

REPORT TO: Planning Committee
MEETING DATE: 6 December 2022
BY: Executive Director for Place
SUBJECT: Application for Planning Permission for Consideration

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Application No. **22/00682/AMM**
Proposal Approval of matters specified in conditions of planning permission 21/01580/PM -The erection of primary school and associated works
Location **Blindwells
Tranent
East Lothian**

Applicant East Lothian Council
Per JM Architects

RECOMMENDATION Consent Granted

REPORT OF HANDLING

Although this application is for the approval of matters specified in conditions of planning permission in principle 21/01580/PM it has to be determined as a major development type application because the area of the application site is greater than 2 hectares. Accordingly the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

APPLICATION SITE

This planning application relates to some 4.252 hectares of land at Blindwells. It forms part of a larger area of land allocated by Proposal BW1 (Blindwells New Settlement) of the adopted East Lothian Local Development Plan 2018 for a mixed development including circa 1,600 homes, no less than 10 hectares of serviced employment land, a local centre, education and community facilities, infrastructure and associated works. The current application site occupies a central position within the wider Blindwells site which is currently under development, with the application site being located within the Phase 2 development area. While the area around the application site is currently under development it would be bound to the north by a distributor road which would run east-west within the Blindwells site approved through the grant of planning permission

21/00120/AMM, to the west by an internal link road which would run north-south within part of the Phase 2 (central) part of the Blindwells site approved through permission 21/00120/AMM, to the south partly by a distributor road which would run east-west approved through permission 21/00120/AMM. The stamped approved masterplan for the wider Blindwells site approved through planning permission 21/01580/PM indicates that the area to the south east of the current application site would be the location for the Town Park with the area to the east being indicated as the area for three full size sport pitches within the Town Park. The Town Park and sport pitches are located within the Phase 3 part of the wider Blindwells development site and to date no detailed application for these facilities has been submitted. Any future application for these facilities will be determined on its own merit.

PLANNING HISTORY

Planning permission in principle 14/00768/PPM was granted in May 2018 for the creation of a new settlement that could comprise residential, employment, education and commercial uses with park and ride and rail halt facilities and associated works all on land at Blindwells, which is located in close proximity to the settlements of Prestonpans, Tranent, Cockenzie and Port Seton.

The indicative masterplan approved with planning permission in principle 14/00768/PPM shows how the various components of development could be accommodated on the site including how the site could be accessed at three points from the A198 road, to the west of the application site. It shows how one of the accesses could be taken from the Bankton Interchange, which is at the southwest edge of the site. The northernmost proposed access is shown to involve the upgrading of the existing vehicular access into the site. It is further indicated that the third access could be formed at a central point on the western boundary of the site, in a position opposite an existing vehicular access that serves the former St Joseph's School.

Since the granting of planning permission in principle 14/00768/PPM a number of detailed planning applications and Section 42 applications to vary conditions of planning permission in principle 14/00768/PPM (18/00420/P, 18/00725/AMC, 18/00825/AMC, 19/00242/AMC, 19/00620/AMM, 19/00900/AMM, 19/01068/AMM, 20/01030/PM, 21/00308/AMM, 21/00120/AMM and 21/01580/PM) have been granted for various schemes of development including road infrastructure, landscaping and residential units. These planning permissions have been implemented with road infrastructure including the three access roads off the A198 into the site, landscaping and residential units having been undertaken within the western part of the Blindwells site and a number of residential units are now occupied.

The granting of planning permission 21/01580/PM in varying conditions 1, 13, 30 and deleting condition 31 of planning permission 20/01030/PM had the effect of granting a new planning permission in principle for the Blindwells site through planning permission 21/01580/PM.

The site to which this application relates comprises part of the Phase 2 development area of the BW1 allocation, specifically the site for the proposed new primary school.

PROPOSAL

The approval of matters specified in conditions of planning permission in principle 21/01580/PM is now sought for the erection of a primary school campus and associated works on land within the Phase 2 part of the Blindwells development site and thus on part of the larger site to which planning permission in principle 21/01580/PPM and the

masterplan docketed to that permission apply.

A Design and Access statement submitted by the agent advises that due to the extent of the development plans for the Blindwells site which will take many years to complete, the new school has been designed to be built in 2 phases, the timing of the construction of Phase 2 will depend on how quickly the development build out is achieved by the developers.

