

LOCAL REVIEW BODY

18th November 2021

Application No: 21/00549/P

Main Road, Macmerry, East Lothian

Applicant's Supporting Information

Appeal Statement - Formation of earth bund

Land at Main Road, Macmerry



Balfour Beatty
HOMES



Introduction

In April 2021, Balfour Beatty Homes submitted a Planning Application to East Lothian Council for the development of an earth bund to the north west boundary of a residential development site off Main Road, Macmerry. The earth bund was to be developed from material removed from the development site during the initial excavation and site setting out stages of the housing development. Once completed, the proposed bund will be landscaped to ensure its complete integration into the surrounding landscape and ensure that it does not cause any detrimental visual impact to the surrounding area. Through the introduction of a mown footpath along the top of the bund, the bund could also be used as a walkway for ramblers and local residents.



Planning justification

On July 9th, 2021, East Lothian Council refused the planning application, providing the following 4 reasons

1. As the proposed bunds are not proposed for agriculture, horticulture, forestry or countryside recreation and nor are they proposed for a businesses that has an operational requirement for a countryside location, including tourism and leisure uses then the principle of forming the bunds is contrary to Policy DC1 of the adopted East Lothian Local Development Plan 2018.
2. The proposed earth bunds would have an adverse visual impact on the landscape character and appearance of this part of the East Lothian countryside contrary to Policies DP1 and DP2 of the adopted East Lothian Local Development Plan 2018 and with Scottish Planning Policy: Revised December 2020.

Balfour Beatty Homes Strongly disputes this point. It is proposed that the bund will be landscaped to blend with the local landscape and scenery. Any landscaping will be carried out to the highest standard and all vegetation proposed will be of a native species found in the local area. It should also be noted that a mown grass footpath along the top of the bund can provide a walkway for pedestrians and assist in linking ELC's green networks if so conditioned.

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3. The proposed earth bunds would lead to an unacceptable loss of prime agricultural land, contrary to Policy NH7 of the adopted East Lothian Local Development Plan 2018 and Scottish Planning Policy: Revised December 2020.

The proposed bund is located close to the border of the agricultural field. It is considered to be in an area that has limited agricultural potential. It is considered that the loss of this agricultural land is negligible when compared to the environmental benefits of the proposed landscaped bunds. This included potential future ecosystems and habitat creation and the avoidance of depositing the material unsustainably in a nearby land fill. There is also no restriction to the farmer/landowner in undertaking such works himself to create a woodland area to the western boundary of the fields thereby removing these field margins from agricultural production.

4. The granting of planning permission for the 3 earth bunds would set a precedent for a form of development that other developers would seek to use to dispose of soil waste from development sites to divert it from landfill. This could result in the formation of unsightly earth mounds within the East Lothian Countryside that would individually and cumulatively harm the landscape character of the East Lothian countryside contrary to Policies DP1 and DP2 of the adopted East Lothian Local Development Plan 2018.

Planning permission is required for such bunds and through this process ELC can control the landscaping and planting of such bunds to ensure positive habitat creation or should a bund be proposed without any such planning/landscaping and be considered unsightly then it can of course be refused planning permission. No precedent is being set by the proposal before you. Each such case will be determined on its own merits.

The importance of ensuring that new development is sustainable and aids to the overall reduction of greenhouse gasses and carbon production in Scotland is understood by all developers. It is also a key aim of the Scottish Government and Scottish Planning Policy. The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, which amends the Climate Change (Scotland) Act 2009, sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040.

East Lothian Council adopted the East Lothian Local Development Plan in September 2018. An underlying theme within the Local Development Plan, as per Scottish Government targets, is the support of Sustainable Development and the overall reduction of carbon and Greenhouse Gas. The LDP Spatial Strategy states that *'It is important that change is managed positively and guided by the principles of sustainable development, greenhouse gas emissions reduction and the vision, aims and objectives for this Plan'*.

