



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

**TUESDAY 7 JUNE 2022
VIA A DIGITAL MEETING FACILITY**

Committee Members Present:

Councillor N Hampshire (Convener)
Councillor L Allan
Councillor C Cassini
Councillor D Collins
Councillor J Findlay
Councillor A Forrest
Councillor N Gilbert
Councillor C McGinn
Councillor K McLeod
Councillor J McMillan
Councillor C Yorkston

Other Councillors Present:

Councillor S Akhtar

Council Officials Present:

Mr K Dingwall, Service Manager – Planning
Ms E Taylor, Senior Planner
Ms J McLair, Planner
Mr D Taylor, Planner
Mr D Irving, Planner
Mr C Grilli, Service Manager – Governance
Mr C Clark, Senior Environmental Health Officer
Ms M Haddow, Transportation Planning Officer
Mr R Yates, Transportation Planning Officer
Mr G McLeod, Transportation Planning Officer
Mr M Greenshields, Senior Roads Officer
Mr J Canty, Transport Planner

Clerk:

Ms B Crichton

Visitors Present/Addressing the Committee:

Items 1-2: Mr B Tait, Ms C Walker, Mr D Lee, and Mr R Hay
Item 3: Mr J Fyall, Mr T Lyons, and Ms J Bell
Item 4: Ms R Nisbet, Mr G Shanks, and Mr A Wilson
Item 5-7: Mr I Slater, Mr B Lindsay, and Mr J Graham
Item 8: Mr J Fraser and Mr K Scott

Apologies:

Councillor S McIntosh

Declarations of Interest:

None

1. PLANNING APPLICATION NO. 22/00266/P: 40 MAIN STREET, GULLANE – CHANGE OF USE OF GARDEN AREA TO OUTDOOR EATING/SEATING AREA (RETROSPECTIVE)

A report was submitted in relation to Planning Application No. 22/00266/P. Keith Dingwall, Service Manager – Planning, presented the report, summarising the key points. The report recommendation was to grant consent.

Officers responded to questions from Members. Mr Dingwall explained that a previous attempt to obtain a certificate of lawfulness to demonstrate that the garden area had been in use as a drinking and dining area for ten years or more had been refused; however, this previous application had not looked at the merits of the proposal being made by the current planning application, which the Committee was being asked to consider. He advised that, although an enforcement officer would not ordinarily be on duty when the outdoor area was in operation in the evening, complaints could still be investigated outwith normal office hours. Mr Dingwall reassured Members that a site visit could be carried out to check compliance with the installation of a self-closing door.

Claire Walker spoke against the application. She highlighted that the garden area was owned by 41 Main Street, and not by 40 Main Street. She thought that the development of the area as a commercial eating and drinking space was harmful to the character of the conservation area. She highlighted potential sources of noise, and noted that although noise in the afternoon would not deprive neighbours of sleep, it would deprive them of amenity in the use of their gardens.

David Lee spoke against the application. He highlighted various sources of increased noise, including the pebbles making even footsteps noisy, which would be to the detriment of his family's enjoyment of their home and garden. Cigarette smoke could also be smelled from inside his children's bedroom, and bright lights had remained on until late at night, necessitating the purchase of blackout curtains. He highlighted the increase in noise affecting the use of local residents' gardens, and said that additional covers in the restaurant would lead to the local area becoming busier.

Responding to a question from Councillor McMillan, Mr Lee advised that he had not called enforcement to report issues, but had spoken to the applicant, Mr Crolla, on a number of occasions.

Councillor Findlay highlighted that, while allowances had been made during periods of Covid restrictions, the Main Course had been a successful business prior to the pandemic and did not require continued use of the outdoor area to survive. He noted the residential nature of the surrounding area and the huge impact of the outdoor area on nearby residents. He was concerned that conditions could not be properly enforced and worried that the same problems would be raised in a year's time; as such, he urged Members to vote against the application.

Councillor McMillan commented that those who held continued concerns about Covid may prefer to sit outside, and noted the economic benefit the restaurant provided to the area. He

expected the owners, given their good reputation, would wish to be respectful of neighbours and maintain good relationships. He noted that, should problems arise, the area would have to comply or close given the condition that permission be granted for one year. He suggested that a notice be displayed to remind patrons about noise, and suggested an earlier terminal hour may alleviate local concerns regarding noise in the evening.

The Convener noted that many people now preferred to sit outside where possible, even though Covid was less active within communities. He accepted that those living within town centres may be affected by the increase in outdoor dining, but highlighted that tourists visiting the area would expect good hospitality facilities. He would support the officer recommendation to grant consent.

The Convener moved to the vote on the report recommendation, to grant consent, which was taken by roll call:

For:	9	(Councillors Hampshire, Allan, Cassini, Forrest, Gilbert, McGinn, McLeod, McMillan, and Yorkston)
Against:	2	(Councillors Collins and Findlay)
Abstentions:	0	

DECISION

The Committee agreed to grant planning consent, subject to the following conditions:

- 1 Planning permission is granted for a temporary period of 1 year, beginning from the date of this grant of planning permission, and after which time, unless planning permission is granted, the use of the rear garden as an outdoor eating and drinking area shall cease and the tables and chairs shall be removed from it.

Reason:

To enable the Planning Authority to monitor the noise impact of the outdoor seating, eating and drinking area, in the interests of the amenity of nearby residential properties.

- 2 The outdoor seating, eating and drinking area hereby approved shall only be used between the hours of 11:00am and 8:00pm, on any day of the week.

Reason:

To ensure that the use of the outside seating, eating and drinking area does not cause nuisance to neighbouring residential properties to an unacceptable level.

- 3 Any light trespass (onto windows) of neighbouring residential properties, as a result of the proposed lighting at the premise, measured as Vertical Illuminance in Lux, (Ev), shall not exceed 10 between the hours of 0700-2300 and shall not exceed 2 between the hours of 2300-0700.

Reason:

In the interests of protecting the amenity of neighbouring residential properties in the area.

- 4 There shall be no public entertainment, amplified music, amplified vocals or live music played in the outdoor seating, eating and drinking area hereby approved.

Reason:

To ensure that the use of the outside seating, eating and drinking area does not cause nuisance to neighbouring residential properties to an unacceptable level.

- 5 Within 1 month of this grant of planning permission any door(s) providing access to the outdoor seating area from the licensed premises of The Main Course restaurant shall be

made self-closing, and that door(s) shall remain self-closing thereafter unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of safeguarding the amenity of neighbouring residential properties.

2. PLANNING APPLICATION NO. 22/00267/P: 40 MAIN STREET, GULLANE – ERECTION OF COVERED ROOF AREA (RETROSPECTIVE)

A report was submitted in relation to Planning Application No. 22/00267/P. Mr Dingwall presented the report, summarising the key points. The report recommendation was to grant consent.

Councillor Findlay was concerned about outdoor cooking smells and wished to raise a condition to guard against outdoor cooking taking place. Mr Dingwall thought that it was not the applicant's intention to cook outside, but provided a form of words should Members think it necessary to impose such a condition, namely: no cooking shall be undertaken within the covered roof area hereby approved, unless otherwise approved in advance by the planning authority. The reason for this condition was to safeguard the amenity of neighbouring residential properties.

David Lee spoke against the application. He clarified that a reference made to the west boundary wall on page 10 of the report was a wall of his property, and therefore the outdoor covered area cut off the rear of his property; this rendered three windows inaccessible and scaffolding would have to be erected for their maintenance. He advised that the area had previously been used as a walk-through to the garden area, but had now become an external part of the kitchen with fridge storage and significant footfall. He also highlighted the character of the conservation area. Further, the area now formed a natural extension of the kitchen and food smells emanated from there.

Councillor Findlay agreed that the impact on the surrounding residents and their ability to maintain their properties would be significant. He did not recognise the business need for the outdoor area when it would have a harmful impact on neighbouring properties.