The proposed school campus the subject of this current application will form Phase 1 of the school development. Phase 2 will add a third stream to the primary school with an additional 150 pupils accommodated. Any works associated with Phase 2 will be submitted under a separate planning application at the point in time that this development becomes necessary.

The proposed school campus the subject of this current application will form Phase 1 of the school development and comprises a new 14 no. classroom primary school (to cater for 420 pupils), an early years facility/nursery (to cater for 100 2-5 year olds), associated playgrounds, playing fields, car parking and service access, cycle shelters, sprinkler housing, bin storage, boundary enclosures and play equipment. The proposed primary school would be erected on a central part of the Blindwells site. The building would be roughly rectangular in shape. The north elevation of the proposed school would face towards, and would be served by, a new distributor road the details of which have been approved through the grant of planning permission 21/00120/AMM. The proposed school building would be predominately two storeys in height with single storey flat roofed components added to part of its east and west elevations. The north end of the west elevation of the proposed school would contain two main entrances; one serving the primary school component of the building and the other serving the early years facility/nursery component of the building.

The two storey component of the proposed building would comprise a series of 'sawtooth' pitches. Its external walls would be predominately clad in brick with some limited use of rain-screen timber effect cladding. Its north and south facing pitched roof slopes would be clad in aluminium standing seam. It would have aluminium downpipes and gutters. It would also have aluminium framed windows and doors formed within it. Its north facing pitched roof slope would have a number of roof windows formed within it.

The single storey flat roofed components would be predominately clad in facing brick with some parts clad in timber cladding. Their flat roofed tops would be clad in a single ply membrane. They would have aluminium framed windows and doors formed within them.

The proposed school building would contain, at ground floor level, three classrooms (including an additional support needs classroom), a multi-purpose hall and dining area, toilets, changing room facilities, store rooms, a kitchen, staff meeting rooms, staff offices (including Head Teacher Office, School Office, Janitor Office), a reception, medical room, circulation spaces, playrooms and lift and stair access to upper floor. The first floor level of the building would be served by three separate internal staircases and a lift and would contain twelve classrooms, toilets, a deputy head teacher office, a nurture room, a library and a 'movement and dance' room.

The playground areas would be primarily located to the south of the proposed school building and would include various play equipment on hard and soft landscaped areas. Two 2 grass sports pitches would be provided within the southern part of the school site, a basketball court would be provided within the eastern part of the school site, while a five lane 100 metre running track, green gym/activity trail, natural play/activity trail,

outdoor learning/amphitheatre, play mounds, sloping amenity grass, learning/productive growing areas, Additional Support Needs (ASN) garden would all be provided within the school grounds. The boundary perimeters of the site would be landscaped with trees and planting.

A detached single storey flat roofed sprinkler tank building would be located within the northern part of the site adjacent to the northern site boundary. Its external walls would be clad in facing brick and its flat roofed top would be clad in aluminium profiled sheets. A single storey flat roofed bin store, which would be external finished in the same materials as that of the proposed sprinkler building, would be positioned to the east of it.

The proposed school site and its associated playground and grass pitch areas, would be enclosed by a 1.8 metres high, dark grey coloured, metal security fence while a lower 1.2 metre high fence would enclose the early years centre/nursery outdoor playground and the ASN garden. Three gates would be located within the south, west and east 1.8 metre high boundary fence enclosures to provide access for future pedestrian access footpaths into the school site as development of the Blindwells site progresses.

Vehicular access to the proposed school building would be served by the new distributor road to the north of the site approved through the grant of planning permission 21/00120/AMM with access into the site being located within the northeast corner. The car park area would be surfaced in permeable block paving and would provide 32 staff spaces, 3 accessible spaces plus 3 visitor spaces (5 of which would be EV charging bays). A drop off layby for Additional Sport Needs would be provided within the car park area.

The principle pedestrian entrance to the school would be in the north-western corner of the site. Two covered cycle racks would be located adjacent to the main entrance and two cycle racks would be provided adjacent to the future entrance which would be provided on the western boundary.

The submitted drawing titled 'Landscape layout Phase 2' identifies an area to the east side of the proposed school building that could be used in the future to accommodate a school extension(s). It also shows where an additional 10 parking spaces could be provided within the site. This is for indicative purposes only and does not form part of the proposed development the subject of this planning application.

