

REPORT TO: Planning Committee
MEETING DATE: 10 January 2023
BY: Executive Director for Place
SUBJECT: Application for Planning Permission for Consideration

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Application No. **22/00180/PM**

Proposal Erection of school/children's nursery and associated works

Location **Whitecraig Primary School and Land to the South West of
Whitecraig Primary School
Whitecraig
Musselburgh
East Lothian
EH21 8NG**

Applicant East Lothian Council

Per East Lothian Council

RECOMMENDATION Consent Granted

REPORT OF HANDLING

DESCRIPTION OF APPLICATION

As the area of the application site is greater than 2 hectares, the development proposed in this application is, under the provisions of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, defined as a major development and thus it cannot be decided through the Council's Scheme of Delegation. The application is therefore brought before the Planning Committee for a decision.

As a statutory requirement for major development proposals this development proposal was the subject of a Proposal of Application Notice (Ref: 21/00006/PAN) and thus of community consultation prior to this application for planning permission being made to the Council. Community consultation was undertaken in accordance with the Scottish Government's temporary requirements on pre-application consultations for public events during the coronavirus (covid-19) emergency.

As an outcome of that, and as a statutory requirement for dealing with major development type applications, a pre-application consultation report is submitted with this

application. The report informs that the consultation process included an online public consultation 'drop-in' event on 26th November 2021 between 12 noon and 2.00pm. The event was advertised via social media and notices were placed in the East Lothian Courier on 4th November 2021, and A4 poster notices were placed within local civic centres across the greater Musselburgh area from 1st November 2021. The report advises that, following the public event, on 29th November 2021, the public consultation slides were made available to view on the East Lothian Citizen Hub Space and that social media notices were issued on that day inviting members of the public to return their feedback by 10th December 2021 with responses to be sent to a project dedicated email address. The Report informs that only one person attended the online public consultation event. The report further informs that the feedback was collated and the main issues raised in the feedback included:

Positive response that the project was drawing inspiration from the village's mining heritage;

A safer signalised pedestrian and cyclist crossing along Whitecraig Road was felt necessary;

A link-up between the future school and the recently opened Community Centre would be great to establish;

2-3 year olds identified as the part of the community in particular need, including establishing what access to early years centre could be provided for community day care, parents and toddler group and how this could be linked with the facility currently provided at the Community Centre, and to include outdoor provisions and spaces; and
New school feels like a considerable upgrade on the current facilities and would be greatly welcomed by the community.

Based on the response received to the public consultation event, the following have been incorporated into the development proposals:

To improve pedestrian and cyclist safety, a four-way signalised junction with Whitecraig Road has been proposed;

The landscaping proposals include a series of different outdoor play spaces to be provided within the early years garden and primary school playground to future proof the space for a multitude of school and community user group needs and requirements; and

A community entrance is included on the northeast façade of the proposed school building. This door would be operated on a control managed basis to allow access for pre-confirmed Community User Groups at times and days of the week to be agreed by East Lothian Council Education.

The development for which planning permission is now sought is of the same character as that which was the subject of the community engagement undertaken through the statutory pre-application consultation of the proposal.

The application site is an area of some 2.33 hectares of land, including the existing Whitecraig Primary School campus, a narrow strip of land to the southwest of the existing school campus, and a part of the A6094 classified public road including the existing roundabout located to the northwest of the existing school campus. The majority of the site is presently in use as the existing Whitecraig Primary School and its playgrounds, playing fields and associated hardstanding areas. The narrow rectangular shaped area of land of the application site, which is attached to the southwest side of the existing school campus site, and is presently agricultural land, along with a further area of land to the southeast along the southwest side of the playing fields that are located to the southeast of the school campus site is allocated by Proposal (PROP) MH15 (Whitecraig Primary School Expansion Land) of the adopted East Lothian Local Development Plan 2018 (ELLDP) as expansion land for Whitecraig Primary School.

The application site is bounded to the north/northwest by a combination of the A6094 classified public road known as Whitecraig Road, commercial and residential properties on the south and north sides of that public road, and a woodland area, including part of the Dalkeith House (Palace) Inventory Garden and Designed Landscape, the River Esk Special Landscape Area, and part of the Edinburgh Green Belt. To the east/northeast are residential properties of Whitecraig Crescent. To the southeast are a recreation ground and playing fields. To the west/southwest the site is bounded by a combination of the A6094 classified public road and further agricultural land that is allocated by Proposal (PROP) MH13 (Land at Whitecraig South) of the adopted East Lothian Local Development Plan 2018 (ELLDP) for a mixed use development including homes, a small local centre, the expansion of the primary school campus and provision of other community uses, infrastructure and associate works.

The land of the site is generally level, although there is a slight downwards slope towards the northwest corner of the site. The existing school buildings, playgrounds and car parking area are positioned on the east/northeast half of the site, with the playing fields located on the western half of the site. There is a row of existing trees along the southwest boundary of the existing school campus, further trees, shrubs and hedging on parts of the north/northwest area of the site and on parts of the north/northwest boundary of the site, and to the south and southeast of the existing school buildings.

The properties of St John's Church, and Nos. 95A, 95B, 97-99 and 101-105 Whitecraig Road, located to the north of the application site are identified as being within the Local Centre of Whitecraig.

The application site is part of the designated area of Pinkie Battlefield. It is also part of a larger area that is identified by the Coal Authority as being potentially at high risk from past mining related activity. Although the majority of the application site is already in use as the existing Whitecraig Primary School campus, all of the land of the application site (including the existing school campus and the additional narrow strip of land to the southwest of it) is defined by the Macaulay Capability for Agriculture (LCA) classification system as being Land Capable of Supporting Arable Agriculture Class 2, that being prime agricultural land capable of being used to produce a wide range of crops. A small part of the northwest part of the site, being part of the A6094 classified public road, is identified as being at medium to low risk of river flooding, and in addition parts of the northwest area of the site and parts of the eastern half of the site are identified as being susceptible to surface water flooding.

Outwith the site to the northwest on the opposite side of the A6094 classified public road is agricultural land and woodland, including part of the Dalkeith House (Palace) Inventory Garden and Designed Landscape, the River Esk Special Landscape Area, part of the Edinburgh Green Belt and local biodiversity sites.