The Convener advised that Mr Lee's ability to maintain his property would be a legal matter and not for consideration by the Committee. He also noted that such occurrences were common in town centres, and it was still possible to build scaffolding to maintain these properties.

Councillor McMillan thanked Mr Lee for bringing his objections to the attention of the Committee. He said that noise and food odour issues would be dealt with by environmental health colleagues. He supported the addition of Councillor Findlay's suggested condition, and encouraged Mr Lee to raise any concerns through the council's enforcement procedures.

The Convener commented that it was difficult to operate a business within a small space, and agreed that the cold storage within the passageway was vital for the business to survive. He did not agree that the outdoor area would have a detrimental effect on the conservation area, or that the properties could not be maintained, but felt that the business would suffer if the outdoor space could not be used.

Councillor McMillan suggested that the proposed condition be amended to include the full outdoor area, but Mr Dingwall advised that as the application related only to the covered

area, planning controls could not be applied outside of the covered area. Councillor McMillan asked the applicant to note his comments.

Councillor Hampshire seconded Councillor Findlay's proposed condition regarding cooking in the outdoor area, and moved to a roll call vote on the addition of this condition. This was supported unanimously by the Committee.

The Convener then moved to the vote on the report recommendation, to grant consent, taken by roll call:

For:	10	(Councillors Hampshire, Allan, Cassini, Collins, Forrest, Gilbert, McGinn, McLeod, McMillan, and Yorkston)
Against:	1	(Councillor Findlay)
Abstentions:	0	

DECISION

The Committee agreed to grant planning consent, subject to the following condition:

- 1 No cooking shall be undertaken within the covered roof area hereby approved, unless otherwise approved in advance by the planning authority

Reason:

In the interests of safeguarding the amenity of neighbouring residential properties.

3. PLANNING APPLICATION NO. 22/00357/P: SKATERAW FARM, INNERWICK – CHANGE OF USE OF AGRICULTURAL SHEDS TO STORAGE AND DISTRIBUTION UNITS (CLASS 6)

A report was submitted in relation to Planning Application No. 22/00357/P. David Taylor, Planning Officer, presented the report, summarising the key points. The report recommendation was to grant consent.

Tom Lyons spoke against the application. He said that Skateraw had been a quiet area where children could play safely. He reported that since the purchase of the sheds by another farmer, they had been used for various purposes, including industrial processing, without appropriate planning consent. Mr Lyons was concerned that such uses may continue; although SEPA had been informed, he was not aware that they had followed this up, and significant mess had been caused on neighbouring driveways by clay. He also raised concerns regarding road safety, as the access road was a 20mph exit from the A1. Mr Lyons felt that the application was not within the spirit of Policy DC1 of the 2018 Local Development Plan (LDP), whereby planning permission should be granted for agricultural, forestry, horticulture, infrastructure, or countryside recreation, or to other businesses with a requirement for a countryside location. He summarised that the application would cause considerable upheaval to the local community.

Jacquie Bell spoke against the application on behalf of Dunbar Community Council. She said the application had caused considerable concern to residents of Skateraw, who had experienced a history of issues at the site, passed to planning enforcement. There had already been a loss of amenity caused by considerable dust from lorries driving at speed. She reiterated Mr Lyons' concerns regarding road safety on the main junction and on the cycleway; further lorry movements would cause concern here. She asked that conditions be

imposed on the site, such as no outside storage being allowed, restrictions on the hours of transportation, and requirements for regular road cleaning and dust suppression.

Councillor Collins shared Ms Bell's concerns regarding noise, dust pollution, and road safety. There were also concerns from Skateraw residents that the site would become an Amazon depot, bringing significant vehicle movements each day; as such, she thought that imposing conditions on the site would be prudent.

The Convener commented that previous uses of the site had brought significant vehicle movements, such as when it was used for vegetable storage and as an art exhibition. He had spoken with the farmer on the site visit, who had advised that compost for farming processes was currently being stored, and therefore current operations were agricultural in nature. There had been interest in developments around the site, including cabling for offshore wind farms, a converter station, and two transformer facilities; there would be requirement for storage. He was happy to support the diversification of the farmer's business.

Councillor Allan advised that she had spoken directly with the farmer and had been reassured that there was no intention for the site to become an Amazon depot. She felt reassured that the business diversification would not heavily impact on the surrounding area, and would support the application.

Councillor McMillan commented that the site visit had been instrumental in helping him understand the operational requirement for the countryside location. He felt that the junction was a matter for driver behaviour and supported judicious signposting reminding drivers to take care. He felt that the vehicle movements may be similar in number and type to those associated with prior uses of the site. He wished to support diversity in the rural economy and would support the officer recommendation to grant consent.

The Convener moved to the vote on the report recommendation, to grant consent, taken by roll call.

DECISION

The Committee agreed to grant planning consent, subject to the following conditions:

- 1 Notwithstanding the provisions of Part 3 of the General Permitted Development (Scotland) Order 1992 the use of the buildings and land of the application site shall be limited to uses within Class 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 or any order that subsequently amends or re-enacts this order.

Reason:

To restrict the use of the buildings and land to that which was applied for in the interests of the amenity of neighbouring residential properties.

- 2 No outside storage shall take place within the application site without the prior written consent of the Planning Authority.

Reason:

In the interests of the visual amenity of the area.

4. **PLANNING APPLICATION NO. 21/01604/P: LETHAM HOLDINGS PHASE 3, HADDINGTON – SUBSTITUTION OF HOUSE TYPES ON PLOTS 495-503 AND 506-541, REPOSITIONING OF PLOTS 495-503 AND 506-541 AND ASSOCIATED**

WORKS AS CHANGES TO THE SCHEME OF DEVELOPMENT THE SUBJECT OF PLANNING PERMISSION 19/00643/PM

A report was submitted in relation to Planning Application No. 21/01604/P. Mr Dingwall presented the report, summarising the key points. The report recommendation was to grant consent.

Andrew Wilson spoke against the application, and highlighted the sustained community interest. He highlighted the tapering of the development on the western boundary, and said that the application went only a small way to fulfil the described 10m-wide landscape edge, the 1.5 story house styles, and the retention of existing hedgerow described in the LDP supplementary guidance, and felt this should be revisited. He felt it was unreasonable for nine new properties to surround the bungalow at no. 31; other properties within the application would be surrounded by three houses. He also raised the safety and amenity consequences of changes to a 100m section of the lane, and felt proposals lacked detail. Mr Wilson had commissioned an artist impression of the plans, and described this as changing a quiet country road into an urban road. Mr Wilson felt the plans would discourage active travel, and the existing roads would experience an adverse effect on road safety as a consequence of the development.

Responding to questions from Councillor McMillan, Mr Dingwall highlighted the approved layout at application 19/00643/PM, and noted that the proposed layout was not markedly different. It was officers' view that the proposed layout would not have an unacceptable impact on the property at no. 31.. It was also officers' view that the proposals were not markedly different from the previous application in terms of place-making, and therefore it was not justified to seek modifications. Jon Canty, Transport Planning Officer, advised that the proposals were in accordance with the previous agreement to remove vehicular access onto Letham Mains Holdings Lane. Discussions were ongoing with the applicant regarding the nature of Letham Mains Holdings Lane at the junction with Pencaitland Road; a 30mph speed limit would be introduced onto Pencaitland Road. Work was also underway with the applicant regarding bus stops and a footway on Pencaitland Road.

Councillor Akhtar asked road services to give further consideration to signage. Mr Canty advised that signage to indicate Letham Mains Holdings Lane would become access-only would not be proportional as a response to the planning application. The Convener also voiced concern regarding the increase in properties in the area, and wished to deter drivers from using the narrow lane. Mr Canty responded that the department would not oppose the erection of signage, but would not require it. The Convener suggested that a condition be raised.