A Drainage Strategy Report, a Flood Risk Assessment, a Transport Statement, an Energy Strategy Summary and a Design and Access Statement have been submitted with this application.

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 the proposed development falls within the category of a Schedule 2 Development, being one that may require the submission of an Environmental Impact Assessment (EIA). Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. The matter of the requirement for an Environmental Impact Assessment (EIA) was considered through the determination of the grant of original planning permission in principle 14/00768/PPM, which includes the provision of a school on the site of the current application. An Environmental Statement considering landscape, transportation, air quality, noise and cultural heritage matters was submitted with original planning permission in principle 14/00768/PPM. The proposal for the school site has not changed significantly from the indicative details provided with planning permission in principle 14/00768/PPM and thus considered in the Environmental Statement submitted with that application. Therefore,

there is no requirement for the proposed school development to be the subject of an EIA.

DEVELOPMENT PLAN

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

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

There are no relevant policies of the approved South East Scotland Strategic Development Plan (SESplan). Relevant to the determination of the application are Proposal BW1 (Blindwells New Settlement), Proposal ED3 (Blindwells Cluster Education Proposals), Policies CH4 (Scheduled Monuments and Archaeological sites), CH5 (Battlefields), DP1 (Landscape Character), DP2 (Design), DP4 (Major Development Sites), DP9 (Development Briefs), SEH2 (Low and Zero Carbon Generating Technologies), T1 (Development Location and Accessibility), T2 (General Transport Impact), T31 (Electric Car and Bus Charging Points), NH10 (Sustainable Drainage Systems) and NH11 (Flood Risk) of the adopted East Lothian Local Development Plan 2018.

Revised Draft National Planning Framework 4 (NPF4) was published by the Scottish Government on the 08 November 2022. The Town and Country Planning (Scotland) Act 1997 (as amended) requires that NPF4 must be approved by the Scottish Parliament before it can be adopted by Scottish Ministers. On adoption the Scottish Government will commence the provisions in the Planning Act which will make NPF4 part of the statutory development plan. The Existing National Planning Framework 3 and Scottish Planning Policy remain in place until NPF4 has been adopted by Scottish Ministers.

REPRESENTATIONS

No letters of written representation have been received to the application.

COMMUNITY COUNCIL

None.

PLANNING ASSESSMENT

The principles of the means of accessing of the proposed Blindwells site are already decided by the grant of planning permission in principle 21/01580/PM. These include that vehicular and pedestrian access to the site shall be taken from the A198 public road to the west of the site as detailed in the indicative masterplan approved through the granting of planning permission 21/01580/PM. This masterplan also provided details of the alignment of the proposed roads to serve the Blindwells site along with areas of housing, a school campus including sports pitches, a local centre, landscaped areas and parks and areas for SuDS.

By the grant of planning permissions in principle 21/01580/PM approval has been given for the principle of the creation of a new settlement that could comprise residential, employment, education and commercial uses with park and ride and rail halt facilities and associated works all on land at Blindwells. There can therefore be no objection in principle to the proposed Primary School associated with the new settlement on the site.

Therefore, in the determination of this application the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the development and the landscaping of the site. In this regard the detailed proposals have to be considered against relevant development plan policy and the indicative masterplan layout and conditions attached to planning permission in principle 21/01580/PM.

The layout proposed through this approval of matters application for the proposed Primary School within the application site is broadly consistent with the indicative masterplan layout docketed to planning permission in principle 21/01580/PM.

Through the previous grant of the aforementioned detailed planning permissions the Phase 1 part of the Blindwells site is underdevelopment with the road infrastructure and landscaping undertaken, houses under construction and a number of houses completed and already occupied. The Phase 1 part of the Blindwells site occupies the western most part of the wider site which provides access into the site in the form of three distributor roads off the A198. Through the grant of planning permission 21/00120/AMM planning permission has been granted for the internal road infrastructure, drainage and landscaping within the Phase 2 part of the Blindwells site. The Phase 2 part of the Blindwells site occupies the central part of the Blindwells site immediately to the east of Phase 1. The internal road infrastructure, drainage and landscaping the subject of planning permission 21/00120/AMM for the Phase 2 part of the site will connect into and continue the road infrastructure, drainage and landscaping approved within the Phase 1 part of the site through the grant of planning permission 19/00620/AMM.