A core path passes across the northwest part of the site, being that part of the site which includes the roundabout junction and footpaths of the A6094 classified public road and along the footpath on the south side of the A6094 classified public road to the north of the site along Whitecraig Road.

The application site, and wider areas of land to the northwest of the site, is identified as being part of the Green Scotland Network.

The northwestern part of the application site, being that part of the site which includes the public road on the north side of the roundabout junction of the A6094 classified public road, is within an area identified as being of residential character and amenity.

A low pressure gas main is identified as being in the public road on the north side of the roundabout junction of the A6094 classified public road.

The application site is within the Edinburgh Airport Safeguarding Zone identified by Local Development Plan Policy OI3.

PROPOSAL

Detailed planning permission is sought for the erection of a new 8 classroom Primary School building with integrated Early Years Centre. The proposed new school would replace and expand the existing Primary School to accommodate growth in the area, as well as enhancing community facilities. The proposed new school is designed to initially accommodate 8 classrooms with the capacity to increase to 10 classrooms over time. It would incorporate an Early Years Centre and is envisaged to be an integrated facility within the area; an educational facility that will also provide community learning. The proposed Primary School building with integrated Early Years Centre will include a multi-purpose hall and resource centre. Detailed planning permission is also sought for associated playgrounds, an artificial sports pitch, car parking and service access, electric vehicle chargers, cycle shelters, sprinkler housing, air source heat pump compound, bin storage, boundary enclosures, play equipment, landscaping and SUDS.

The proposed Primary School with Early Years Centre building would be erected on the west part of the site. The building would have a rectangular shaped footprint and would be predominantly two storeys in height, with a roof ridge height of some 12.1 metres above ground level. In order to break up the massing of the building it has been designed as a series of rectangular shaped forms. Four of the rectangular shaped components would be of equal size and would have dual pitched roofs and two narrower rectangular forms would have flat roofs. The roof ridges of the dual pitched roofed parts of the proposed building would run on a northwest to southeast alignment. On the southeast side of the proposed building there would be two components at single storey height with a roof terrace on top of each of them which would form outdoor classroom areas. There would be a further single storey component at the northeast corner of the proposed school building. The walls of the building would primarily consist of a charcoal grey coloured brick with the upper levels around the single storey components proposed to be clad with a 'copper' coloured Rainscreen exterior cladding board. The same 'copper' coloured Rainscreen exterior cladding board would be used as accent detail at ground floor level elsewhere on the building and 'copper' coloured picture framing would be used on the surround of some of the windows. The dual pitched roofs would be clad with PVC Plastisol coated, boxed profile, Trapezoidal metal roofing sheet in 'black' and flat roofed areas would be finished with a single ply roofing membrane. Large, aluminium framed glazed openings are proposed across the building. The curtain walling and frames of the windows and the external doors would be coloured 'black'. Some of the flat roofed areas of the building would accommodate plant with associated safety barriers.

The building is designed and positioned with its principal entrance on its southwest side addressing its car park and a pedestrian access plaza that would in the future lead from the future Whitecraig South development to the southwest (ELLDP Proposal PROP MH13). It would also have a secondary entrance on its northeast side addressing the access from the existing community and a further access to the Early Years Centre on its northwest elevation. The principal entrance is designed to be approached from the staff and visitor car park on the northwest part of the site, which itself is accessed directly from the A6094 classified public road. The building is arranged over two storeys with classrooms, nursery/Early Years accommodation and multi-purpose hall positioned around the outer edges of a central double height atrium area comprising resource

centre and dining room area.

The playground areas would be primarily located to the south and part southeast and southwest sides of the proposed school building away from vehicular access routes. The nursery/Early Years playground and garden would be located to the north of the proposed building. The playground areas would include a variety of outdoor play equipment, as well as covered play, outdoor classroom space, games court, equipment storage and an ASN Garden. The artificial sports pitch would be located on the eastern part of the site.

The majority of the existing row of trees along the southwest boundary of the existing school site would be removed to facilitate the erection of the new school. At its southern end, five trees of that row of trees would be retained. Existing trees on the north, south and east parts of the site would be retained. A new tree belt would be planted along the southwest boundary of the new school site and further tree planting and other landscaped areas would be provided throughout the site.

The main vehicular access to the proposed school and Early Years Centre would be taken from the A6094 classified public road (Whitecraig Road). A new access would be formed on the south side of the existing roundabout. To facilitate this the existing roundabout would be removed and a new four-way signalised junction would be formed with the vehicular access to the school being the southern arm of that new junction. The existing vehicular access to the school, which is located between St Johns Church and Nos. 101 to 105 Whitecraig Road, would be retained as a secondary staff and service vehicular access to the school site.

The main vehicular access from the southern arm of the new four-way signalised junction would lead to the main school car park to be formed on the northwest part of the school site. A total of 29 vehicle spaces, including accessible spaces are to be provided in this car park. Four of those spaces, including two accessible spaces, are to be equipped with Electric Vehicle (EV) charging infrastructure. The accessible vehicle spaces would be located closest to the principal school entrance. The secondary staff and service vehicular access would lead to a small 8 vehicle space car park, the kitchen entrance, bin storage area, air source heat pump and sprinkler tank enclosures. Secure and covered cycle parking facilities for staff, pupils and visitors would be located on the south side of the main car park and to the east side of the proposed school building between it and the pedestrian access from Whitecraig Crescent to the east.

Pedestrian access into the site would be from the east from Whitecraig Crescent and from the north from the A6094 classified public road. The arrival plaza on the west side of the proposed school would provide pedestrian and cycle access from the main school car park and in the future would provide a pedestrian/cycle access from the future Whitecraig South development to the southwest.

As well as detailed architectural and landscape architecture drawings, the application is also supported by, amongst other documents, a Transport Assessment, a Sustainability Planning Statement, a Flood Risk Assessment, an Engineering Report including drainage strategy, Ground Investigation and Remediation Strategy Reports, a Road Safety Audit, a SUDS Design Statement, a Landscape Design Statement, a Design and Access Statement, and a Schematic Drainage Layout.

Since the registration of the application a number of non-material amendments have been made to the proposals resulting in revisions to hard and soft landscaping proposals, and revisions to the design and finishing of parts of the proposed building.