It should be noted that the proposed bund will be formed from material (excess sub-soil and top-soil) removed from the development of the adjacent residential development site – Macmerry North. This material would otherwise be deposited in landfill sites away from the site. This would require the material to be transported by lorry on public roads. Without being able to develop the earth bunds, Balfour Beatty Homes would have to take approximately 15,000 m³ of material off the site. This equates to approximately 1,600 lorry loads (9m³ per lorry load). Each journey made by these vehicles would produce ~~furthe~~r considerable greenhouse gas emissions, adversely contributing to the overall effects of global warming.

It should also be noted that these lorries will have a substantial impact on the volume of traffic using the local roads during the enabling works period. They will create noise, vibration and general disturbance to abutting residents and generally through the village. This potential nuisance can easily be avoided through the creation of this proposed earth bund. This will ensure that any potential impact on the quality of life of local residents is avoided and their exposure to the increased noise levels, traffic volume and greenhouses gasses is mitigated.

The proposed development of the landscaped and planted bunds makes efficient use of land in a landscaped setting that respects the character and built form of Macmerry. The development will be integrated with the village through careful landscaping proposals. The proposed development would have no adverse impact on the natural or built environment and will not increase the risk of flooding to the locality. It's design and landscaping will ensure its integration into the surrounding area and enhancement of wildlife and visual amenity. The proposed appeal will not be detrimental to visual impact, in accord with ELLDP policy DP1 indeed the proposal will mitigate against potential disturbance and nuisance to the wider village through removing circa 1,600 lorry journeys through the village during the course of the development of the abutting residential development site.



Balfour Beatty

HOMES

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Formation of earth bund

Land at Main Road, Macmerry

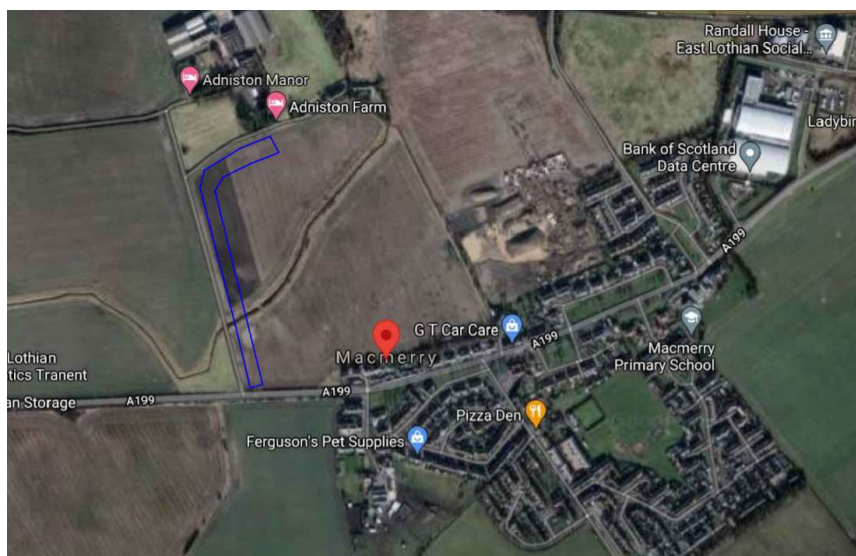


Balfour Beatty
HOMES



Introduction

- This Statement (the Statement) has been submitted on behalf of Balfour Beatty Homes (BBH). It is submitted in support of an Application for Planning Permission for the formation of an earth bund at land at Main Road, Macmerry.
- The proposed development site is located to the north west corner of an agricultural field to the north and west of Macmerry. To the south of the field is residential development and the A199 from which the site will be accessed.
- To the east of the field is an ongoing residential development by Taylor Wimpey with further modern residential development and the Macmerry Business Park beyond. To the north is agricultural land beyond which is the A1. To the west is agricultural land.
- The development site that is the subject of this planning application covers an area of approximately 0.98 hectares.



- The proposed earth bund will be formed using material taken from the agricultural field as part of the enabling works for Planning Application 18/01086/PM -Erection of 122 houses, 20 Flats and associated works.
- Once completed, the proposed bund will be landscaped to ensure its complete integration into the surrounding landscape and ensure that it does not cause any detrimental visual impact to the surrounding area.