With the proposed Primary School the subject of this current application occupying a central location within the Phase 2 part of the site it will be accessed and served by the road infrastructure approved through the previous grant of planning permission 21/00120/AMM.

As is required by Policy DP4 of the adopted East Lothian Local Development Plan 2018 relevant supporting information in the form of detailed drawings and a Design and Access statement have been submitted to support this major development type application. The Design and Access statement provides a contextual analysis of the site, an explanation of the design concepts and the evolution of the design, the historic context, detailed descriptions of the proposals, including the building, the hard and soft landscaping of the site and the approach to materials, environmental design and accessibility.

In that statement it explains that the new Blindwells primary school and early years facility aims to address the pre-school and primary education requirements arising from the housing development in the Blindwells areas as identified in the adopted East Lothian Local Development Plan 2018. The primary school site is at the heart of the masterplan and will have a key role in the formation of a successful and vibrant neighbourhood acting as an anchor point between the varying character areas and uses across the masterplan.

It seeks to create an inspirational, innovative and collaborative learning environment for the young learners of East Lothian and the wider East Lothian Community. The proposed school would, in accordance with East Lothian Council's education brief, provide a 14no. classroom (2 stream) primary school provision for 420 pupils and a 100 pupil early years facility to cater for 2-5 year olds. The statement explains that it was important that the overall strategy, including the building's location within the site, responded to and integrated with the wider Blindwells masterplan. It has been recognised in the proposals that this site and the school will act as a terminating feature to Princes Park, a linear green corridor within the masterplan. It states that to strengthen the relationship between

the school and the park and to ensure that priority of sustainability and pedestrian and cyclists is conveyed, the car park and drop off areas are minimal and pushed behind the school, hidden from the main frontage. Car parking will also be reserved for staff use only. It also states that the school's sports pitches are located at the southern end of the site, adjacent to the Blindwell's community pitches which offers a comfortable and strong adjacency as well as the opportunity for sharing facilities. Sandwiched between the pitches and the building is the playground, a mixture of hard and soft landscaping with an uncompromised southern aspect.

In terms of design, it states that brick has been chosen as the main material to reference local developments and the historic brick manufacturing within East Lothian's industrial past. The use of the contrasting, pre-cast colonnade and stringer course around the building suitably introduces a contrasting pallet without singling out any separate portions of the building in order to convey a cohesive approach to the 'ownership' of the building and unify the different stages of learning. The pre-cast elements are further enhanced around entrances and feature a timber-effect cladding to create warmth to the entrances and act as a wayfinding tool within the elevation. It also states that brick offers a high quality, long lasting, durable finish that will reduce life cycle costs and minimise maintenance costs. It is also a reusable material which could be recycled in the future, in particular during the phase 2 strategy. The form of the building itself, in particular, the 'sawtooth' roof is another link to the industrial heritage of the area of Blindwells.

It states that the development proposals shall achieve compliance with 'Section 6' of the Scottish Technical Standards and also satisfy the technical requirements of the East Lothian Local development Plan, specifically Policy SEH2 'Low and Zero Carbon Generating Technologies'. The project aspirations are for a Passivhaus principles approach to minimise the building's energy demand.

In conclusion, it states that the design of the school building represents a positive development for the local area, offering a modern, efficient and exciting facility for the future pupils of the school and the wider community groups in and around Blindwells.

The proposed school building would be positioned within the central part of the wider Blindwells site. In such a position, occupying as it would a prominent site adjacent to the new distributor road, Princes Park and the Town Park and in close proximity to the local centre and employment land of the indicative masterplan layout, the proposed school building would be readily visible in public views from within the Blindwells site and also visible in longer views from the A1 trunk road to the south.

The proposed school building would present its main entrance elevation to the west towards an internal link road from which pedestrian and cycling access would be taken while its north elevation would face towards the new distributor road to the north that would provide vehicle access to the staff car park and ASN drop off area.

The proposed school building would be predominately two storeys in height and would have an irregular largely square shaped footprint that would measure at most some 56 metres by 60 metres and some 12.4 metres high to the highest point of its series of 'sawtooth' pitches. It would be of a modern contemporary architectural style and would be of a distinctive architectural form and appearance reflective of its functional purpose as a school and community building at the heart of the new Blindwells new settlement. It would be confident in its design and would have a distinct physical presence within its immediate surroundings.

