall be implemented to the

satisfaction of the Planning Authority, after consultation with Transport Scotland.

* Prior to the occupation of the 236th residential unit hereby approved, the proposed upgrade of the west facing slips at Bankton Interchange to Type B parallel merge / diverge arrangements, generally as illustrated in WYG's Drawing No. SK004, shall be implemented to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

* Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

* Prior to the commencement of development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to and approved by the Planning Authority, following consultation with Transport Scotland;

* Prior to the occupation of any of the approved development, a barrier/ boundary feature shall be provided and maintained along the proposed boundary of the site with the A1 trunk road, in accordance with details to be submitted to and approved in advance of its provision by the Planning Authority, following consultation with Transport Scotland; an

* There shall be no drainage connections to the trunk road drainage system.

Reason:

To ensure that: the design layout complies with the current standards; that there will be no distraction or dazzle to drivers on the trunk road; to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents; to ensure that the efficiency of the existing trunk road drainage network is not affected; all to ensure that the safety and free flow of traffic on the trunk road is not diminished'.

PROPOSAL

Approval of matters is now sought for the erection of 185 houses, 12 flats and associated works constituting phase 3 of the phasing plan approved within planning permission in principle ref 14/00768/PPM.

Within Approval of Matters (Ref 19/00620/AMM) planning permission is granted for 2 main distributor spine roads providing access to the wider Blindwells site from the A198 Road to the west at a point to the north opposite an existing vehicular access on the A198 Road that serves the former St Joseph's School, and from Bankton Interchange to the south.

The application site is located to the southwest of the wider Blindwells site. It is 5.4 hectares in size and is composed of two areas to the south of the northern distributor spine road. It is dissected by the southern distributor spine road to form a northern Area 3AA/3AB and a southern Area 3BA/3BB. The application site is predominantly bounded to the south by open space, to the west by land identified as Area 2 and approved for residential development within planning permission (Ref: 19/00900/AMM) and to the east by land proposed for future residential development.

Planning permission 14/00768/PPM was granted subject to the prior conclusion of a Section 75 legal agreement to secure (i) 30% affordable housing provision; (ii) financial contributions towards (a) primary and secondary education, (b) community sports facilities, (c) equipped play (d) allotments, (e) cemetery plots and (f) maintenance depot; (iii) transfer to the Council, at no cost, ownership of the (a) site for the new primary school, (b) sites for the equipped play areas, (c) site of the community sports facilities, (d) sites for allotment and cemetery plots and (e) site for a new rail halt; and (iv) the provision of the bus services to Cockenzie Primary School, St Gabriel's Primary School, Preston Lodge High School and Prestonpans Railway Station. In March 2020 a Section 75A 20/000001/OBL 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. 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 197 units proposed within this application 167 are proposed as private for sale and 30 are 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 that the 30 units proposed as affordable housing are operated as such.

The application proposes a scheme of development composed of 14 different house types and 1 flatted building type. Of the 197 residential units 85 would be located within Area 3AA/3AB to the north of the site and 112 of the proposed units would be within Area 3BA/3BB to the south. All of the 185 houses proposed for the site would be 2-storey in height, 99 being detached and 86 semi-detached/terraced. In terms of size 26 of the houses would be 2-bedroom, 77 would have 3 bedrooms and 82 would have 4 bedrooms. The proposed 12 flats would be provided within six 2-storey flatted blocks located within Area 3AA/3AB to the north of the site, each block containing two 2-bedroom flats.

Main vehicular, pedestrian and cycle access to area 3AA/3AB would be taken from two points located at the north and south spine roads respectively. Additional pedestrian footpath access would be provided at points to the north, south, east and west of that Area. Main vehicular, pedestrian and cycle access for Area 3BA/3BB would be taken from two points to the north of that Area and to the south of the southern spine road with additional pedestrian footpath access to the north, east and west.

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

Since the application was first registered updated drawings have been submitted providing details of changes to the proposed affordable housing mix.

The application is supported by a Planning Statement and a Drainage Statement and associated drainage layout drawing.

DEVELOPMENT PLAN

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

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

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), HOU4 (Affordable Housing Tenure Mix), 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 ELLDP 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 the subject of Proposal BW1 of the adopted East Lothian Local Development Plan 2018, 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 185 houses and 12 flats now proposed on this particular part of the larger Blindwells 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 layout is broadly consistent with the layout shown in the Illustrative Masterplan docketed to planning permission in principle 14/00768/PPM.