Development Justification

- The importance of ensuring that new development is sustainable and aids to the overall reduction of greenhouse gasses and carbon production in Scotland is understood by all developers.
- The Climate Change (Emissions Reduction Targets) (Scotland) Act 2019, which amends the Climate Change (Scotland) Act 2009, sets targets to reduce Scotland's emissions of all greenhouse gases to net-zero by 2045 at the latest, with interim targets for reductions of at least 56% by 2020, 75% by 2030, 90% by 2040.
- East Lothian Council adopted the East Lothian Local Development Plan in September 2018. An underlying theme within the Local Development Plan is the support of Sustainable Development and the overall reduction of carbon and Greenhouse Gas.
- The LDP Spatial Strategy states that *'It is important that change is managed positively and guided by the principles of sustainable development, greenhouse gas emissions reduction and the vision, aims and objectives for this Plan'*.
- It should be noted that the proposed bund will be formed from material (excess sub-soil and top-soil) removed from the development of the adjacent residential development site – Macmerry North. This material would otherwise be deposited in landfill sites away from the site. This would require the material to be transported by lorry on public roads.
- Approximately 15,000 m³ of material would otherwise have to be taken off the site, which equates to approximately 1,600 lorry loads (9m³ per lorry load). Each journey made by these vehicles would produce further greenhouse gas, contributing to the overall effects of global warming.
- It should also be noted that these lorries would have a substantial impact on the volume of traffic using the local roads during the enabling works period. Through the creation of this proposed earth bund, this increase in traffic volume would be avoided.
- This would ensure that any potential impact on the quality of life of local residents is avoided and their exposure to the increased noise levels, traffic volume and greenhouses gasses is avoided.
- The proposed development makes efficient use of land in a landscaped setting that respects the character and built form of Macmerry. The development will be integrated with the village through careful landscaping proposals.
- The proposed development would have no adverse impact on the natural or built environment and will not increase the risk of flooding to the locality. It's design and landscaping will ensure its integration into the surrounding area. Ensuring no detrimental visual impact, in accord with ELLDP policy DP1.

Conclusion

- BBH are seeking Planning Permission to develop and landscape an earth bund on a site adjacent to an approved residential development site in Macmerry.
- The bund will be formed from material taken from the approved residential site during the enabling works period.
- It is considered that the alternative to bunding the material adjacent to the development site i.e. transportation off-site of this material will have a detrimental impact on the environment through the creating of harmful greenhouse gasses, and impact the lives of the local population through increased traffic on local roads and the noise pollution created by the additional 1,600 lorry journeys.
- BBH trusts the committee and local planning authority concur with the betterment the bunding will provide to the environment of Macmerry and look forward to receipt of planning permission in due course.