Councillor McMillan acknowledged community concerns regarding the increase in vehicular movements. He also raised concern about the increase in traffic to the west road through David's Way, and asked that traffic on the new development and surrounding site be monitored. He felt that maintaining some of the sense of the old Letham Mains Holdings and not overdeveloping the area would help to maintain a sense of a separate boundary and community; the sought the applicant's opinion on fewer houses in the area.

Rebecca Nisbet and Graeme Shanks representing Taylor Wimpey, applicant, were present to answer questions. Mr Shanks said that the proposed development was not materially different to the original application in terms of the number of properties in that area. There was a requirement to remove secondary access and maintain a cycle and pedestrian network in the southern corner, which the applicant had done. The applicant would not look to make any further changes to the current application. Mr Dingwall reiterated that the proposals were not materially different to the 2019 application, and advised that it would not therefore be competent to make some of the suggested changes at this stage. A

continuation of the application would risk non-determination, as the next Planning Committee would convene in August.

Councillor Akhtar was satisfied that signage and footways had been covered by roads services officers and that erection of signage would not be opposed. Councillor McMillan was also in favour of signage. He also welcomed changes around access, but felt that this raised other road safety concerns, and was keen that the area be monitored. He hoped that the development would be sympathetic to the residents of Letham Mains.

It was established between Mr Canty and the Convener that signage would direct drivers that Letham Mains Holdings Lane would be for local access only. It was agreed that Local Members and officers could agree the wording at a later date.

The Convener commented that the application had been improved by removal of the access road onto the lane, which would help to minimise impact on the local residents. He agreed that the development would contribute to traffic on Pencaitland Road, but cited ambitious housebuilding targets which must be delivered upon.

The wording for the condition was agreed upon, namely: Prior to the occupation of any of the houses hereby approved signage shall be installed in the vicinity of Letham Mains Holdings Lane, in accordance with details to be submitted to and approved in advance by the Planning Authority. The reason for this condition would be in the interests of road safety. This condition was proposed by Councillor McMillan and seconded by Councillor Hampshire.

Councillor McMillan called for a road safety audit on the spine road which would carry traffic down to the new development for the safety of Letham Mains residents. Marshall Greenshields, Senior Roads Officer, advised that a safety audit for David's Way was already planned.

The Convener moved to the vote on the addition of the proposed condition, taken by roll call. This was supported unanimously by the Committee.

The Convener then moved to the vote on the report recommendation, to grant consent, taken by roll call. This was also supported unanimously by the Committee.

DECISION

The Committee agreed to grant planning consent, 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 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 drawings where a building is located on a corner of more than one street or road, it shall have enhanced gable(s) to ensure it has an active elevation to each street or road it faces. This includes the gables of the houses to be built on Plots 533 and 534 facing onto the Letham Holdings Road. The details of the enhanced gables shall be agreed with the Planning Authority.

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, 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 No development shall take place on site until a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme of landscaping shall include the height and slopes of any mounding on or re-contouring of the site, details of tree sizes, species, habitat, siting, planting distances and a programme of planting. It shall also include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development. The scheme shall include hedges of native species to all front gardens to be communally maintained at a minimum of 1 metre in height, tree planting of a mix species sizes with small species trees to front gardens, medium species trees to open spaces along roads and large species trees within open spaces.

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, hedges 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:

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.

- 6 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:
- (i) all roads and paths shall conform to East Lothian Council Standards for Development Roads and, in particular, all paths and footways shall have a maximum longitudinal gradients of 5%;
 - (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. 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;
 - (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 accesses to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing. Within private parking areas, the minimum dimensions of a single parking space shall be 2.5m by 5 metres. The circulation lane should be 6 metres wide for nose-in parking - a narrower lane is acceptable for echelon parking;
 - (vi) all path and footway connections from a zone under construction to the existing settlement shall be constructed to an adoptable standard before the occupation of any units in that particular zone;
 - (vii) prior to commencement of development, a Factoring Plan shall be submitted clearly indicating the different responsibilities for long-term maintenance including: private and shared private areas, factored areas, and prospectively adoptable roads;
 - (viii) a Quality Audit to independently assess walking, cycling, access and road safety aspects within and around the development shall 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;
 - (ix) 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; and
 - (x) a swept path, or vehicle track assessment, of the road layout must be submitted for prior approval to demonstrate how the site can accommodate a large vehicle. The Design Vehicle to be used is the "Large Rigid Vehicle" as outlined in the Freight Transport Association's

document "Designing for Deliveries" - the vehicle being 2.5 metres wide with a 6.1 metres wheelbase and an overall vehicle length of 10 metres.

Reason:

In the interests of pedestrian and road safety.

- 7 Prior to the commencement of development 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. 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.

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.

- 8 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 interests of road safety.

- 9 Prior to the commencement of development, details of the provision of new car charging points and infrastructure for them shall be submitted to and approved in writing by the Planning Authority. At least one dedicated EV charging point shall be provided per dwelling.

The details shall include a timetable for implementation and confirmation of applicant engagement with electricity providers to ensure that the entire electricity supply infrastructure will have sufficient capacity to enable all chargepoints to operate simultaneously at maximum rated power or via a load management system.

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

Reason:

To minimise the environmental impact of the development.

- 10 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. 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.

- 11 Prior to the occupation of any of the houses hereby approved signage shall be installed in the vicinity of Letham Mains Holdings Lane, in accordance with details to be submitted to and approved in advance by the Planning Authority.

Reason:

In the interests of road safety.

5. PLANNING APPLICATION NO. 21/00120/AMM: BLINDWELLS – CONDITIONS 1D, 1H AND 1L (DETAILS OF ROAD, FOOTPATH, CYCLE PATH, LANDSCAPE AND DRAINAGE INFRASTRUCTURE FOR PHASE 2) OF PLANNING PERMISSION IN PRINCIPLE 20/01030/PM

A report was submitted in relation to Planning Application No. 21/00120/AMM. Julie McLair, Planning Officer, presented the report, summarising the key points. The report recommendation was to grant consent.

Jonathan Graham was present on behalf of Hargreaves Land, applicant, to speak to the application. The phase 1 infrastructure was well underway; basins along the central boulevard had been formed, roads and footpaths were being delivered, and residents were already living on the Bellway site. He showed both applications side-by-side and discussed the key points of the new application, which included bringing forward delivery of the main public open spaces around the park and loch to provide a focal point and sense of place for residents.

Representatives answered questions from Members. Mr Graham advised that plot C5 was being marketed to provide employment land, and there would also be employment opportunities in the town centre, which would be brought forward very soon. It was also hoped that the loch area would attract leisure uses. He advised that employment land opportunities were commercially driven, but it was hoped that these would be brought forward in the following 18-24 months and Hargreaves were in discussion with the council's economic development officers. Iain Slater, also representing Hargreaves, added that having a vibrant town centre was a high priority. Mr Slater advised that Network Rail had erected a fence to delineate their land, and landscaping would be managed by factoring. Outside of the 33m woodland boundary strip, there was safeguarded land and potential for future twin-tracking with the East Coast Main Line. Hargreaves would be responsible for the upkeep of amenity land until such time as a residents' association could be put in place. Residents would manage where they lived through the factoring process, and the residents' association would be able to tender for a new factor should they be unhappy with arrangements in place.

The Convener had been pleased that the applicant was building a sense of community through putting infrastructure in place at an early stage. He suggested setting up an interim community council to ensure residents were fully engaged in decision-making with regards to amenity land, and to enable residents to raise any issues for feedback to the council and developers.

Councillor McLeod had been impressed by the site visit, and Councillor McGinn welcomed this latest phase of landscaping and linking with active travel routes for the benefit of residents. Council tenants would be moving in shortly, and Councillor McGinn welcomed the vibrant sense of community being built.

Councillor Forrest also welcomed Hargreaves' promotion of a sense of community and efforts towards delivering on amenity infrastructure; he hoped that other developers would take a similar approach in future.