In addition, the proposed sprinkler tank enclosure has been relocated to the northeastern part of the site and an air source heat pump enclosure has also been added on the northeastern part of the site adjacent to the proposed sprinkler tank enclosure. These two enclosures would be positioned close to the north boundary of the site and immediately to the south of existing residential properties. The relocation of the sprinkler tank enclosure and the addition of the air source heat pump enclosure was a significant change to the application and because of this the application was again advertised and the neighbours were again notified.

To facilitate the erection of the proposed Primary School building with integrated Early Years Centre, the existing 5 classroom school would be demolished and removed. The proposed replacement school building is positioned on the site so as to allow the existing school to continue to be used during the construction of the proposed new Primary School building with integrated Early Years Centre, thereby reducing the disruption to the existing school.

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 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 2017 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. On 29 July 2021, the Council issued a formal screening opinion to the applicant. The screening opinion concludes that it is East Lothian Council's view that the proposed development is not likely to have a significant effect on the environment such that consideration of environmental information is required before any grant of planning permission. It is therefore the opinion of East Lothian Council as Planning Authority that there is no requirement for the proposed new Primary School building with integrated Early Years Centre 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 Edinburgh and South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Development Plan 2018 (ELLDP) together with its adopted supplementary guidance.

The purpose of the approved Edinburgh and South East Scotland Strategic Development Plan (SESplan) is to set out the strategic planning framework to assist preparation of local development plans. Its policies are strategic in nature and have been transposed into LDPs. Therefore they are not generally used in the assessment of individual planning applications.

Policies SECF1 (Safeguarded Education and Community Facilities), RCA1 (Residential Character and Amenity), T1 (Development Location and Accessibility), T2 (General Transport Impact), T4 (Active Travel Routes and Core Paths as part of the Green Network Strategy), T31 (Electric Car & Bus Charging Points), DC7 (Development in the Edinburgh Green Belt), DC9 (Special Landscape Areas), DC10 (Green Network), SEH2 (Low and Zero Carbon Generating Technologies), W3 (Waste Separation and Collection), W4 (Construction Waste), NH7 (Protecting Soils), NH8 (Trees and Development), NH10 (Sustainable Urban Drainage Systems), NH11 (Flood Risk), NH13 (Noise), CH4 (Scheduled Monuments and Archaeological Sites), CH5 (Battlefields), CH6

(Gardens and Designed Landscapes), DP1 (Landscape Character), DP2 (Design) and DP4 (Major Development Sites) are relevant to the determination of the application.

Proposals (PROP) MH13: Land at Whitecraig South, MH15: Whitecraig Primary School Expansion Land and ED1 (Part C) are relevant to the determination of the application.

Also relevant to the determination of the application is the Council's approved non-statutory Supplementary Planning Guidance (SPG) document on Sustainable Drainage Systems (SuDS) and on Special Landscape Areas.

Also material to the determination of the application is the approved development brief for Proposals MH13: Whitecraig South and MH15: Whitecraig Primary School Expansion Land. The development brief sets out the land uses expected for the allocated site and how the Council requires the site to be developed.

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.

Also material to the determination of the application is Scottish Planning Policy: June 2014.

Paragraph 80 of SPP states that development on prime agricultural land should not be permitted except where it is essential:

- o as a component of the settlement strategy or necessary to meet an established need, for example for essential infrastructure, where no other suitable site is available; or
- o for small-scale development directly linked to a rural business; or
- o for the generation of energy from a renewable source or the extraction of minerals where this accords with other policy objectives.

SPP also states that planning authorities should protect archaeological sites and monuments as an important finite and non-renewable resource and preserve them in situ wherever possible. Where in situ preservation is not possible, planning authorities should, through the use of conditions or a legal obligation, ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. Planning Advice Note 2/2011: Planning and Archaeology similarly advises.

REPRESENTATIONS

One representation has been received to the application. That representation neither objects to nor supports the proposed development, rather it comments that existing road side parking for existing properties on Cowpits Road would be lost when the existing roundabout is change to a four-way signalised junction, which would result in 15m parking restrictions on all approaches to the new junction.

COMMUNITY COUNCIL

Whitecraig Community Council have been consulted on the application however no response has been received from them.

PLANNING ASSESSMENT

The primary material consideration in the determination of this application is whether or not the proposed development accords with development plan policies and other supplementary planning guidance and if not, whether there are material considerations that outweigh any conflict with the development plan and other supplementary planning guidance.

East Lothian Council adopted its Local Development Plan on 27 September 2018. The ELLDP sets out a development strategy for the future of East Lothian to 2024 and beyond, as well as a detailed policy framework for guiding development. It sets out the Council's settled view of where new development should and should not occur, including housing, education, economic and retail development, new transport links, and other infrastructure.

The land of the application site is either already in use as part of the existing Whitecraig Primary School campus (Policy SECF1) or is land allocated within the ELLDP for the expansion of that existing school campus (Proposals (PROP) MH13 and MH15). Thus, the land of the application site is an allocation of the ELLDP which provides part of the plan's strategy. As the application site is identified in the ELLDP as being safeguarded for education and for education expansion, there cannot in principle be any objection to the erection on the land of the application site of a new/replacement school to serve the Whitecraig community, and thus the development of the land the subject of this application for a new/replacement school is, in principle, in accordance with Proposals (PROP) MH13 and MH15, and also with Policy SECF1, which safeguards land allocated for education and community facilities for such uses, and Proposal (PROP) ED1 (Part C) which states that the Council will provide additional pre-school and primary school campus land at Whitecraig Primary School as part of the allocation to the west of the existing campus.

The land of the application site is defined by the Macaulay Capability for Agriculture (LCA) classification system as being Land Capable of Supporting Arable Agriculture Class 2, that being prime agricultural land capable of being used to produce a wide range of crops. Policy NH7 of the ELLDP states that development on prime agricultural land will not be permitted unless in the particular circumstances listed in the Policy. One of those circumstances is if it is to implement a proposal of the plan, which this application is. The proposal does not therefore conflict with Policy NH7 of the adopted ELLDP or with SPP on development on prime agricultural land.

A small part of the northwest part of the site, being part of the public road on the north side of the roundabout junction of the A6094 classified public road, is within an area identified as being of residential character and amenity by ELLDP 2018 Policy RCA1. That part of the site would remain in use as part of the public road and footpath and thus would not conflict with ELLDP 2018 Policy RCA1.