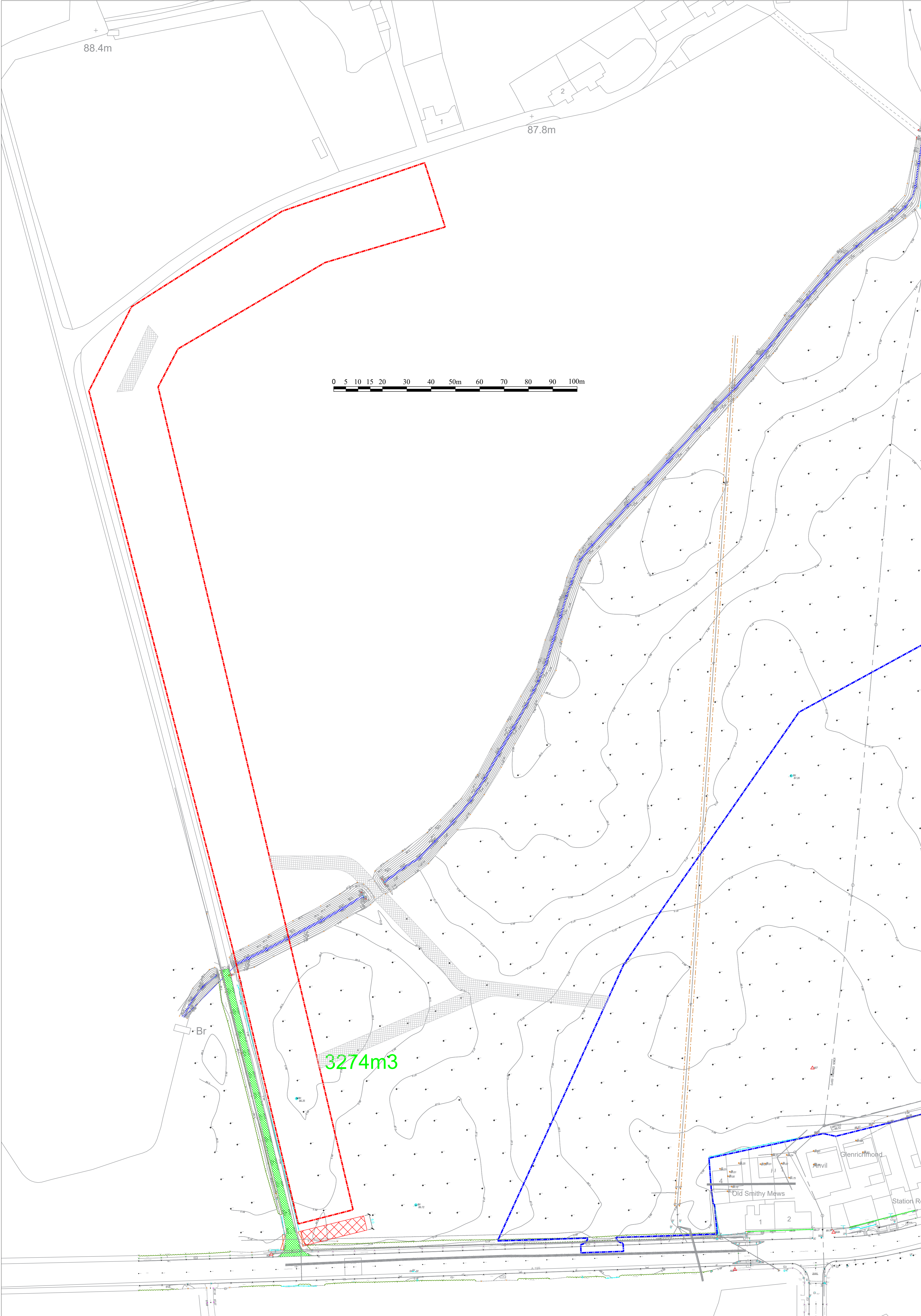
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