The Convener moved to the vote on the report recommendation, to grant consent, taken by roll call. This was supported unanimously by the Committee.

DECISION

The Committee agreed to grant planning consent, 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 finished ground 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.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

- 2 Prior to the commencement of development, road safety audits and quality audits for the whole Phase 2 road network within the application site shall be submitted to and approved by the Planning Authority. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road safety.

- 3 Details of the proposed bus stops within the Phase 2 core road network shall be submitted to the Planning Authority for agreement prior to commencement of the subject works on site in accordance with the indicative locations shown on the docketed 'Indicative Bus Infrastructure Plan' (Dougall Baillie Associates Drawing no. 21215-SK-15 Revision D) unless otherwise agreed by the Roads Authority, summarised as follows:

- (i) Stops G & H to the north west of the Primary School site;
- (ii) Stops I and J between Plot 6B and 7A;
- (iii) Stops O & P directly to the east of the changing pavilion to the north of Plots 9A & 9B; and
- (iv) Stops Q and R between Plot 5A and Plot 5B.

Reason:

To ensure the provision of necessary infrastructure for sustainable travel in the interests of pedestrian and road safety.

- 4 A report describing the promoted active travel routes to the Blindwells Primary school, including controlled crossings on appropriate desire-lines on the roads bounding the Blindwells Primary school to both the north and the west, shall be submitted to and approved by the Roads Authority. The promoted routes so approved should be completed prior to the opening of the Blindwells Primary school or prior to the road being brought into public use whichever comes first.

Reason:

To ensure the provision of safe and convenient infrastructure for active travel to the school in the interests of pedestrian and road safety.

- 5 Prior to the opening of the Blindwells Primary school all paths, footways and road crossings forming the main routes to the Blindwells Primary school from the residential developments within the wider site shall have been completed in their entirety and made available for use. The paths, footways and road crossing so formed shall thereafter be maintained and retained available for use unless otherwise approved by the Planning Authority.

Reason:

To ensure the provision of safe and convenient infrastructure for active travel to the school in the interests of pedestrian and road safety.

- 6 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 routes to/from site) and shall include hours of construction work and routing of traffic. The Construction Method Statement shall also make recommendations in respect of how pedestrians and school

children can safely access the new school during construction works. It shall also provide details of utility/service drainage connections.

The Construction Method Statement shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

The recommendations of the Construction Method Statement shall be implemented prior to the commencement of development.

Reason:

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

- 7 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 interests of road safety.

6. PLANNING APPLICATION NO. 21/01580/PM: BLINDWELLS – SECTION 42 APPLICATION VARIATION TO CONDITIONS 1, 13, 30 AND DELETE CONDITION 31 OF PLANNING PERMISSION 20/01030/PM

A report was submitted in relation to Planning Application No. 21/01580/PM. Julie McLair, Planning Officer, presented the report, summarising the key points. The report recommendation was to grant consent.

Officers responded to questions from Members. Ms McLair advised that the targets for delivery of housing had been updated since the original planning permission in principle was approved, as the Covid pandemic had had an impact on completion rates. The up-to-date anticipated completion figures were provided in the report.

Mr Slater, representing Hargreaves Land, spoke to the application. He advised that while housing needs had remained constant, work/life balance and shopping patterns had changed since design of the masterplan in 2014. The developer wished to put place-making at the heart of the site, have greater focus on the town centre, and deliver a more sustainable high street. Walking and running tracks would also contribute to enjoyment of the environment. The masterplan retained 54 hectares of open space and 10 hectares of employment land. Mr Slater advised that schooling arrangements would now see a primary school built on the Blindwells site, with secondary provision at the existing Preston Lodge High School. The community sports pitches would now sit in the park area, and primary school pitches would remain within the school footprint.

Councillor Forrest asked whether there was scope for development of supermarkets as the area increased in size. Mr Slater advised that a large supermarket of around 40,000ft² had originally been planned, but it was now felt this was too large for the town. Plans were now being made for a local centre, perhaps including a smaller supermarket of around 15,000ft². Talks were underway, but this would be commercially-led.

Responding to questions from the Convener, Mr Slater advised that the road infrastructure for the primary school site would be available to the council later in the year. Work was underway for the town park to be delivered at the same time as the primary school, but housing would still be coming forward close to the primary school site.

The Convener commented that the development would be an asset to its residents and to East Lothian.

The Convener moved to the vote on the report recommendation, to grant consent, taken by roll call. This was supported unanimously by the Committee.

DECISION

The Committee agreed to grant planning consent, subject to the following conditions:

- 1 The submission for approval of matters specified in conditions of this grant of planning permission in principle shall include details of the siting, design and external appearance of all the dwellings and other buildings, the means of access to them, the means of any enclosure of the boundaries of the site and of gardens and other subdivisions of the site and the landscaping of the site and those details shall generally accord with the Indicative Master Plan drawing no. 13055(S42)001_J docketed to this planning permission in principle, and shall address the following requirements:
 - a. The provision within the application site of recycling facilities.
 - b. Other than in exceptional circumstances where the layout or particular building type does not permit, houses and flats shall be orientated to face the street.
 - c. Notwithstanding that shown in the Indicative Master Plan docketed to this planning permission in principle there shall be no integral garages, unless it can be justified as an exceptional design feature, or where the house and garage would not be on a primary street frontage;
 - d. The detailed design of the layout shall accord with the principles set out in the Council's Design Standards for New Housing Areas and with Designing Streets;
 - e. The external finishes of the residential units shall be in accordance with a coordinated scheme of materials and colours that shall respect the layout of the development and shall promote render as the predominant finish to the walls of the residential units.
 - f. Notwithstanding the details shown in the Indicative Site Master Plan referred to above, there shall be a separation distance of at least 9 metres between facing windows of a proposed new building and the garden boundaries of existing or proposed neighbouring residential properties; and a separation distance of at least 18 metres between directly facing windows of a proposed new building and the windows of existing or proposed neighbouring residential properties.
 - g. Parking for the residential, local centre and primary school components of the development hereby approved shall be provided at a rate as set out in the East Lothian Council's "Standards for Development Roads- Part 5 Parking Standards" For the local centre and school this shall include for cycle parking. Private parking spaces in the local centre and other private parking areas shall be a minimum of 2.5 metres by 5 metres and spaces on the public road shall be a minimum of 2.5 metres by 6 metres. Access to private parking areas other than driveways shall be via a reinforced footway crossing and have a minimum width of 5.5 metres over the first ten metres. Private driveways shall be a minimum of 6 metres by 2.5 metres, double driveways shall be 5 metres by 6 metres or 3 metres by 11 metres.
 - h. All access roads within the new settlement shall conform to East Lothian Council's "Standards for Development Roads" in relation to roads layout and construction, footways and footpaths, parking layout and number, street lighting and traffic calming measures.
 - i. 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.

j. The provision within the local centre of a civic square, which shall be designed as a central meeting point and to provide a multifunctional space for both formal use such as community arts and theatre activities and for informal use.

k. The provision within the application site of at least 10 hectares of employment land. The buildings within the employment land shall be restricted in use to Classes 4, 5 and 6 of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

l. The provision within the application site of nature based elements such as woodlands, wetlands and SUDS, public open space and boulevard planting.

m. 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;

n. Details of the implementation and design of infrastructure works onto the A198, including junctions, road widening and delivery timescales shall be submitted to and approved by the Planning Authority. The submitted detail shall include full road safety audits and quality audits. Development should thereafter be carried out in accordance with the details so approved.

o. Electric vehicle charging points shall be provided around proposed community facilities such as schools and retail areas. Charging points, if considered necessary by the Planning Authority, shall also be provided for electric buses.

p. There shall be no built development or landscaping within the area defined as being "EMBANKMENT" on drawing number 13055(PL)160 - Masterplan - Rail Embankment.