As is required by ELLDP Policy DP4 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 is explained that design objectives of the proposed replacement school are to create an architectural project that responds to its context, responds to the

language of its local history, provides thermal efficiency through form factor, is environmentally responsive, adopts a holistic design solution, creates inspiring places to learn, had articulated elevations, adopts a creative landscape approach and is a safe place to play.

The statement explains that the building has been positioned so as to improve connection to the existing community and to also allow connectivity to the adjacent future site of the Whitecraig South development. It is explained that the building has been designed to take note of the local character and history, using the language and materiality of colliery architecture within the building form and material palette but applying a modern twist and that this has resulted in a building with bold and distinctive features but with a simple materials palette. The statement explains that the geometry and massing of the building reflect the forms and articulation of colliery architecture attributed to Whitecraig's past and the charcoal and contrasting copper colours of the external finishes are representative of industrial materials, such as coal and copper. It is explained that the approach taken is to create a simple, elegant yet bold building which embodies a strong sense of identity; a robust, durable building acting as a focal point within a central location of the expanded Whitecraig community. The statement goes on to explain that, for the user, the building is designed to provide a warm and welcoming environment from which all points of the building can easily be orientated and accessed.

The statement further explains that the strategy for delivering the new Whitecraig Primary School revolves around the ability to be able to keep the existing school running during the construction phase in order to minimise disruption to the community. To this end, the works would comprise two phases: Phase 1 construction works on the new school building, car park and playground on the southwest part of the site, and Phase 2 upon occupation of the new school building the demolition of the existing school and the completion of the remainder of the works on the eastern part of the site.

The buildings in the surrounding area are predominantly residential properties and are predominantly two storeys in height with dual pitched and piended or gabled roof forms. They are predominantly finished in render with natural slate, plain red clay tile or concrete tile roofs. Some of the buildings have front facing projecting gable details and some have brick or stone architectural details. To the north of the application site is the building of the former St Johns Church, which is no longer in active use as a church. That building is a high single storey structure with white rendered walls, a natural slated dual pitched roof and stone window and door surrounds. Further east on the north side of Whitecraig Road are contemporary single storey large commercial premises. The existing school building is two storey and single storey in height with a combination of dual pitched and flat roofs. It is finished externally in a red/brown brick with brown painted timber board cladding detail.

In all of this, there is a mixed architectural form, and there is little uniformity or contextual cues from which the proposed building can take reference.

Although set back from the public road, the proposed school would occupy what is at present a prominent position on the western approach into Whitecraig, and would at present be prominent in approaches from that direction. In time, however, once the Whitecraig South development is completed, the proposed school would be bounded on its south/southwest side by further mixed use development.

The proposed new/replacement school would be predominantly two storey in height with some single storey components, and at a maximum height of some 12.1 metres from its roof ridge to ground level, the proposed school building would be higher than the surrounding and nearby buildings. It would have a roughly rectangular shaped footprint

measuring some 45 metres by some 48 metres. Due to its footprint size and its proposed height, the proposed school building would be a large building with a noticeable physical presence, and would introduce a significant built form into the landscape of the surrounding area. Furthermore, by the nature of its proposed use and functionality, the proposed school building would not be a small building. However, the proposed school building has been designed as a series of rectangular shaped forms and this form and design helps to break up the massing of the proposed building. Although the proposed school building would be readily visible in the approaches from the west, it would be set back from the adjacent public roads of Whitecraig Crescent, Whitecraig Road and the A6094, and on its north and east sides it would be positioned behind the existing buildings that respectively front onto Whitecraig Avenue and Whitecraig Crescent, in a not dissimilar manner to that of the positioning of the existing school. In all of this, although the proposed school building would be a significant structure that would be of a greater scale and massing than the existing houses and buildings in the surrounding area, by virtue of its height, scale, massing, architectural form and positioning, the proposed school building would not appear overly dominant and intrusive within the streetscape, and would not have such a presence as to appear harmfully obtrusive in its setting or so as to be harmful to its landscape setting but rather it would sit comfortably alongside the existing houses and buildings of this western part of Whitecraig, and would act as a focal point within this part of the community. In time, with the development of Whitecraig South to the southwest/southeast of the application site, and in its position to the south of the local centre of Whitecraig, the proposed school building, the existing local centre to the north of it, and the playing fields to the southeast of it would be a central location within the community of Whitecraig.

Due to its height and its positioning relative to neighbouring residential properties the proposed school building would not appear harmfully overbearing or dominant when viewed from those neighbouring residential properties.

In all of these considerations, by virtue of its height, size, scale, massing and positioning, the proposed school building would sit comfortably in its positional relationship with neighbouring buildings and roads. 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.

The Commission for Architecture and Built Environment report 'Creating Excellent Primary Schools: a guide for clients' states that "well-designed buildings lift the spirits and aspiration of everyone who uses them and provide facilities that are fit for purpose, inclusive and built to last".

The proposed school building 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 with early years centre. It would be confident in its design and would have a distinct physical presence within the streetscape appropriate to a school building.

Its palette of external finishes of brick, 'Rainscreen' exterior cladding board, metal roof cladding, curtain walling (as relevant) for its external walls and roofs, and aluminium framed windows and doors would be appropriate to its modern architectural style and its functional use as a school building. Although the use of a dark charcoal grey brick and 'copper' coloured 'Rainscreen' cladding board for the finishes of the external walls and black roof cladding are significantly different from any materials or colours in the locality, those proposed materials and colours would contrast harmoniously with the existing external finishes and colours of the nearby and neighbouring buildings. Furthermore, it is

not uncommon for school buildings to use both distinctive design and colours in their architectural form and appearance. A planning condition can be imposed requiring a schedule and/or samples of the external materials to be approved by the Planning Authority in advance of their use on the building to ensure they are of a finishing quality and colour appropriate to their surroundings.

By virtue of its size, height and its contemporary architectural design and appearance, the proposed school building would have a distinct physical presence within the streetscape. It would contrast harmoniously with the surrounding architecture and would nonetheless be appropriate to its location. It would add, in a complementary way, to the variety of architectural form and design of Whitecraig. Consequently the proposed school building, by virtue of its architectural form, design and external finishes would not look out of place in the streetscape. It would not appear harmfully incongruous, exposed or an over development of the land upon which it would be built. By its positioning, design, architectural form and finishing materials, the proposed school building would not be harmful to the character and appearance of the area.