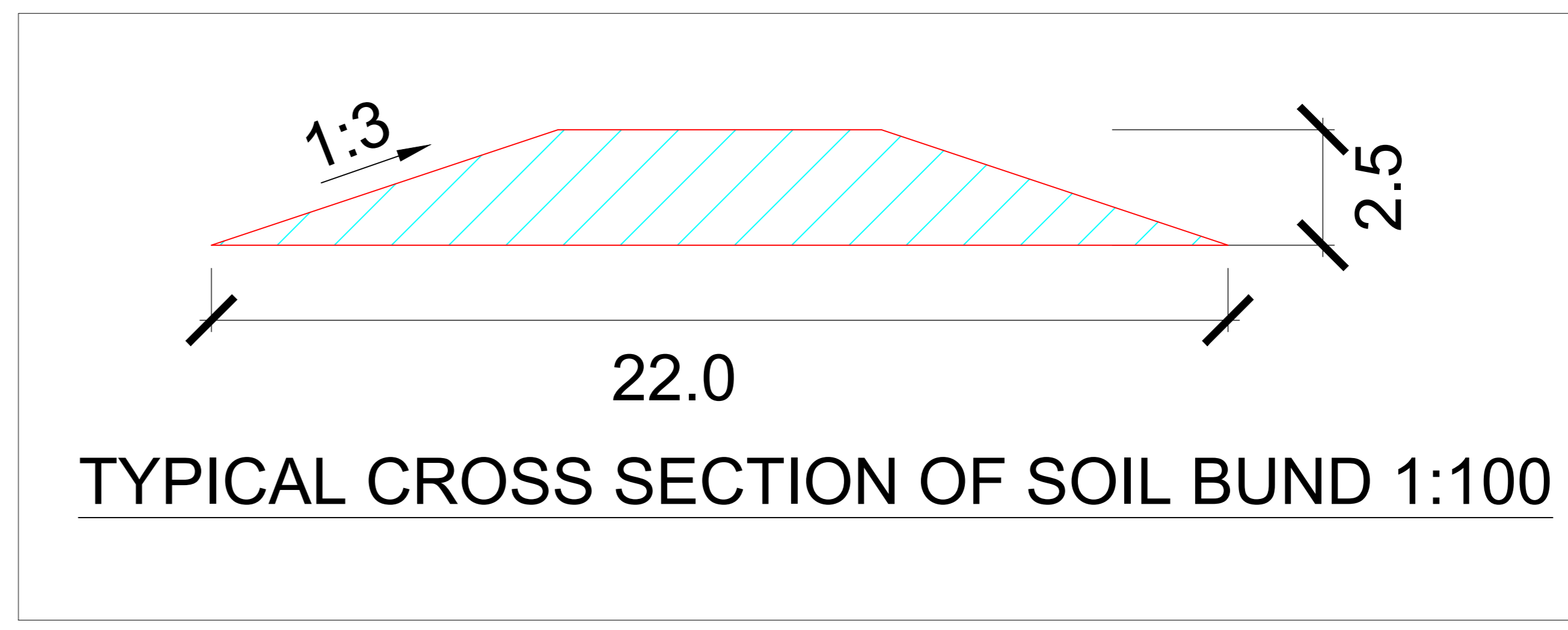
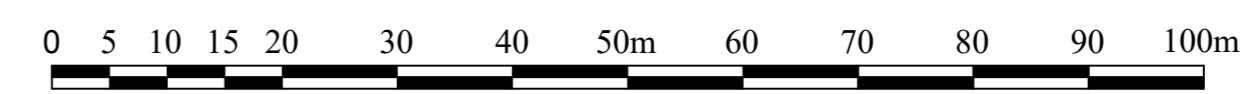
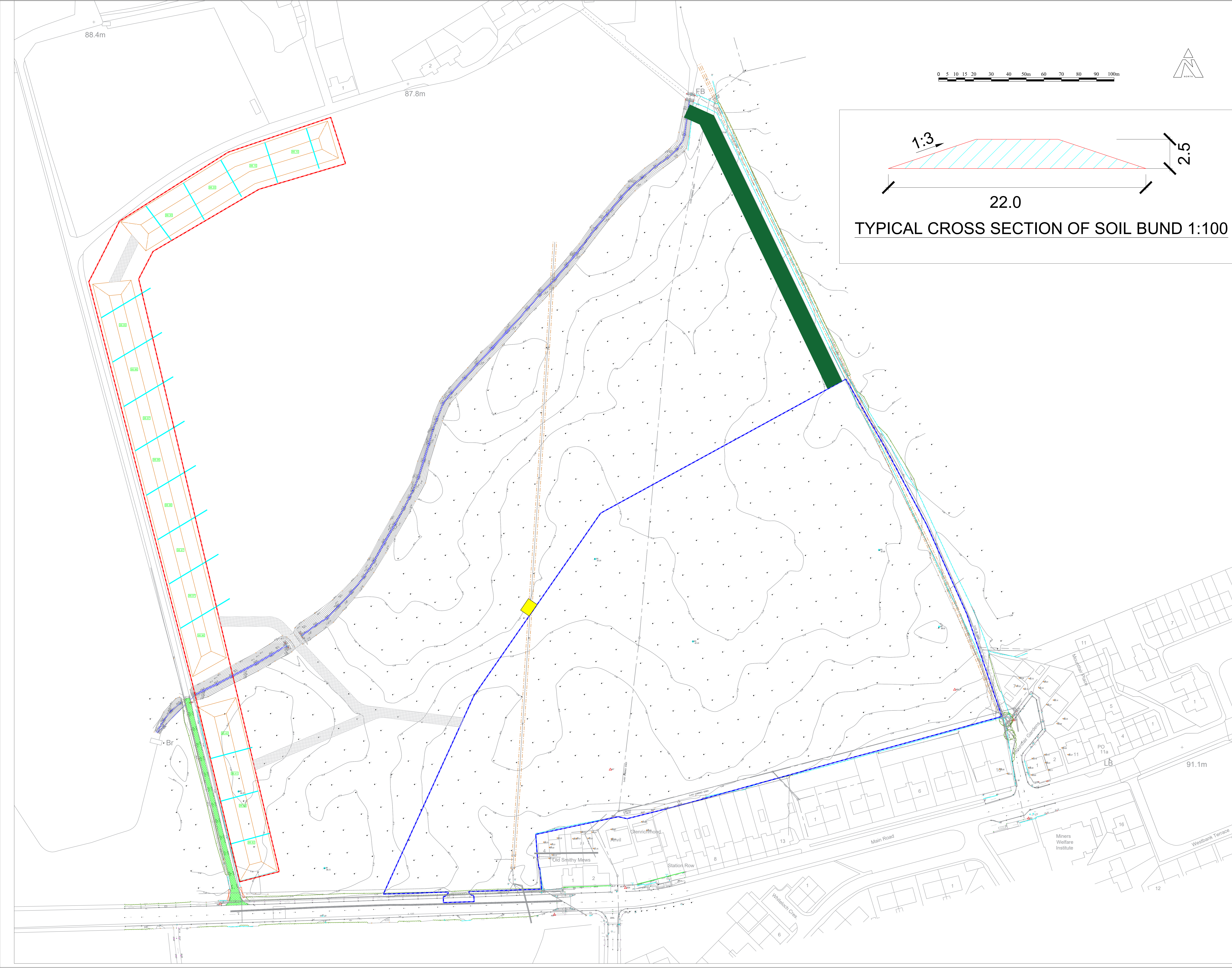