No part of the development hereby approved shall be begun on the site until all of the above details have been submitted to and approved in writing by the Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason:

To enable the Planning Authority to control the development in the interests of the amenity of the development and of the wider environment and in the interests of road and rail safety.

- 2 The details to be submitted pursuant to condition 1 shall include a delivery schedule and phasing plans that establishes the phasing and timing programme for the proposed development. It shall include the phasing and timing for the provision of education capacity, employment land, the local centre, the transportation works, footpaths and cycleways and Safer Routes to School, external transport works such as offsite path links, Longniddry traffic signals at Coal Road (A198/B6363 Junction) and A198 works and junctions. It must also include for public road links, including paths, to local services (either existing or as these are developed for Blindwells), schools and the public road network. This shall also apply to the provision of drainage infrastructure, recreational facilities, landscaping and open space. The details to be submitted shall also include construction phasing plans.

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.

- 3 No more than 1600 residential units shall be erected on the site.

Reason:

To ensure that there is sufficient education capacity, to restrict the scale of development to that applied for and identified in the applicant's Transport Assessment and to minimise interference with the safety and free flow of traffic on the trunk road.

- 4 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 2021/22	-	120 residential units
Year 2022/23	-	130 residential units
Year 2023/24	-	110 residential units
Year 2024/25	-	120 residential units
Year 2025/26	-	120 residential units
Year 2026/27	-	120 residential units
Year 2027/28	-	120 residential units
Year 2028/29	-	120 residential units
Year 2029/30	-	120 residential units
Year 2030/31	-	150 residential units
Year 2031/32	-	150 residential units
Year 2032/33	-	150 residential units
Year 2033/34	-	70 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.

- 5 No development shall take place until there has been submitted to and approved in writing by the Planning Authority a scheme of landscaping. The scheme shall provide details of: the height and slopes of any mounding on or recontouring of, the site; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. The scheme shall include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development. It shall also include details of all planting and landscaping along the boundary of the site with the A1(T) trunk road.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

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.

- 6 Prior to the commencement of development a long term landscape and habitat management plan shall be submitted to and approved in writing by the Planning Authority. The plan shall include details of how the overall wildlife value of the large body of water known as 'Princes Loch' can be maximised. These details for 'Princes Loch' shall include appropriate marginal and wetland planting, scalloping of edges, connections to adjacent scrub and woodland, creation of small islands, and physical connectivity to the SUDS network. The plan shall also detail measures of how to design the SUDS ponds as habitats and landscape features. The plan shall include a timetable for the implementation of the proposed works. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

To maximise the ecological potential of the proposed development.

- 7 Prior to the commencement of development, a method statement for the translocation and future management of the bee orchids and their habitat within the application site shall be submitted to and approved by the Planning Authority. The method statement shall include a timetable for implementation.

The development shall thereafter be implemented in accordance with the details so approved.

Reason:

To maintain the contribution of the bee orchids to the nature conservation value of the local area.

- 8 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 routes to/from site) and shall include hours of construction work and routing of traffic. The Construction Method Statement shall also make recommendations in respect of how pedestrians and school children can safely access the new school during construction works. It shall also provide details of utility/service drainage connections.

The Construction Method Statement shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

The recommendations of the Construction Method Statement shall be implemented prior to the commencement of development.

Reason:

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

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

1. Daytime garden noise levels should not exceed 55 dB (A);
2. Daytime internal noise levels should not exceed 35 dB (A) and night-time internal noise levels should not exceed 30 dB (A); and
3. The Rating Level, LArTr, of noise emanating from any proposed commercial unit (when measured 3.5m from the façade of any existing or proposed residential property shall be no more than 5 dB (A) above the background noise level, LA90T.

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

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

Reason:

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

- 10 No residential unit shall be occupied unless and until details of artwork to be provided on the site or at an alternative location away from the site have been submitted to and approved by the Planning Authority. The details shall include a timetable for the provision of the artwork.

The artwork shall thereafter be provide in accordance with the details so approved.

Reason:

To ensure that artwork is provided in the interest of the visual amenity of the locality or the wider area.

- 11 The supermarket hereby approved shall have a gross floor area no greater than 1,035 square metres.

Reason:

In order to retain control of the scale of the supermarket and in the interests of safeguarding the vitality and viability of existing retail provision.

- 12 To ensure that the site is clear of contamination, the following requirements shall be complied with:

o Prior to commencement of any site development, a targeted contaminated land investigation shall be carried out and a report submitted to and for approval of the Planning Authority. The investigation must also include further rounds of gas monitoring for the site. The subsequent report must include a site-specific risk assessment of all relevant pollutant linkages.

o Where the risk assessment identifies any unacceptable risk or risks, a detailed remediation strategy shall be submitted to the Planning Authority for approval. Prior to receipt of approval of the remediation strategy by the Planning Authority no works, other than investigative works, shall be carried out on the site

o Remediation of the site shall be carried out in accordance with the approved remediation plan. Any amendments to the approved remediation plan shall not be implemented unless approved by the Planning Authority.

o On completion of the remediation works and prior to the site being occupied, a validation report shall be submitted to the Planning Authority confirming that the works have been carried out in accordance with the remediation plan.

o 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 prior to the occupation of any of the buildings.

- 13 The open space to be provided on site shall generally accord with the Indicative Master Plan drawing no. 13055(S42)001_J docketed to this planning permission in principle. Moreover, the area of open space known as the Town Park shall include within it woodland of a significant size.

Prior to the commencement of development, a timetable for the provision of the open space within the new settlement shall be submitted to and approved in advance by the Planning Authority.

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

Reason:

To ensure the timely provision of an appropriate amount of open space, in the interests of the amenity of the area.

- 14 Prior to the commencement of development, details of how the areas of open space and equipped areas are to be maintained shall be submitted to and approved in advance by the Planning Authority.

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

Reason:

To ensure the satisfactory maintenance of open space and equipped play areas, in the interests of the amenity of the area.

- 15 Prior to the commencement of development, details of a new continuous shared use (walking/cycling) path from the western side of the A198 road to Prestonpans Railway Station, including a timetable for its delivery, shall be submitted to and approved in advance by the Planning Authority. The details shall be based on the continuous shared use (walking/cycling) path that is indicatively shown on drawings docketed to this planning permission. The submitted details shall show the footpath being lit and shall include road safety audits and quality audits.

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

Reason: In the interests of road and pedestrian safety.

- 16 Prior to the commencement of development, details of a new 2 metres wide tarmac "active travel path" to be formed for walkers and cyclists on the western side of the hedge at the eastern edge of the application site, parallel to the core path, with link paths connecting from the housing areas to the tarmac path and to the core path, shall be submitted to and approved in advance by the Planning Authority. The details shall include a timetable for implementation.

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

Reason:

In the interests of road and pedestrian safety.

- 17 In the event that the catchment secondary school for the new settlement is Preston Lodge High School, a report assessing walking and cycling routes to this school from the new settlement in terms of safety and quality to include distances, controlled pedestrian/cycle crossings of the A198 and B1361 (also to include a technical assessment of the existing footbridge over the rail line north of Meadowmill Sports Centre) shall be submitted to and approved by the Planning Authority. The details shall include any mitigation measures required and a timetable for their implementation.

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

Reason:

To reduce children being driven to and from school in private cars, in the interests of road safety and sustainability.

- 18 Prior to the commencement of any ground improvement / remedial works within the application site, proposals for further ground investigations for each phase of the proposed development shall be submitted to and approved by the Planning Authority. These further ground investigations shall be designed to provide comprehensive factual information on the depth of backfill / rock head, level of the ground water table and continuous monitoring of ground gases during the period of the investigations. On completion of the further investigations the applicant shall submit a factual report presenting the findings of the investigations to the Planning Authority for their information. The ground improvement / remediation works shall thereafter be carried out in accordance with the details so approved.