The 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 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 relatively traditional pitched roof form. The proposed houses, due to their positioning on the application site and by virtue of their height, size and scale, and architectural design would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features. This would ensure a visually attractive and cohesive development, with the proposed houses visible, but not appearing incongruous or intrusive in their surroundings.

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 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 197 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 submitted landscape proposals generally accord with the 'Landscape Design Statement' which is docketed to planning permission in principle 14/00768/PPM. He raises no objections to the proposals subject to the use of non-thorn species of hedging within the site. The submission of a detailed scheme of landscaping prior to the commencement of development can be made a condition of a grant of approval of matters.

The Council's Environmental Health Manager has been consulted on the application and has responded no comment.

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 and west of the site that would include local parks.

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 and the Scottish Government's Designing Streets.

The Council's Waste Services Manager has been consulted and has no comment other than to stipulate that plots 12-15, 25-28, 65-72 and plots 77 and 78 should present containers for emptying at the kerbside rather than being set back in driveways or car parking areas.

The Coal Authority has been consulted and have responded that condition 21 (Ground Remediation 4) of planning permission in principle (Ref: 14/00768/PPM) was discharged in relation to the Phase 1 development area of the wider Blindwells site. They advise that, on the basis that the proposed 185 houses and the 12 flats fall within that Phase 1 development area and that they avoid the high wall of the former surface extraction, the Coal Authority raises no objection to the application.

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 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;

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) 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.

viii) 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.

ix) a Road User Safety 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 prior to construction commencing. This will be reviewed after construction is substantially complete and the developer required to make good any issues;

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.

The Councils Biodiversity Officer offers no comment on the application.

Historic Environment Scotland raise no objection to the principles of the proposed development, advising that whilst the development has the potential to impact upon the Prestonpans Battlefield landscape and the Seton Mains West Enclosures scheduled ancient monument, they do not consider this to be of such a level as to warrant their objection. On this consideration the proposed development would not have a significant adverse effect on the key features of the Battlefield.

The Council's Contaminated Land Officer was consulted on the application 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 approval of matters for the proposed development. Subject to this planning control the contaminated land officer raises no objection to the proposed development.

The matter of site drainage was considered through the determination of previous application 14/00768/PPM. The Indicative Masterplan docketed to planning permission in principle 14/00768/PPM indicates how in principle sustainable urban drainage scheme (SUDS) detention basins could be formed within the site to attenuate the flow of surface water run-off. Conditions 22 and 23 of planning permission in principle 14/00768/PPM state that a SUDS scheme, Drainage Assessment and Surface Water and Flood Risk Report should be submitted for the written approval of the planning authority, in consultation with the Scottish Environment Protection Agency (SEPA).

An updated Drainage Strategy (Blindwells Phase 1 Drainage Strategy (Waterman) June 2019 [as amended on 6 February 2020]) was approved by planning permission (Ref: 19/00620/AMM) covering the Phase 1 of the Blindwells. This drainage strategy provides details of the surface water, flooding and ground water drainage strategy for the site the subject of that application.

In approving that Phase 1 Drainage Strategy **the Council's Flooding and Structures Officer** recommended that all forthcoming applications for the development of Phase 1 Plots should contain, as part of their submissions, a Surface Water Management Plan which should include the construction details of all SuDS features/structures to confirm how it integrates with the afore-mentioned Phase 1 Drainage Strategy. Also these details should include confirmation of Scottish Water's technical approval of any such SuDS proposals.

Having reviewed the submitted Drainage Statement and Drainage Layout drawing the Council's Flooding and Structures Officer raises no objection to this application being

satisfied that the Drainage Strategy for the site is acceptable.

SEPA have advised that SUDS/surface water drainage arrangements within the application must address the conditions of the site and accord with the Drainage Strategy approved within planning permission in principle (Ref: 14/00768/PPM) and any variations to that consent.

A condition can reasonably be imposed this approval of matters requiring that no proposed residential units are occupied unless and until measures within the submitted Drainage Statement and Drainage Layout drawing have been implemented to the satisfaction of the Planning Authority following further consultation with SEPA.

Scottish Water as a consultee on the application advise that they have no objection to the proposal.