NOTE

TOTAL VOLUME OF SOIL STORAGE AVAILABLE 15.68m3 WITH COVERAGE OF 2.43 ACRES

	SITE BOUNDARY
	WATER COURSE
	FARM ACCESS ROAD
	ACCESS TO FIELD

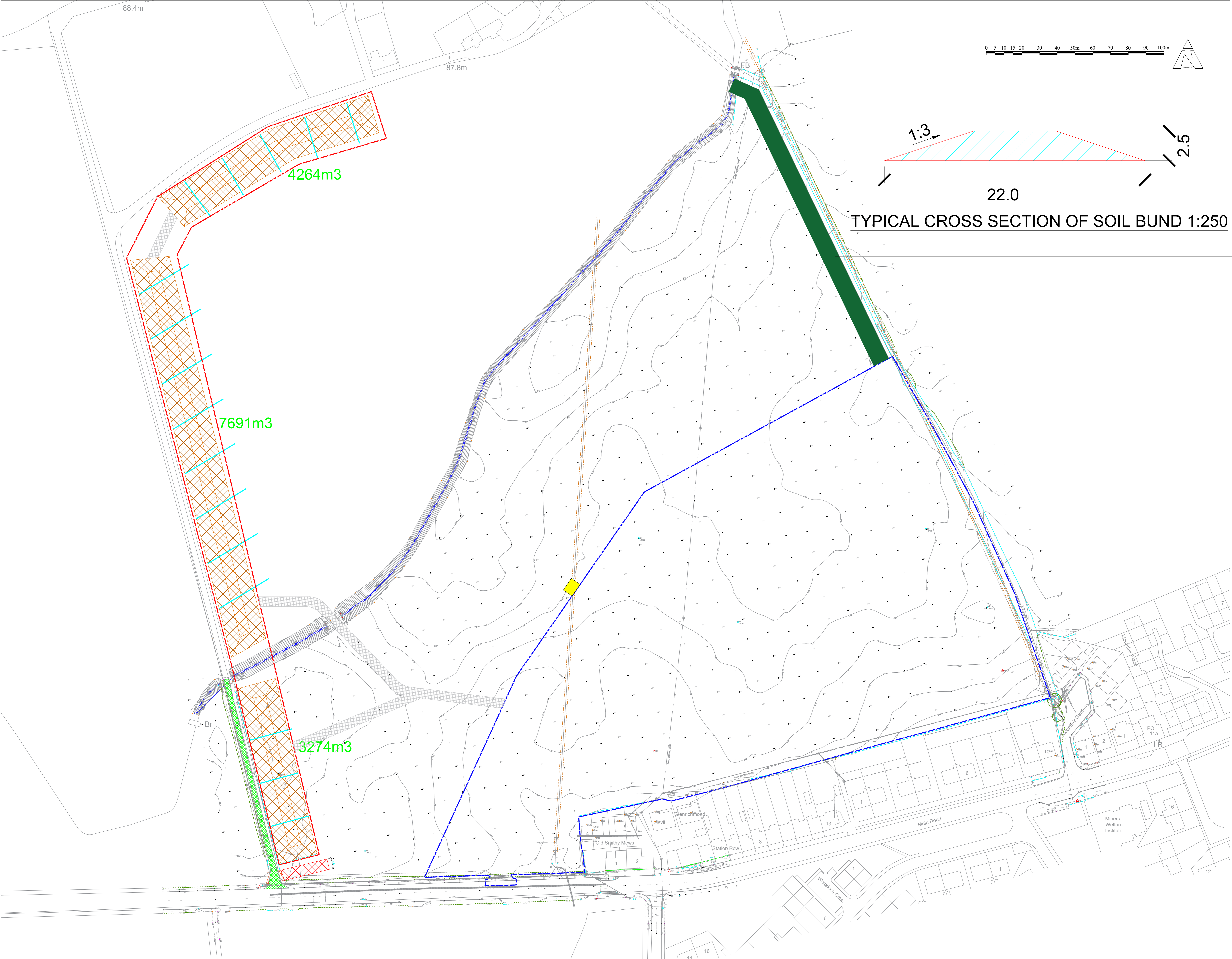
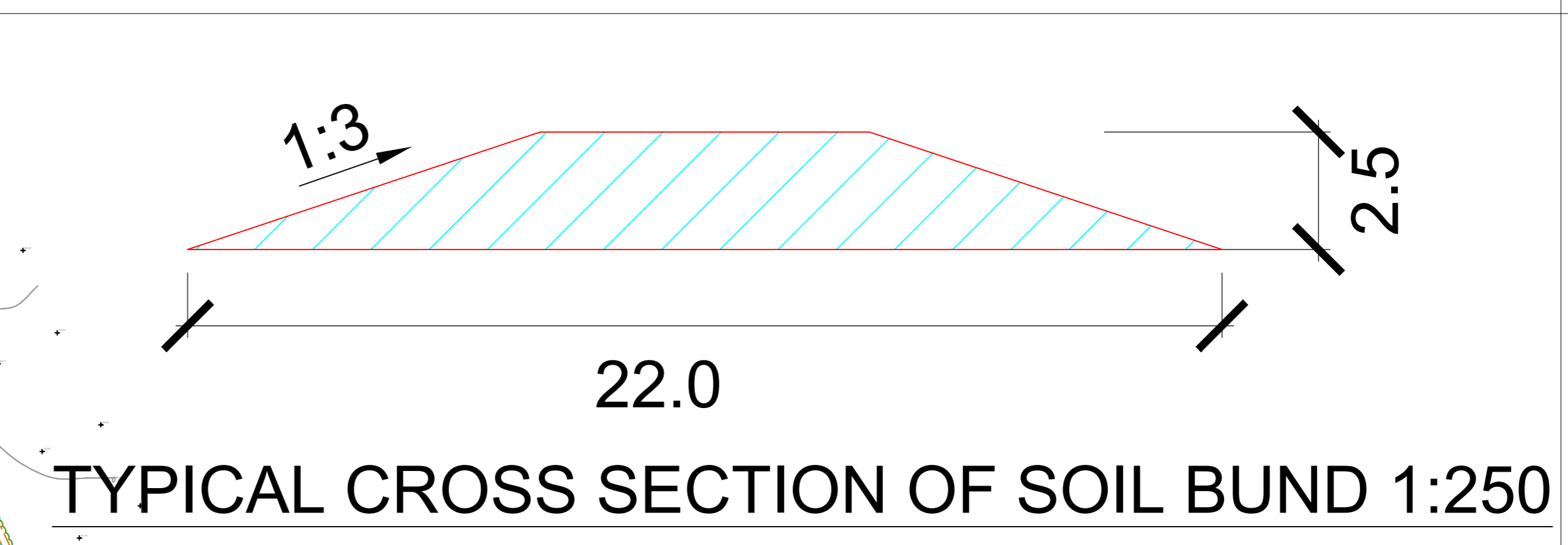