Reason:

To ensure that ground improvement / remediation works are acceptable in order to enable the development to safely and satisfactorily proceed.

- 19 Prior to the commencement of any ground improvement / remedial works within the application site, detailed proposals for the proposed ground improvement / remediation works shall be submitted to and approved by the Planning Authority. The detailed proposals shall include detailed designs and supporting information for the proposed surcharging and consolidation of shallow workings beneath the base of the open cast. It shall also include the surcharge layouts, surcharge heights, surcharge periods, recovery period following removal of the surcharge, proposed monitoring instrumentation, and assessment of predicted settlement at each surcharge location. In respect of the consolidation of the shallow workings the detailed proposals shall provide full details of the proposed consolidation works required to remove the risk of future subsidence. Where appropriate the ground improvement / remedial

works shall make provision for percolation / inundation testing to demonstrate that the surcharging has been effective in reducing the risks of such collapses to acceptable levels. The ground improvement / remediation works shall thereafter be carried out in accordance with the details so approved.

Reason:

To ensure that ground improvement / remediation works are acceptable in order to enable the development to safely and satisfactorily proceed.

- 20 Following completion of the ground improvement works / remedial works on each phase of the development site and prior to commencing any construction works the applicant shall prepare a completion report and submit this to the Planning Authority for their approval. This completion report shall provide a detailed account of the ground improvement / remedial works carried out together with a complete record of all monitoring carried out during ground improvement / remediation. The completion report shall provide a detailed assessment of future risks arising from continuing creep and percolation / inundation settlement. Where the risk of future collapse settlement remains, the completion report shall provide conclusions and recommendations for further monitoring / further remedial measures required prior to works commencing. The completion report shall provide conclusions and recommendations for developers in respect of foundation design, drainage design, ground gas defensive measures and other construction related activities. With regard to the consolidation of the shallow workings the completion report shall provide full details of the works carried including the validation of the end product by post treatment probes or other appropriate measures.

Reason:

To ensure that ground improvement / remediation works are acceptable in order to enable the development to safely and satisfactorily proceed.

- 21 Prior to the commencement of development the following information shall be submitted to and approved by the Planning Authority, following consultation with the Coal Authority:
- a) the submission of a layout plan which identifies appropriate zones of influence for the mine entries on site, and the definition of suitable 'no-build' zones, together with indication of the high wall; and
 - b) The submission of details of investigations and of treatment if necessary for the mine entries on site, shallow coal workings, ground gas, and ground stabilisation of the backfill.

Prior to the commencement of development any identified remedial works shall be fully implemented.

Reason:

To ensure that ground improvement / remediation works are acceptable in order to enable the development to safely and satisfactorily proceed.

- 22 Prior to the commencement of development, an update of the Surface Water and Flood Risk Report, which shall assess the flood risk within the northwest part of the application site from all sources during a 0.5% AP (1:200) rainfall event, and which shall include proposed mitigation measures that are required to not increase flood risk downstream of the site and to prevent flood risk of any built development in the northwest part of the application site, shall be submitted to and approved by the Planning Authority. The Report timetable for the delivery of all identified mitigation measures shall also be submitted.

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

Reason:

To ensure that built development within the northwest part of 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.

- 23 Prior to the commencement of development, a SuDS scheme and Drainage Assessment for the whole development site to meet the vesting requirements of the Statutory Authorities shall

be submitted to and approved by the Planning Authority, following consultation with SEPA. The submitted detail shall include a timetable for the delivery of all identified mitigation measures shall.

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

Reason:

To ensure that built development within the northwest part of 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.

- 24 Prior to the commencement of development, a full engineering report detailing ground stability and structural integrity shall be submitted to and approved by the Planning Authority. The report, which shall be prepared by an adequately qualified and indemnified engineer, shall identify all necessary remediation works and a timescale for those remediation works being undertaken. Development shall thereafter be carried out in accordance with the details so approved;

Reason:

To ensure that ground improvement / remediation works are acceptable in order to enable the development to safely and satisfactorily proceed.

- 25 Prior to the commencement of development a strategy for the new speed limits within the application sites and those on the existing road network shall be submitted to and approved by the Planning Authority. The strategy shall assess how these will be developed, including road safety audits and associated infrastructure (i.e. street lighting, signage etc). The strategy shall include full detailed designs for all the works on the existing public road including full road safety audits and quality audits putting particular emphasis on walking & cycling and the safety and attractiveness of these routes (including street lighting review in these areas). This shall extend into the site to offer excellent paths and cycling facilities within the site to ensure walking and cycling are the first modes to be considered for local trips. The strategy shall also detail controlled crossings that are necessary as well as bus stops and shelters. The strategy shall also include a timetable for implementation of any new speed limits as well as when controlled crossings and bus stops and shelters should be provided. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road safety.

- 26 Prior to the commencement of development, road safety audits and quality audits for external works and the links within the site shall be submitted to and approved by the Planning Authority. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road safety.

- 27 Prior to the commencement of development, a vehicle tracking/swept path analysis for all internal roads and changes to external roads shall be submitted to and approved by the Planning Authority. The vehicle tracking/swept path analysis shall include the large design rigid (in accordance with the FTA associations Designing for Deliveries) over all the roads within the proposal site and large HGV (arctic etc) as well as large buses on main distributor roads and employment areas (including local centre). It shall also include all vehicles types including buses for the external routes/works. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road safety.

- 28 Prior to the commencement of development, a general, overarching travel plan framework for the whole settlement (including school and future business/economic uses travel) shall be submitted to and approved by the Planning Authority. The framework shall include tools and

mechanisms for each part of the development to use. It shall include measures to be put in place to encourage Public Transport penetration into the new settlement. It shall also include a timetable for implementation, Development shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road safety.

- 29 Prior to the commencement of development, a strategy to establish how traffic regulation orders and parking restrictions will be needed, particularly in the town centre around schools, public buildings and shops as well as other areas throughout the site shall be submitted to and approved by the Planning Authority. Development should thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road safety.

- 30 Unless otherwise agreed with the Planning Authority, after consultation with Transport Scotland, development of the application site shall be carried out in accordance with the following requirements:

a) 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.

b) 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.

Reason:

To ensure that the design layout complies with the current standards and that the safety and free flow of traffic on the trunk road is not diminished.

- 31 Unless otherwise agreed with the Planning Authority, following consultation with Transport Scotland, prior to the commencement of the development of each individual Plot / Phase within the overall application site, the following matters will need to be addressed:

a) Prior to the commencement of the development of each individual Plot / Phase, 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.

b) Prior to the commencement of the development of each individual Plot / Phase, details of the frontage landscaping treatment along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. All landscaping shall be located such that it can be installed and maintained from within the development without requiring access to the trunk road.

c) Prior to commencement of the development of each individual Plot / Phase, details of the fencing / barrier proposals along the trunk road boundary shall be submitted to, and approved by, the Planning Authority, after consultation with Transport Scotland. The fencing / barrier proposals shall be located such that they can be erected and maintained from within the development without requiring access to the trunk road.

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

Reason:

a) To ensure that there will be no distraction or dazzle to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

b) To ensure that there will be no distraction to drivers on the trunk road and that the safety of the traffic on the trunk road will not be diminished.

c) To minimise the risk of pedestrians and animals gaining uncontrolled access to the trunk road with the consequential risk of accidents;

d) To ensure that the efficiency of the existing trunk road drainage network is not affected.

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

Reason:

In the interests of road safety.