On the foregoing drainage considerations the proposed details are consistent with Policies NH10 and NH11 of the adopted East Lothian Local Development Plan 2018.

Transport Scotland have been consulted on the application and raise no objection to it provided no part of the proposed development shall be occupied until the proposed upgrades to Bankton Interchange, as specified in Condition 30 of planning permission 20/01030/PM, are implemented to the satisfaction of the Planning Authority, after consultation with Transport Scotland. This can reasonable be imposed as a condition of any grant of approval of matters.

At its meeting on Tuesday 27 August 2019 the Council approved a motion declaring a Climate Emergency. Thereafter, at its meeting on Tuesday 3 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 buildings and from the completed development should be imposed on relevant applications for planning permission, which should include the provision of electric car charging points. Such a condition should be imposed on a grant of approval of matters for this proposed development.

RECOMMENDATION

That planning permission 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 asterix 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 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.

- 4 Prior to the commencement of development, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority which shall include full details of all new tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting within the application site. Thereafter the scheme of landscaping shall be carried out in accordance with that approved landscaping scheme unless otherwise agreed by the Planning Authority.

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.

Reason

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

- 5 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, 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

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

(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;

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) 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.

viii) 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.

ix) a Road User Safety 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 prior to construction commencing. This will be reviewed after construction is substantially complete and the developer required to make good any issues;

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 Development of the application site shall be carried out in accordance with the following requirements:

* Prior to the occupation of the 236th residential unit hereby approved, the proposed upgrade of the northern and southern roundabouts at Bankton Interchange to traffic signal control, generally as illustrated in WYG's Drawing No. SK002, shall be implemented to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

* Prior to the occupation of the 236th residential unit hereby approved, the proposed upgrade of the west facing slips at Bankton Interchange to Type B parallel merge / diverge arrangements, generally as illustrated in WYG's Drawing No. SK004, shall be implemented to the satisfaction of the Planning Authority, after consultation with Transport Scotland.

* Prior to the commencement of the development details of the lighting within the site shall be submitted for the approval of the Planning Authority, after consultation with Transport Scotland, as the Trunk Roads Authority.

* Prior to the commencement of development, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to and approved by the Planning Authority, following consultation with Transport Scotland;

* Prior to the occupation of any of the approved development, a barrier/ boundary feature shall be provided and maintained along the proposed boundary of the site with the A1 trunk road, in accordance with details to be submitted to and approved in advance of its provision by the Planning Authority, following consultation with Transport Scotland; and

* There shall be no drainage connections to the trunk road drainage system.

Reason:

To ensure that: the design layout complies with the current standards; that there will be no distraction or dazzle to drivers on the trunk road; to minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents; to ensure that the efficiency of the existing trunk road drainage network is not affected; all to ensure that the safety and free flow of traffic on the trunk road is not diminished.

8 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 30 of the residential units hereby approved has been submitted to and agreed by the Planning Authority.

Reason:

In order to ensure that 30 of the residential units hereby approved are operated as affordable housing and that the development is therefore compliant with Policy HOU3 of the adopted East Lothian Local Development Plan 2018.

9 Unless otherwise approved in writing by the Planning Authority:

(a) Housing completions 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:

Year 2020/21	-	24 residential units
Year 2021/22	-	73 residential units
Year 2022/23 to 2030/31	-	97 residential units per annum
Year 2031/32 to 2034/35	-	122 residential units per annum
Year 2035/36	-	102 residential units
Year 2036/37	-	40 residential units

(b) If fewer than the specified number of residential units is completed in any one year then those shall be completed instead at Year 2036 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.

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

Reason:

In the interest of road safety.

11 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

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 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.

- 14 Unless otherwise agreed by the Planning Authority, no house shall be occupied unless and until measures within the docketed Drainage Statement (Indev Consult, July 2021) and shown on docketed drawing 20-010-20 Rev H titled 'Drainage Layout' have been implemented to the satisfaction of the Planning Authority following consultation with SEPA, to accord with the Drainage Strategy approved within planning permission in principle (Ref: 14/00768/PPM) and any variations to that consent.

Reason:

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

- 15 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.

The recommendations of the Construction Method Statement shall be implemented prior to the commencement of development. Development shall thereafter be undertaken in accordance with the details so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

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

- 16 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.