Seen as they would be in their immediate relationship with the proposed school building, the proposed playgrounds, playing fields, associated hardstanding, cycle shelters, sprinkler housing, air source heat pump enclosure, boundary fencing and walls, and landscaping would not be inappropriate development for a school campus. They would not, together with the proposed school building, appear harmfully incongruous, exposed or an over development of the land upon which they would be built. They would not be harmful to the character and appearance of the area.

The proposed school building would be positioned on the site such that its windows and glazed doors would be more than 18 metres away from the boundaries of the site and thus so that its windows and glazed doors would be more than 9 metres and more than 18 metres away from the gardens or windows of any existing or proposed residential properties. 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 existing buildings and houses, the proposed school and its associated works, including cycle shelters, sports pitches, refuse storage, sprinkler housing and air source heat pump compound, would not give rise to harmful loss of daylight or sunlight to any neighbouring existing or proposed residential property.

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, including but not exclusively roof mounted plant and equipment, the sprinkler tank and air source heat pump enclosures, to result in harm to the amenity of nearby housing. As such he advises that a condition should be imposed requiring that 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. This matter can be controlled through a condition of a grant of planning permission. Subject to such control, the proposals do not conflict with Policy NH13 of the adopted East Lothian Local Development Plan 2018.

The Council's Senior Environmental Health Officer also advises that there may be impacts from artificial lighting/floodlights associated with the sports pitches on the

existing housing to the north, northwest, northeast and east. A lighting assessment has been submitted with the application. The Council's Senior Environmental Health Officer advises that with regards to 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 Senior Environmental Health Officer advises that he is satisfied that the submitted lighting assessment demonstrates that the daytime criteria (07.00 to 23.00 hours) of 10 Lux will be met however the night time criteria (23.00 to 07.00 hours) of 2 Lux may not be met. Therefore, he recommends that a condition be imposed to restrict the operation of the floodlights to that they would only operate between 07.00 to 23.00 hours on any day. This matter can be controlled through a condition of a grant of planning permission.

On these foregoing amenity considerations, the proposed school building and its associated structures, by virtue of their size, height, layout, design and orientation, would have no significant harmful impact on the privacy or residential amenity of the occupants of adjoining residential properties.

On all of the foregoing considerations of layout, design and amenity, the proposals are consistent with Policies DP1, DP2, DP4 and NH13 of the adopted East Lothian Local Development Plan 2018.

Historic Environment Scotland have been consulted on the application and have no comment to make regarding the potential impact of the proposals on the designated area of the Battle of Pinkie or Dalkeith House (Palace) Inventory Garden and Designed Landscape.

The Council's **Archaeology Officer** advises that although the application site is within the area designated for the Battle of Pinkie, it lies at the very edge of the designated area and not in an area considered to be where fighting occurred. Furthermore, the proposed development would be viewed in the context of the existing built form of Whitecraig and would not impact on the character or understandability of the battle landscape. The Archaeology Officer goes on to comment that given that the majority of the proposals lie within the area of the existing school grounds, which have previously been developed and landscaped there is a relatively low potential for buried remains to be uncovered. Accordingly, the Archaeology Officer raises no objection to the proposals.

As sympathetic development within the urban envelope of Whitecraig and within the allocated expansion of Whitecraig through the ELLDP 2018, the proposed school and associated development would not have a significant adverse affect on the key features of Pinkie Battlefield or archaeological assets, and would not conflict with Policies CH4 and CH5 of the adopted East Lothian Local Development Plan 2018, Scottish Planning Policy: June 2014 and PAN 2/2011: Planning and Archaeology.

As sympathetic development within the urban envelope of Whitecraig and within the allocated expansion of Whitecraig through the ELLDP 2018, the proposed school and associated development would not have a significant adverse affect on the landscape setting of Dalkeith House (Palace) Inventory Garden and Designed Landscape and thus would not conflict with Policy CH6 of the adopted East Lothian Local Development Plan 2018.

Only a very small part of the public road of the A6094, being part of the northwest part of the application site, is identified as being within the Edinburgh Green Belt. That part of the site would continue to be used as part of the public road through changes to the existing roundabout junction to form a four-way signalised road junction. Such works to

the public road are required as part of the proposed development to improve vehicular and pedestrian access to the proposed new/replacement school. They would not change the relationship between this part of the Edinburgh Green Belt and the built form of Whitecraig. Accordingly, the proposed development would not harm green belt objectives or the character or appearance of the local area, and would not conflict with Policy DC7 of the adopted East Lothian Local Development Plan 2018.

As sympathetic development within the urban envelope of Whitecraig and within the allocated expansion of Whitecraig through the ELLDP 2018, the proposed school and associated development would not conflict with the Statement of Importance of the Esk Valley Special Landscape Area and would not harm the special character of the area or the setting of the Esk Valley Special Landscape Area. Accordingly, the proposed development would not conflict with Policy DC9 of the adopted East Lothian Local Development Plan 2018.

The application site, and wider areas of land to the northwest of the site, is identified as being part of the Green Scotland Network (GSN). The GSN aspires that "by 2050 Central Scotland has been transformed into the place where the environment adds value to the economy and where peoples' lives are enriched by its quality", improving connectivity, growth, balance, active travel, belonging and nature. Although within what is identified as being the GSN, the existing school site is not publicly accessible and nor would be the proposed school site. The development briefs for the school expansion (Proposals MH13 and MH15) do not specifically identify the land of the school expansion site as being required to deliver part of the GSN. Nor does the GSN specifically identify green network measures that are required to be delivered on the land of the application site. The existing core footpath that passes across the northwest part of the application site and along Whitecraig Road to the north of the application site would be retained and available for use. The proposed development includes a variety of landscape planting including of the SuDS area on the northwest part of the site and along the southwest boundary of the site all of which would, in time, contribute towards green infrastructure on the school site. Accordingly, the proposed development does not conflict with Policies DC10 and T4 of the adopted East Lothian Local Development Plan 2018.

The core footpath that passes across the northwest part of the site, being that part of the site which includes the roundabout junction and footpaths of the A6094 classified public road and along the footpath on the south side of the A6094 classified public road to the north of the site (Whitecraig Road) would remain available through the development proposals. Thus, the proposals would not conflict with Policy T4 of the adopted East Lothian Local Development Plan 2018.

The Council's **Access Officer** has been consulted on the application and has no comment to make regarding the proposals.