7. PLANNING APPLICATION NO. 21/00449/PM: BLINDWELLS – ERECTION OF 77 HOUSES AND ASSOCIATED WORKS

A report was submitted in relation to Planning Application No. 21/00449/AMM. Mr Taylor suggested an amendment to condition 12 to accord with proposed phasing and to ensure consistency with the housing consents for Blindwells. It was proposed that condition 12 would now read: no more than 235 residential units in combined total on the application site and the wider site, subject of planning application no. 20/01030/PM, shall be occupied, unless and until the proposed upgrade of the northern and southern roundabouts at Bankton Interchange traffic signal control (generally as illustrated in WYG's drawing no. SK002) have been implemented to the satisfaction of the planning authority, after consultation with Transport Scotland, and; no more than 235 residential units in combined total on the application site and the wider site, subject of planning application no. 20/01030/PM, shall be occupied, unless and until the proposed upgrade of the west-facing slips at Bankton Interchange to type-B parallel-merge diverge (generally as illustrated in WYG's drawing no. SK004) have been implemented to the satisfaction of the planning authority, after consultation with Transport Scotland. The reason would be to mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network. Transport Scotland had confirmed they had no objection to this suggested amendment. Mr Taylor then presented the report, summarising the key points. The report recommendation was to grant consent.

Officers responded to questions from Members. Mr Taylor confirmed that there would be 77 electric vehicle chargepoints in total, and each property would have access to an electric vehicle chargepoint; this would be subject to further discussion with roads services officers. Mr Slater confirmed that the SUDS ponds had been designed in consultation with Scottish Water; a co-factoring agreement was in place for maintenance of the SUDS points between the different developers and Scottish Water.

Bruce Lindsay spoke to the application on behalf of Hargreaves Land. He reassured Members that Plot 11 was entirely in-keeping with the design requirements and aspirations of Blindwells. The 77-unit development would include 23 affordable homes, including a variety of cottage flats and terraced units. He made reference to the modern and post-Covid design of the properties, which would match the design of the town centre.

The Convener moved to the vote on the report recommendation, to grant consent, taken by roll call. This was supported unanimously by the Committee.

DECISION

The Committee agreed to grant planning consent, 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 approved residential units shall be orientated to face the street. Notwithstanding that shown on the docketed site plan where a building is located on a corner of more than one street, it shall have enhanced gable(s) to ensure it has an active elevation to each street it faces;

Reason:

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

- 3 Notwithstanding that which is stated on the drawings docketed to this planning permission, a detailed specification of all external finishes of the houses and flatted block 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 flatted block 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 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 the residential units hereby approved 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.

- 5 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. Such provision shall involve engagement with electricity providers to ensure that the entire electricity supply infrastructure will have sufficient capacity to enable all chargepoints to operate simultaneously.

The installation of all electric vehicle charging points and required infrastructure 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 sustainability.

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

i) a Quality Audit, to include a Road User Safety Audit, shall be submitted for Planning Authority approval prior to the commencement of development to independently assess walking, cycling, access and road safety aspects within and around the development and to provide details of raised tables across the estate roads;

ii) submission for approval of a Residents Travel Pack prior to first occupation of the first dwelling on the site providing information for residents to encourage use of sustainable modes of transport such as trains, buses, cycling and walking. The Residents Travel Pack shall thereafter be provided to the occupants of each new residential unit; and

iii) submission for approval of a Construction Method Statement prior to commencement of any development to provide details of mitigation measures to be implemented during construction works to control noise, dust, construction traffic (including parking, routes to/from site and delivery times) and hours of construction work. Construction of the site shall thereafter be carried out in accordance with the Construction Method Statement so approved.

Reason:

In the interests of pedestrian and road safety.

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

Reason:

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

- 8 Prior to the commencement of any part of the development hereby approved details shall be submitted for the approval of the Planning Authority of foundation or other mitigating works proposed for structures spanning the area of former highwall, as shown on docketed drawing no.17684-WIE-95-ZZ-DR-C-020 P01 titled 'Plot 11 Proposed Layout Showing Highwall Extents'. The details submitted shall include a timetable for the provision of all mitigation works.

The approved foundation or other mitigating works shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of the safety and amenity of future residents and occupiers of the development.

- 9 To ensure that the site is clear of contamination, the following requirements shall be complied with:

*Prior to any works beginning on site (and where risks have been identified), a detailed Remediation Statement shall be produced and submitted for the prior approval of the Planning Authority. The Statement shall show 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. The Statement shall detail all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. It shall also ensure that the site will not qualify as contaminated land under Part2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development. The Statement must be submitted to the Planning Authority for approval;

*Prior to the commencement of any of the new uses hereby approved, and following completion of the measures identified in the approved Remediation Statement, a Validation Report demonstrating the effectiveness of the remediation carried out shall be submitted to and approved by the Planning Authority.

*In the event that 'unexpected' ground conditions (contamination) are encountered at any time when carrying out the permitted development, work on site shall cease and the issue shall be reported to the Planning Authority immediately. At this stage a Site Investigation and subsequent Risk Assessment may have to be carried out, if requested by the Planning Authority. It may also be necessary to submit a Remediation Strategy should the reporting determine that remedial measures are required. It should also be noted that a Verification Report would also need to be submitted confirming the satisfactory completion of these remedial works.

Reason

To ensure that the site is clear of contamination prior to the occupation of any of the buildings.

- 10 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.

- 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 No more than 235 residential units in combined total on the application site and the wider site, subject of planning application no. 20/01030/PM shall be occupied, unless and until the proposed upgrade of the northern and southern roundabouts at Bankton Interchange traffic signal control (generally as illustrated in WYG's drawing no. SK002) have been implemented to the satisfaction of the planning authority, after consultation with Transport Scotland. No more than 235 residential units in combined total on the application site and the wider site, subject of planning application no. 20/01030/PM shall be occupied, unless and until the proposed upgrade of the west-facing slips at Bankton Interchange to type-B parallel-merge

diverge (generally as illustrated in WYG's drawing no. SK004) have been implemented to the satisfaction of the planning authority, after consultation with Transport Scotland.

Reason

To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network.

8. PLANNING APPLICATION NO. 22/00009/AMM: LAND TO SOUTH, EAST, AND WEST WALLYFORD – APPROVAL OF MATTERS SPECIFIED IN CONDITIONS OF PLANNING PERMISSION IN PRINCIPLE 14/00903/PPM – ERECTION OF 90 FLATS AND ASSOCIATED WORKS

A report was submitted in relation to Planning Application No. 22/00009/AMM. David Taylor, Planning Officer, presented the report, summarising the key points. The report recommendation was to grant consent.

Officers responded to questions from Members. Mr Taylor advised that comments from Wallyford Community Council had been made on the basis of the initial submission; since this time, revised layouts had gone some way to address these points. Mr Taylor advised that one four-story block with elevators would be allocated as 'living well' flats for older people. Mr Taylor also advised that bicycle storage within the blocks of flats could be used for mobility scooter storage and charging.

James Fraser and Kevin Scott, representing EMA Architects and applicant Dunedin Canmore respectively, answered questions from Members. Mr Fraser confirmed that parking had been a well-discussed element of the application, and there would be allocated parking for the shops and adequate parking for residents. Mr Scott confirmed that Dunedin Canmore would be the landlord of the 'living well' properties for over-55s. Mr Fraser advised that a designated service corridor would serve the shops; high volumes of deliveries were not expected to the small units. Noise analysis had identified no detrimental effects on residents of the 'living well' block. Mr Fraser advised that the parking had been reconfigured due to concerns that primary school traffic may use the private bays. Signage would also be provided to indicate that parking was for residents only.

Councillor McGinn welcomed the application and the provision of a variety of housing, particularly the 'living well' flats, and the sizes of the various properties. He said it was clear that a new GP and primary care facility was needed in the area, and this development provided such an opportunity. He called upon NHS Lothian to take up the space and encouraged the Scottish Government to fund the NHS Lothian workforce to take pressure off the Riverside Medical Practice in Musselburgh. He would support the application.

Councillor McMillan thanked the applicant and officers for their collaborative working. He highlighted the provision of facilities for vulnerable people, and hoped residents would feel welcomed into the community. He echoed Councillor McGinn's comments regarding the need for services to help establish a sense of place.