Due to its footprint size and its proposed height, the proposed school building would be a large building with a noticeable physical presence. However, in its positional relationship

close to the new local centre and employment land and the high/medium density housing indicatively shown to be positioned to the south, west and north of it in the indicative masterplan of planning permission in principle 21/01580/P, the proposed school would be of an acceptable scale and massing for its landscape setting. Due to its height and its positioning relative to neighbouring residential properties the proposed school would not appear harmfully overbearing or dominant when viewed from those neighbouring residential properties.

In such circumstances and by virtue of its height, size, scale, massing and positioning, the proposed school building would sit comfortably in its positional relationship with neighbouring buildings, open spaces in the form of Princes Park and the Town Park and the road network within the site. It would not appear harmfully dominant, intrusive or incongruous within its setting. It would sit comfortably alongside the neighbouring buildings in the locality and would not have a harmfully overbearing effect on those neighbouring properties.

Its palette of external finishes of brick, pre-cast feature elements and timber effect rainscreen cladding for its external walls, single ply roofing membrane for its flat roof sections and aluminium standing seam for its north and south facing pitched roof slopes would be appropriate to its modern architectural style and its functional use as a school and civic building. So too would its aluminium framed windows and glazed doors. A condition can be imposed on a grant of planning permission requiring a schedule or samples of the external materials to be submitted and approved by the Planning Authority prior to their use on the building to ensure they are of a finishing quality and colour appropriate to their surroundings.

Seen as they would be in their immediate relationship with the proposed school building, the proposed hard and soft landscaped play areas, basketball court, 2 grass sports pitches with associated 100m running track, hardstanding areas, cycle shelters, sprinkler housing, refuse storage, boundary fencing and landscaping would not be inappropriate development for a school campus. They would not together with the school building appear harmfully incongruous, exposed or result in an overdevelopment of the land upon which they would be built. They would not be harmful to the character and appearance of the landscape character of the area.

The proposed school building would be positioned on the site such that its windows and glazed doors would be more than 9 and 18 metres away from the gardens or windows of any proposed residential properties within the residential areas shown on the indicative masterplan layout of planning permission in principle 21/01580/P, which would be located to the south, west and north of the school campus. Such separation distances meet the Council's standard of acceptable privacy distances respectively between facing windows and private amenity space and between facing windows in neighbouring properties.

By its positioning, height, orientation and distance away from proposed housing, the proposed school and its associated works would not give rise to harmful loss of daylight or sunlight of any proposed residential properties within the residential areas shown on the indicative masterplan layout of planning permission in principle 21/01580/P.

On all of the foregoing considerations of layout, design and amenity, the proposals are consistent with Proposal BW1 and Policies DP1, DP2, DP4 and DP9 of the adopted East Lothian Local Development Plan 2018 and the Council's approved Development Brief for the BW1 allocation and the indicative Blindwells Masterplan attached to planning permission in principle 21/01580/P.

Transport Scotland have been consulted on this application and advise that they raise no objection to the proposals nor do they have any comments or recommended conditions to be imposed on a grant of planning permission for the proposed development.

The **Council's Flooding Officer** raises no objection to the application and confirms that he has reviewed the updated drainage strategy report and the most recent drainage layout and detail plans. He confirms that a Rainfall Climate Change Allowance of 40% has been incorporated within the report and the associated calculations for attenuation volumes are acceptable. He advises that it would be appropriate for Scottish Water to be kept fully informed of the Drainage Strategy proposed for this site in view of connection to their 'adopted' system within the current Blindwells Masterplan and Overall Site Drainage and SuDS strategies.

Scottish Water have been consulted on this application and raise no objection to it.

The Scottish Environment Protection Agency (SEPA) have been consulted on the application and do not raise any objection to it.

The **Council's Waste Services** raise no objection to this application.

The **Council's Education Service Manager** raises no objection to this application.

Historic Environment Scotland have been consulted on this application and advise that they do not have any comments to make on the proposal. Accordingly, the proposals do not conflict with Policies CH4 and CH5 of the adopted East Lothian Local Development Plan 2018.

The Coal Authority have been consulted on this application and originally objected to it on the grounds that the applicant had not demonstrated that the school building would avoid the high wall of the former surface extraction. However, following the submission by the applicant's agent of a detailed drawing which clearly shows the school development avoiding the highwall of the former surface extraction the Coal Authority were re-consulted on the application and withdrew their original objection. As such the Coal Authority has no objection to the application.