The proposals include the provision of a new vehicular access to the proposed school that would be taken from the A6094 classified public road (Whitecraig Road). The existing roundabout junction would be removed and a new four-way signalised junction would be formed with the new vehicular access to the school forming the southern arm of that new junction. The existing vehicular access to the school, which is located between St Johns Church and Nos. 101 to 105 Whitecraig Road, would be retained as a secondary staff and service vehicular access to the school site.

The Council's **Road Services** advise that the Transport Assessment submitted in support of the application satisfactorily demonstrates that the proposed development could be safely accessed by all modes of transport and that generated vehicular traffic would not significantly adversely impact on the operation of the local road network. Road

Services note that the proposals include enhanced provision for pedestrians and cyclists including widened and shared use footways, signal controlled crossings and wide shared use footways within the site.

Road Services further advise that the alterations to the current 3-arm roundabout to replace it with a 4-arm signal controlled junction with controlled pedestrian crossings on all approaches is acceptable. They also confirm that the use of the existing vehicular access as a separate service access for the proposed school is acceptable, and that swept path assessments demonstrate that large vehicles will be able to manoeuvre safely through the signalised junction and service access arrangements.

The Council's Road Services advise 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.

Subject to the following matters being controlled by conditions, the Council's Road Services raise no objection to the proposed development:

- 1) Prior to the development being brought into use, a School Travel Plan shall be submitted to and approved by the Planning Authority in consultation with Road Services and thereafter the approved School Travel Plan shall be implemented;
- 2) No part of the development shall be brought into use until the proposed signalised junction as shown on G3 Consulting Engineers Drawing No. J5278-sk001 Rev G has been installed, made operational, been subject to an independent Stage 3 Road Safety Audit and any points raised by that Audit satisfactorily addressed;
- 3) Installation of double yellow line restrictions on the east side of Cowpits Road in line with the extents shown on G3 Consulting Engineers Drawing No. J5278-sk001 Rev G to maintain forward visibility to the signalised junction. A Traffic Regulation Order will need to be progressed; and
- 4) A Construction Method Statement to be submitted to and approved by the Planning Authority in consultation with Road Services. The Construction Method Statement shall recommend mitigation measures to control construction traffic, noise and dust and shall include hours of construction work and details of wheel washing facilities to be provided. Wheel washing facilities must be provided and maintained in working order during the period of operation of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

Subject to these recommended controls being imposed on a grant of planning permission, the proposals do not conflict with Policies T1, T2 and W4 of the adopted East Lothian Local Development Plan 2018.

On the matter of the comments raised in the public representation, the Council's Road Services advise that double yellow lines would be used on the east side of Cowpits Road between the proposed signalised junction and the southernmost disabled parking bay, but that these double yellow lines would not prevent access to existing driveways on the east side of Cowpits Road. Road Services further advise that based on the current Highway Code, vehicles should not be parked on the approach to the current roundabout junction in order to keep that junction approach clear and the use of double yellow lines in the new signalised junction would reinforce this. Road Services comment that they have not observed parked vehicles to the south of the southern-most driveway entrance on the east side of Cowpits Road on the junction approach and thus would not expect

the proposed signalised junction to change the parking arrangements of the residents of that part of Cowpits Road.

The part of the application site that is susceptible to fluvial flooding from the River Esk located some 190 metres to the northwest of the application site is a small part of the northwest side of the public road and footpath of the existing roundabout junction. That part of the site would continue to be in use as part of the public road and footpath through this application. Thus there would be no change to its use as part of the development proposals.

A Flood Risk Assessment, Drainage Calculations, Surface Water Management details and SuDS Design Statement have been submitted in support of the application.

The Council's **Flooding Officer** notes that sewers that pass through the site will be diverted, grubbed up (etc) and comments that a Risk Assessment and Construction Management Plan will be required for such works. This requirement can be controlled through a condition of a grant of planning permission.

The sustainable urban drainage system (SuDS) for the treatment of surface water from the proposed development would be in the form of a SuDS detention basin, permeable paving, and swales.

The Council's Flooding Officer raises no objection to the application on flood risk grounds and confirms that he has reviewed the Flood Risk Assessment, Drainage Calculations, Surface Water Management details and SuDS Design Statement, and associated application drawings. He confirms that a Rainfall Climate Change Allowance of 35% has been incorporated within the details submitted and the associated calculations for attenuation volumes are acceptable. The Council's Flooding Officer confirms that the proposed drainage/SuDS arrangements are designed to an acceptable standard. Subject to the aforementioned planning control, the proposals do not conflict with Policies NH10 and NH11 of the adopted East Lothian Local Development Plan 2018 or with the Council's approved non-statutory Supplementary Planning Guidance (SPG) document on Sustainable Drainage Systems (SuDS).

The Council's **Waste Services** raise no objection to this application subject to the turning area marked on the swept path analysis drawing being marked as 'keep clear' or 'no parking'. This matter can be controlled through a condition of a grant of planning permission. Accordingly, the proposed development does not conflict with Policy W3 of the adopted East Lothian Local Development Plan 2018.

The Council's **Head of Education** raises no objection to this application.

Although the site is within the area identified as being the Edinburgh Airport Safeguarding Zone, the proposed development is not for wind turbine development and there is no requirement to consult under ELLDP Policy OI3.

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

The Coal Authority have been consulted on this application and advises that following consideration of the Report on Site Investigation (prepared by G3 Consulting Engineers, dated February 2022), the content of which confirms site investigations across the site, they are satisfied that the issue of the potential for coal mining legacy to affect the proposed development has been adequately investigated, and that for the purposes of this planning application it has been demonstrated that the application site is safe and stable for the proposed development. Accordingly, the Coal Authority raise no objection

to the proposed development.

The Coal Authority do however not that there is the potential for mine gases to exist and that such risk should be considered by the Local Planning Authority. This matter is considered below by the Council's **Environmental Health Officer (Contaminated Land)**.

The Coal Authority also note that where SUDS are proposed as part of a development scheme consideration should be given to the implications of this in relation to the stability and public safety risks posed by coal mining legacy, and that the developer should seek their own advice from technically competent persons to ensure that a proper assessment has been made of the potential interaction between hydrology, the proposed drainage system and ground stability. A copy of The Coal Authority's comments has been forwarded to the applicant's agent for their information.