Councillor Forrest also echoed Councillor McGinn's comments regarding the need for GP surgery provision. He also welcomed the variety of housing and thought the 'living well' flats would bring a great quality of life to the residents, particularly with shops in such close proximity.

The Convener echoed the comments made by other Councillors, and commented on the quality of the development. He said the council was delivering on the housing and new schools required by the Scottish Government, but it was essential to provide the other

infrastructure required by these communities, such as health facilities. He called upon the Scottish Government to ensure NHS Lothian could staff a primary care facility in Wallyford.

The Convener moved to the vote on the report recommendation, to grant consent, taken by roll call. This was supported unanimously by the Committee.

DECISION

The Committee agreed to grant planning consent, 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 Notwithstanding that which is stated on the drawings docketed to this approval of matters specified in conditions, a detailed specification of materials and finishes to be used on the exterior of the flats hereby approved which shall include samples of the brick to be used on the buildings, and a schedule of all other materials and finishes to be used on the other components of the development, including ground surfaces and boundary enclosures, shall be submitted to and approved by the Planning Authority prior to the materials and finishes being used in the development. The materials and finishes used in the development shall accord with the schedule and samples of them so approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 3 Prior to the occupation of the last flat hereby approved, the proposed access roads, parking spaces and footpaths shall have been constructed on site in accordance with the docketed drawings.

Those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles in connection with the residential use of the houses and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

To ensure that adequate and satisfactory provision is made for access and for off-street parking in the interests of road safety.

- 4 No development shall be commenced on site unless and until written evidence that a contract has been entered into for the provision as affordable housing of all of the 90 flats hereby approved has been submitted to and agreed by the Planning Authority.

Reason:

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

- 5 Prior to the occupation of the flats hereby approved, details, including a timetable for their implementation, showing compliance with the following transportation requirements shall be submitted to and approved in writing in advance by the Planning Authority

(i) all paths and footway connections from the development to adjacent roads shall be constructed to an adoptable standard in accordance with East Lothian Council Standards for Development Roads;

ii) a 1.5 meters wide footpath shall be provided at the northern end of the flatted Block 3 hereby approved;

(ii) details of all the proposed offsite works to include provision of Way finding signage around the site and externally within Wallyford to show active travel routes to the site as well as for those driving;

(iii) details of proposed emergency access strategy.

These transportation requirements shall thereafter be carried out in accordance with the details and timetable so approved.

Reason:

In the interests of road and pedestrian safety.

- 6 Prior to the commencement of development, details of the provision of car charging points and infrastructure for them shall be submitted to and approved in writing by the Planning Authority. No use of the vehicle parking spaces shall commence prior to installation in accordance with details so approved of the car charging points and infrastructure for them unless otherwise approved in writing by the Planning Authority.

Reason:

To minimise the environmental impact of the development.

- 7 Notwithstanding that shown on drawings docketed to this approval of matters specified in conditions, a scheme of landscaping shall be submitted to and approved in writing by the Planning Authority prior to the commencement of development 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

- 8 All of the landscaping as required by condition 8 above shall be implemented, maintained and managed in accordance with management details to be provided by the landscaping scheme unless otherwise agreed in writing by the Planning Authority.

Reason:

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

- 9 Prior to the commencement of development a Gas Risk Assessment shall be undertaken for the site and a Gas Risk Assessment Report shall be submitted which shall include an evaluation of any gas protection measures that may be deemed necessary. Where risks have been identified, a detailed Remediation Statement should 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

If the Gas Risk Assessment identifies that protection measures are required then a Verification Report shall be submitted that demonstrates what protection measures are to be undertaken and a timetable for their implementation. It must be approved by the Planning Authority prior to commencement of the new use of the land and the protection measures shall be implemented as so approved.

In the event that 'unexpected' ground conditions (contamination) are encountered at any time when carrying out the permitted development, and if required further Site Investigations and subsequent Risk Assessment may have to be carried out and if necessary a Remediation Strategy and a Verification Report be submitted confirming the satisfactory completion of these remedial works.

Reason:

In the interests of the amenity of the area.

- 10 Prior to the commencement of the development hereby approved a Stage 1 Road Safety Audit shall be undertaken for the preliminary design of all roadworks, footways and cycle paths to be formed. This process shall be completed through Stages 2, 3 & 4 which are Completion of Detailed Design, Completion of Construction & Post Opening Monitoring using 12 months of validated post scheme opening road traffic collision data - all in accordance with GG119 Road Safety Audit Rev1. The Road Safety Audit to include; the proposed roads, junctions, footways, cyclepaths, pedestrian crossings (including controlled crossing) and double 'D' islands where provided. The findings of the Road Safety Audit shall be submitted for the approval of the Planning Authority prior to the implementation of any outcomes arising from them.

The outcomes of the initial Quality and Safety Audits shall be implemented (including the designers response) through the detailed design stages and the full audit processes (i.e. Safety Audit and Quality Audit) completed through the design and implementation stages - including post construction/opening in accordance with a timetable to be agreed with the Planning Authority in advance of the opening of the convenience store (class 1), mixed use units (class 1, 2 & 3/sui generis) and NHS facility building hereby approved.

Reason:

In the interests of road and pedestrian safety.

- 11 Prior to the commencement of development, a Construction Method Statement which sets out how the impact of construction activity on the safety and amenity of the area will be mitigated shall be submitted to and approved by the Planning Authority.

The Construction Method Statement shall include details of:

- * Mitigation measures to control noise, dust, construction traffic (including routes to/from site and delivery times).
- * Hours of construction work
- * Routes for construction traffic
- * Wheel washing facilities or alternative facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.
- * Temporary measures to control surface water drainage during the construction works.

Wheel washing facilities must be provided and maintained in working order during the period of construction operations at the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

The Construction Method Statement shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

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 and the wheel washing facilities, or any alternative facility so approved, shall be provided and maintained in working order during the period of construction operations at the site.

Reason:

To minimise the impact of construction traffic in the interests of road and pedestrian safety in the locality.

- 12 Prior to the occupation of any of the flats hereby approved, a Travel Plan shall be submitted to and approved in writing by the Planning Authority in consultation with Road Services. The Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site, including the identification of appropriate Safer Routes to School, and will identify the measures to be provided, the system of management, monitoring, review, reporting and duration of the plan.

Reasons:

In the interest of road safety.

- 13 Prior to the commencement of development details of proposed secure cycle parking shall be submitted to and approved by the Planning Authority.

The secure cycle parking shall be formed and made available for use in accordance with the details so approved and thereafter retained in place unless otherwise agreed by the Planning Authority.

Reason:

To ensure the provision of adequate cycle parking on the site

- 14 Prior to the commencement of any part of the development hereby approved, full details of the 3 adoptable and lit footpath links at points between the northern boundary of the application site and the approved footpath network to the south of Wallyford Learning Campus shall be submitted to and approved by the Planning Authority. The 3 footpath links shall follow a route to the north over an area of landscaping linking them to the east/west pedestrian/cycle corridor along the south side of the site of the Learning Campus.

Thereafter and prior to the occupation of any of the flats the 3 footpath links shall be formed in accordance with approved details unless otherwise approved by the Planning Authority.

Thereafter, the 3 footpath links shall be retained in use as adoptable and lit footpath links.

Reason:

In the interests of the safety and amenity of pedestrians and cyclists.

- 15 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.

- 16 The drainage scheme as detailed on drawing number 52001 Revision P02, titled 'Proposed Drainage Layout', docketed to this planning permission shall be formed and available for use prior to any part of the development hereby approved coming into use, unless otherwise approved by the Planning Authority. Thereafter the drainage layout shall be retained unless otherwise agreed by the Planning Authority.

Reason:

To ensure that the site is adequately serviced and that surface water and foul drainage from the site can be accommodated.

Signed

Councillor Norman Hampshire
Convener of the Planning Committee