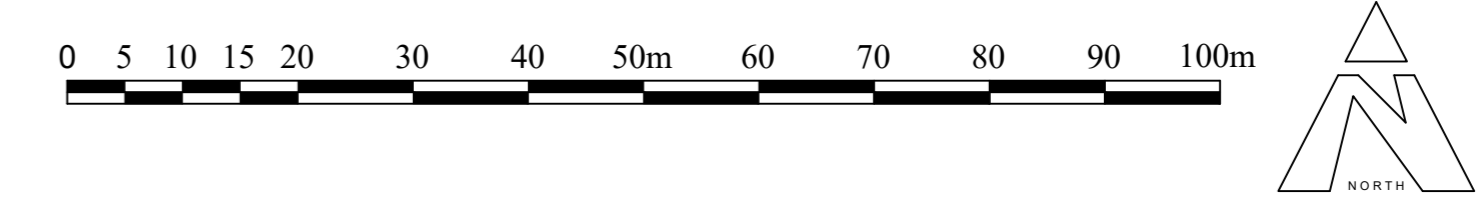
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BALFOUR BEATTY HOMES			
PROJECT	A199 MAIN ROAD MACMERRY		
TITLE	LOCATION PLAN		
PROJECT NO.	E11606/510		
DRAWN BY:	GM	SCALE:	1:750 @ A0
CHECKED BY:	MC	DATE:	20.01.21