The **Council's Contaminated Land Officer** has reviewed the Geo-Environmental Assessment for the site and has advised that he is satisfied that the reporting has been carried out in accordance with best practice guidelines and the relevant standards. The Council's Contaminated Land Officer agrees with the findings of the report and recommendations. He advises that what is now required is for a Remediation Statement to be submitted detailing the exact measures to be implemented for the site and also confirming the validation procedures to be undertaken in order to verify these measures. On completion of the remedial works and prior to occupation of the dwellings, a Verification Report should be submitted confirming that all remedial measures have been successfully carried out. To this end The Council's Contaminated Land Officer recommends a condition be attached to any grant of planning permission to secure this requirement. This matter can be controlled through a condition of a grant of planning permission.

The **Council's Senior Environmental Health Officer** has commented on the application and raises concerns regarding noise. In relation to noise the Council's Senior Environmental Health Officer advises that there is the potential for noise from plant and equipment used in association with the proposed school to result in harm to the amenity of proposed nearby housing. As such he advises that prior to commencement of development a noise assessment shall be carried out to assess impacts of noise

associated with any proposed plant/equipment serving the school. The assessment report shall also include details of any mitigation measures that may be required to ensure noise associated with any plant and/or equipment does not exceed Noise Rating Curve NR25 at any Octave Band Centre Frequency within any residential property assuming windows within neighbouring sensitive receptor properties are open 50mm for ventilation purposes.

The Council's Senior Environmental Health Officer also advises that there may be impacts from any artificial lighting/floodlights associated with the sports pitches on proposed housing. Accordingly, he advises that a lighting assessment, including an iso-contour plan, be submitted prior to the commencement of development. In particular, he advises that with regards to any artificial lighting/floodlights, it is recommended that light trespass (onto windows) of neighbouring residential properties, 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.

The above matters can be controlled by appropriately worded conditions imposed on the approval of matters specified in conditions for the proposed development. Subject to such control, the proposals do not conflict with Policy NH13 of the adopted East Lothian Local Development Plan 2018.

The **Council's Landscape Officer** has been consulted on this application and has advised he is satisfied with the planting plan detailed and as such raises no objection to the application. It would be prudent to ensure that the proposed planting shown in the submitted planting plan drawing be carried out in the first planting season (between November and February) following the completion of the development. This matter can be controlled by condition on a grant of planning permission.

The **Council's Road Services** state that they are satisfied with the proposals for site access, parking provision (including the number of parking spaces to be provided), servicing and emergency access and manoeuvrability, electric charging and pedestrian and cyclist provision. They also advise that the submitted swept path assessments, quality audit and transport statement are acceptable. They note that the submitted transport statement sets out six recommendations in Section 6 which advise that the following be provided:

- i) signalised crossings of the core road network;
- ii) raised table across the vehicular site access;
- iii) provision of bus stops on the core road;
- iv) TROs in the form of double yellow lines or school keep clear zig-zags and school ahead warning signage;
- v) Adoption of the core roads adjacent to the school;
- vi) Introduction of a Junior Roads Safety Officer Scheme.

Road Services advise that the transport statement makes reference to the works that are required to facilitate the proposed Primary School. The internal site design is such that once the site plan has been formally agreed, this will illustrate the detail of the requirements for active travel modes into the school, vehicular access for staff / visitors and servicing, car and cycle parking (including accessible spaces and electric vehicle charging points). The external infrastructure requirements have been agreed through ongoing discussions and with the Section 42 Phase 2 Infrastructure Application permission 21/00120/AMM and will be formalised in the relevant Road Construction Consents. Notwithstanding this, Road Services recommend that the following planning conditions be attached to any grant of planning permission to ensure the delivery of certain key items:

- i) Prior to the commencement of development an updated Transport Statement with relevant appendices detailing all up to date drawings and plans as development of the site progresses. This should make reference to the modal shift targets of the Travel Plan that will seek to significantly reduce the number of vehicle trips to the Primary School in favour of active and sustainable modes;
- ii) Prior to the commencement of development details of the proposed signalised crossings, raised tables and bus stop locations on the adjacent core road network shall be submitted to and approved by the Planning Authority to ensure the appropriate safe routes to school are catered for;
- iii) Prior to the commencement of development details of the waiting restrictions on the core roads in the vicinity of the school, via an appropriate Traffic Regulation Order, shall be submitted to and approved by the Planning Authority to ensure that direct parent drop off / collection of pupils by car does not take place;
- iv) Prior to the commencement of development details of the electric vehicle charging facilities shall be submitted to and approved by the Planning Authority;
- v) Prior to the commencement of development a Stage 2 Road Safety Audit of the roads directly adjacent to the school, including the vehicular and pedestrian / cycle accesses shall be undertaken and submitted to and approved by the Planning Authority;
- vi) Prior to the opening of the school details of the proposed measures to accommodate the additional support needs for pupils with disabilities who require direct access or supported travel, to include pick-up / drop-off (including parents / carers), shall be submitted to and approved by the Planning Authority;
- vii) Prior to the opening of the school a full Travel Plan document setting out initiatives to encourage active and sustainable travel to the school, shall be submitted to and approved by the Planning Authority;
- viii) Prior to the commencement of development a Construction Method Statement (CMS) to minimise the impact of construction activity on the amenity of the local area shall be submitted to and approved by the Planning Authority. The CMS shall recommend mitigation measures to control noise, dust, construction traffic and shall include hours of construction work, routes for construction traffic and wheel washing facilities or alternative facilities to prevent deleterious materials being carried onto the public road on vehicle tyres. This shall include delivery/access time restrictions to/from the site; periods of potential traffic control and any temporary traffic signals on the public road; details of pedestrian refuge zones and how pedestrian/cycle/vehicle conflicts will be controlled.

Subject to these recommended controls being imposed on a grant of planning permission, the proposals do not conflict with Policies T1 and T2 of the adopted East Lothian Local Development Plan 2018.

At its meeting on Tuesday 27th August 2019 the Council approved a motion declaring a Climate Emergency. Thereafter, at its meeting on Tuesday 3rd September 2019 the Council's Planning Committee decided that a condition requiring a developer to submit for the approval of the Planning Authority a report on the actions to be taken to reduce the carbon emissions from the building and from the completed development should be imposed on relevant applications for planning permission.

This planning application is supported by an Energy Statement Report which outlines the design approach, and the measures to be taken, in order to minimise the carbon footprint and the carbon emissions from the build. The Report sets out how the development proposals shall achieve compliance with 'Section 6' of the Scottish Technical Standards and will also satisfy the technical requirements of Policy SEH2 of the East Lothian Local Development Plan 2018. In addition to the measures detailed in the Energy Statement Report, provision is to be made for Electric Vehicle Charging within the car parking areas

of the site and the **Council's Road Services** have advised they are satisfied with such proposals. Subject to a condition being imposed on a grant of planning permission for this proposed development to ensure that the proposed actions to be taken to reduce the carbon emissions from the building and from the completed development, including the proposals for Electric Vehicle Charging Provision are implemented on site, the proposals are consistent with Policies SEH2 and T31 of the East Lothian Local Development Plan 2018.

In conclusion, the proposals are considered to be in accordance with the provisions of the stated relevant Development Plan policies and there are no material considerations which outweigh the proposals accordance with the Development Plan.

RECOMMENDATION:

That approval of matters specified in conditions for the proposed primary school and its associated works be granted subject to the following conditions:

- 1 No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed primary school and associated structures 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 A schedule of materials and finishes, including their colours, to be used on the exterior of the primary school building hereby approved shall be submitted to and approved in advance by the Planning Authority prior to their use in the development. The colour of the materials and finishes used 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 commencement of development hereby approved, confirmation of Scottish Water's technical approval of the surface water drainage proposals for the development shall be submitted to and approved in advance by the Planning Authority.

Reason:

To ensure that the drainage design can be vested by Scottish Water in the interest of flood prevention.

- 4 Prior to commencement of development a noise assessment shall be carried out and submitted for approval to assess impacts of noise associated with any proposed plant/equipment serving the school. The assessment report shall include details of any mitigation measures that may be required to ensure noise associated with the operation of any plant and/or equipment associated with the operation of the school building hereby approved shall not exceed Noise Rating Curve NR25 at any octave band frequency between the hours of 0700 and 2300 within any neighbouring residential property, with all measurements to be made with windows open at least 50mm.