The Council's **Contaminated Land Officer** has reviewed the Geo-Environmental Site Investigation Report and the Remediation Strategy Report for the site, which have been submitted with the application, and advises 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 Geo-Environmental Site Investigation Report and recommendations. He further advises that the Remediation Strategy Report suitably details the remedial works to be undertaken to address the issue of localised PAH impacted made ground identified on the site, and provides information on both the validation procedures and criteria to be followed. On completion of the remedial works and prior to occupation of the school, 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 that the remediation of the site is carried out in accordance with the Remediation Strategy submitted and that a Verification Report should be submitted confirming that all remedial measures have been successfully carried out. This matter can be controlled through a condition of a grant of planning permission.

There is a row of existing trees along the southwest boundary of the existing school campus, further trees, shrubs and hedging on parts of the north/northwest area of the site and on parts of the north/northwest boundary of the site, and to the south and southeast of the existing school buildings. To facilitate the erection of the proposed school building the majority of the existing row of trees along the southwest boundary of the existing school site would be removed. At its southern end, five trees of that row of trees would be retained. Further existing trees on the north, south and east parts of the site would also be retained. A new tree belt would be planted along the southwest boundary of the new school site and further tree planting and other landscaped areas would be provided throughout the site.

ELLDP 2018 Policy NH8 does not generally support the loss of trees that make a positive contribution to the landscape character of the area unless in the case of individual trees or groups of trees, their loss is essential to facilitate development that would contribute more to the good planning of the area than would retaining the trees or group of trees. In the case of this application, the proposed school is allocated development that is necessary for the wider development of Whitecraig and will provide a necessary infrastructure facility.

Whilst the loss of the trees from the site is unfortunate it is proposed that a new tree belt would be planted along the southwest boundary of the new school site and further tree planting and other landscaped areas would be provided throughout the site.

The landscape advice is that the proposed landscape planting throughout the site, including a high number of trees that in time would mitigate for the loss of the existing trees, and the landscaping of the SuDS area is satisfactory, and that the protection of the trees to be retained on the site is also adequate.

Accordingly, the Council's **Landscape Officer** raises no objection to the proposed development. It would be prudent to ensure that the proposed planting shown on the application drawings is carried out in the first planting season (between October and March) following the completion of the development and that temporary protective fencing is erected to protect any retained trees. These matters can be controlled by conditions on a grant of planning permission.

Subject to these recommended controls being imposed on a grant of planning permission, the proposals do not conflict with Policy NH8 of the adopted East Lothian Local Development Plan 2018.

The Council's **Tree Officer** comments that maintenance and aftercare of playground features such as 'Willow domes, arches and tunnels' is not factored into the maintenance requirements of new schools and inevitably these features become overgrown and unusable.

This matter is for the education service as the operator of the proposed school to consider and these comments have been passed to the applicant's agent.

The Council's **Biodiversity Officer** notes that some of the existing trees would be removed from the site to facilitate the proposed development but comments that the proposed tree planting will mitigate for the loss of those existing trees from the site. The Biodiversity recommends that the tree felling be undertaken outwith the breeding bird season (March to August inclusive) unless it can be demonstrated that no nesting birds are present. This matter can be controlled by a condition on a grant of planning permission. Subject to such control the proposed development would not have a harmful impact on biodiversity considerations.

The Council's **Amenity Services** and **Sport, Countryside and Leisure Services** have been consulted on the application and have no comments to make on the proposals.

The Council's **Estates Department** has been consulted on the application and has no comments to make on the proposals.

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 Design and Access Statement and a Sustainability Planning Statement, which outline the design approach, and the measures to be taken, in order to minimise the carbon footprint and the carbon emissions from the build. These reports explain the building fabric performance, mechanical and electrical building services, and sustainability statement for the proposed development. They explain that high efficiency LED lighting would be used throughout, that high efficiency air source heat pumps will deliver heating and hot water throughout the proposed building, and that mechanical ventilation heat recovery systems will be provided. The Statements

explain that the development proposals will 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'. It is stated that the project has been designed with a fabric first approach to minimise the energy consumption and carbon emissions of the development. The project aspirations are for a Passivhaus principles approach to minimise the building's energy demand. In addition, provision is to be made for Electric Vehicle Charging within the main car parking area 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 summary, the proposed development is well designed for its place and its function and the site is capable of accommodating all of the proposed development. A grant of planning permission for the proposed development in the context of the site being allocated for the primary school expansion established by PROP ED1 (Part C), MH13 and MH15 of the ELLDP 2018, and in that its impacts in respect of amenity and technical considerations are acceptable in themselves, or can be mitigated through the appropriate use of planning conditions would not be inconsistent with Scottish Planning Policy, with the relevant policies and proposals of the East Lothian Local Development Plan 2018 or with its adopted supplementary guidance.

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 planning permission for the proposed primary school and its associated works be granted subject to the following conditions:

- 1 The development hereby approved shall begin before the expiration of 3 years from the date of this permission.

Reason:

Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 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.

- 3 Prior to any works beginning on site (and where risks have been identified), the remediation of the site shall be carried out in accordance with the Remediation Strategy docketed to this grant of planning permission unless otherwise approved in writing by the Planning Authority in consultation with the Council's Contaminated Land Officer.

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 shall be submitted that demonstrates the effectiveness of the remediation carried out. The Validation Report shall be submitted to and approved in advance in writing by the Planning Authority prior to the commencement of use of the new school hereby approved.

In the event that 'unexpected' ground conditions (contamination) are encountered at any time when carrying out the development hereby approved, 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 commencement of 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.

- 4 Prior to the commencement of use of any part of the school hereby approved, the proposed signalised junction also hereby approved, shall have been installed, made operational, and been subject to an independent Stage 3 Road Safety Audit and any points raised by that Audit satisfactorily addressed. The proposed signalised junction shall be laid out in accordance with the details for it shown on docketed drawing no. J5278-sk001 Rev G (G3 Consulting Engineers drawing) unless the Planning Authority agree to any variation.

Double yellow line restrictions shall be installed on the east side of Cowpits Road in line with the extents shown on docketed drawing no. J5278-sk001 Rev G (G3 Consulting Engineers drawing) in order to maintain forward visibility to the signalised junction. A Traffic Regulation Order will need to be progressed.

Thereafter the proposed signalised junction shall be retained for such use unless the Planning Authority agree to any variation.