- NOTE**
TOTAL VOLUME OF SOIL STORAGE AVAILABLE 15.68m³ WITH COVERAGE OF 2.43 ACRES
- SITE BOUNDARY
 - ▨▨▨▨ WATER COURSE
 - ▨▨▨▨ FARM ACCESS ROAD
 - ▨▨▨▨ ACCESS ROAD
 - ▭▭▭▭ BUNDED MATERIAL
 - ▭▭▭▭ BUND DRAINAGE
 - PROPOSED LEVELS
 - + EXISTING LEVELS
 - ▭ DENOTES PROPOSED STORM & FOUL WATER OUTFALL WAYLEAVE
 - ▭ DENOTES PROPOSED ELECTRICAL WAYLEAVE

PROJECT NO	E11606/511		
DRAWN BY	GM	SCALE	1:750 @ A0
CHECKED BY	MC	DATE	APR 21
PROJECT	BALFOUR BEATTY HOMES		
PROJECT	A199 MAIN ROAD MACMERRY		
TITLE	PROPOSED LEVELS		

- NOTE**
TOTAL VOLUME OF SOIL STORAGE AVAILABLE 15,696m³ WITH COVERAGE OF 2.43 ACRES
- SITE BOUNDARY
 - WATER COURSE
 - FARM ACCESS ROAD
 - ACCESS ROAD
 - BUNDED MATERIAL
 - BUND DRAINAGE
 - DENOTES PROPOSED STORM & SOLE WATER OUTFALL WAYLEAVE
 - DENOTES PROPOSED ELECTRICAL WAYLEAVE



A REVISED BUNDS 1:750 @ A0 GM			
BALFOUR BEATTY HOMES			
PROJECT A199 MAIN ROAD MACMERRY			
TITLE MATERIAL STORAGE			
PROJECT NO. E11606/505			
DRAWN BY: GM	SCALE: 1:750 @ A0	DATE: 20.01.21	
CHECKED BY: MC			