Reason:

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

- 5 Prior to the installation of any artificial lighting or floodlights being erected to serve the two sports pitches hereby approved, a lighting assessment shall be submitted to and approved in writing by the Planning Authority. The design and construction of any proposed floodlighting shall take account of the Guidance contained within Annex 1 to Appendix 2 of Scottish Government Guidance to Accompany the Statutory Nuisance Provisions of the Public Health etc (Scotland) Act 2008 to ensure that the following criteria be met prior to any external lighting becoming operational:

(i) Light Trespass (onto windows) of neighbouring residential properties, 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.

A Light Spill iso-contour plan shall be provided to ensure the above requirement can be met.

The lighting shall thereafter be maintained as approved unless the Planning Authority given written consent to any variation.

Reason:

To prevent lighting from spilling onto neighbouring land, in the interests of safeguarding the amenity of future occupants of neighbouring residential properties.

- 6 All new planting, seeding and turfing as detailed on drawing numbers 1952-RAF-XX-XX-D-L-01003-PLANTING PLAN-2130 Rev P06 titled 'Planting Plan' and 1952-RAF-XX-XX-D-L-01001-LANDSCAPE LAYOUT P1-2130 Rev P18 titled 'Landscape Layout Phase 1' docketed to this planning permission shall be carried out in the first planting season (between November and February) following the completion of the development hereby approved. Any new trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

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.

- 7 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:

(i) mitigation measures to control noise, dust, construction traffic (including routes to/from site and delivery times);
(ii) hours of construction work;
(iii) routes for construction traffic;
(iv) how building materials and waste will be safely stored and managed on site; and
(v) wheel washing facilities or alternative facilities to prevent deleterious materials being

carried onto the public road on vehicle tyres.

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 and relative to school generated vehicle and pedestrian movements.

- 8 Prior to the commencement of use of the primary school building hereby approved, the proposed access roads, parking spaces, cycle parking 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 use of the primary school building 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 parking in the interests of road safety.

- 9 Prior to the commencement of use of the primary school building hereby approved, a School Travel Plan shall be submitted to and approved in writing by the Planning Authority. The School 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.

The approved School Travel Plan shall be implemented prior to the use of the primary school building.

Reasons:

In the interest of road safety.

- 10 Prior to commencement of development details of the proposed signalised crossings, raised tables and bus stop locations on the adjacent core road network including a timetable for their implementation shall be submitted to and approved by the Planning Authority to ensure the appropriate safe routes to school are catered for.

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.

- 11 Prior to commencement of development details of the waiting restrictions on the core roads in the vicinity of the school, via an appropriate Traffic Regulation Order, including a timetable for their implementation shall be submitted to and approved by the Planning Authority to ensure that direct parent drop off / collection of pupils by car does not take place.

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.

- 12 Prior to commencement of development details of the electric vehicle charging facilities including a timetable for their implementation and availability for use shall be submitted to and approved by the Planning Authority.

The electric vehicle charging facilities shall thereafter be carried out in accordance with the details and timetable so approved and those areas of land shall not thereafter be used for any other purposes than for electric vehicle charging facilities.

Reason:

In the interests of road and pedestrian safety.

- 13 Prior to the commencement of development a Stage 2 Road Safety Audit of the roads directly adjacent to the school, including the vehicular and pedestrian / cycle accesses shall be undertaken and submitted to and approved by the Planning Authority.

Reason:

In the interests of pedestrian and road safety.

- 14 Prior to the commencement of use of the primary school building hereby approved details of the proposed measures to accommodate the additional support needs for pupils with disabilities who require direct access or supported travel, to include pick-up / drop-off (including parents / carers), shall be submitted to and approved by the Planning Authority.

Reason:

In the interests of pedestrian and road safety.

- 15 Prior to any works beginning on site (and where risks have been identified), a detailed Remediation Statement should be produced that shows 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 should detail all works to be undertaken, proposed remediation objectives and remediation criteria as well as details of the procedures to be followed for the verification of the remedial works. It should 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.

The approved Remediation Statement must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the agreed remediation. Following completion of the measures identified in the approved Remediation Statement, a Validation Report should be submitted that demonstrates the effectiveness of the remediation carried out. It must be approved by the Planning Authority prior to the use of the new development.

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.

If no 'unexpected' ground conditions are encountered during the development works, then this should be confirmed to the Planning Authority prior to the use of the new development.

Reason:

To ensure that the site is appropriately remediated and is clear of any contamination found to be present prior to the use of the building approved.