Reason:

In the interests of road and pedestrian safety.

- 5 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 in advance in writing 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.

- 6 Prior to the development hereby approved being brought into use, a School Green Travel Plan shall be submitted to and approved in writing in advance by the Planning Authority in consultation with the Council's Road Services. 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.

Thereafter, the approved School Green Travel Plan shall be implemented prior to the use of the primary school building hereby approved.

Reasons:

In the interest of road safety.

- 7 Prior to the commencement of the development hereby approved, a detailed Construction Risk Assessment and Method Statement for the proposed works to the culverts on the application site shall be submitted to and approved in advance in writing by the Planning Authority. Amongst other details, the Construction Risk Assessment and Method Statement shall include a timetable for the implementation of the works to the culverts. The development shall thereafter be carried out in strict accordance with the detailed Construction Risk Assessment and Method Statement so approved, unless otherwise agreed in writing by the Planning Authority.

Reason:

To ensure that development is not at risk from flooding.

- 8 Prior to the commencement of development on the site, full details of the proposed Sustainable Drainage System (SuDS) including a Surface Water Management Plan for the development shall be submitted to and approved in writing by the Planning Authority.

The details shall include confirmation of Scottish Water's technical approval of the SuDS proposals, if relevant.

Thereafter, the approved details shall be implemented as approved, unless otherwise agreed in writing with the Planning Authority.

Reason:

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

- 9 Prior to the commencement of use of the primary school hereby approved, the proposed access roads, parking spaces, cycle parking and footpaths shall all 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 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.

- 10 Prior to the commencement of use of the school hereby approved, the turning head of the vehicular access from Whitecraig Road (Service Vehicular Entrance) shall be marked out as a 'keep clear' or 'no parking' area to ensure that there would be no obstruction to vehicular manoeuvres, and details of the marking out of that 'keep clear' or 'no parking' area shall be submitted to and approved in advance in writing by the Planning Authority in consultation with Road Services and Waste Services prior to the works being carried out. Thereafter, the 'keep clear' or 'no parking' area shall be marked out in accordance with the details so approved and shall be retained as such in perpetuity unless otherwise approved by the Planning Authority.

Reason:

In the interests of road safety and to ensure adequate turning and manoeuvring space on the site.

- 11 Any proposed plant/equipment associated with the operation of the school hereby approved shall be selected, designed and located so as to ensure that any noise emanating therefrom shall not exceed Noise Rating Curve NR25 at any octave band frequency 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 the occupants of existing neighbouring residential properties.

- 12 The design and construction of the floodlighting of the artificial sports pitch hereby approved 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 Lux between the hours of 07.00 and 23.00 on any day and shall not exceed 2 Lux between the hours of 23.00 to 07.00.

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

The floodlights of the artificial sports pitch of the development hereby approved shall only operate between 07.00 and 23.00 hours on any day.

Reason:

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

- 13 A schedule and samples, 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 in writing by the Planning Authority prior to their use in the development. Thereafter, the materials and finishes, including their colour(s), used shall accord with the schedule and samples of them so approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colours to be used

to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 14 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:

To minimise the environmental impact of the development.

- 15 Other than the trees, as detailed on docketed drawing no. L(94)010 rev P04, that are to be removed, all other existing trees on the application site shall be retained and shall not be damaged or uprooted, felled, lopped or topped without the prior written consent of the Planning Authority.

Reason:

In order to ensure the retention and health of trees or shrubs on and adjacent to the application site which are important to the landscape character of the area.

- 16 No development shall take place on the site until temporary protective fencing has been erected and installed and confirmed in writing by the Planning Authority to protect the retained trees on the site. The temporary protective fencing shall be erected in the positions shown for it on the drawings docketed to this grant of planning permission, unless otherwise approved in writing by the Planning Authority.

The temporary protective fencing shall comprise Heras, or similar approved, weld mesh enclosed panels joined together with a minimum of two anti-tamper couplings, and supported on preformed weighted footings, stayed and fixed into the ground to withstand impact from machinery and access into the construction exclusion zone, in accordance with British Standard BS5837: 2012 "Trees in relation to design, demolition and construction". The temporary protective fencing shall be 2.3 metres in height, erected prior to works commencing, kept in good condition through the works and shall be retained on site fully intact through to the completion of the site development. The position of this temporary protective fencing shall be outwith the root protection area (RPA) as defined by BS5837:2012 for the existing retained trees.

All weather notices shall be erected on the fencing referred to in paragraphs 1 and 2 of this condition with words such as "Construction exclusion zone - Keep out" and the fencing shall remain on site and intact through to completion of the development.

Within the fenced off areas creating the construction exclusion zones the following prohibitions shall apply:-

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

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

Reason:

In order to ensure the protection of the trees within and adjacent to the application site in the interests of safeguarding the landscape character of the area.

- 17 Any works within the root protection area of any retained tree shall be dug and backfilled by hand. Within such hand dug operations, tree roots exceeding 25mm diameter shall be avoided. If roots exceeding 25mm diameter are encountered the excavation shall be backfilled and lightly compacted immediately and another hole dug. Any tree roots 25mm in diameter or smaller encountered shall be cleanly cut.

Reason:

To ensure the protection of the trees within and outwith the application site in the interests of safeguarding the landscape character and appearance of the area.

- 18 All planting, seeding or turfing comprised in the approved details of the landscaping scheme shown in the drawings docketed to this grant of planning permission shall be carried out in the first planting and seeding season (October - March) following the school building being brought into use or the completion of the development hereby approved, whichever is the sooner.

Any trees or plants which die, are removed or become seriously damaged or diseased within a period of 10 years 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:

To ensure the implementation of landscaping in the interests of the character, appearance and amenity of the area.

- 19 Any tree felling shall not be carried out during the bird breeding / nesting season (March to August, inclusive each calendar year) unless it is implemented wholly in accordance with a Species Protection Plan which shall be submitted to and approved in writing in advance by the Planning Authority, and thereafter, the development shall be carried out in accordance with the Species Protection Plan so approved, or it has been demonstrated to the satisfaction of the Planning Authority that no nesting birds are present prior to works commencing and the Planning Authority have approved such details in writing in advance.

Reason:

To ensure the protection of wildlife and biodiversity from significant disturbance arising from the construction associated with the development hereby approved.