

**REPORT TO:** Planning Committee  
**MEETING DATE:** 2 May 2023  
**BY:** Executive Director for Place  
**SUBJECT:** Application for Planning Permission for Consideration

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Application No. **22/00732/AMM**

Proposal Approval of matters specified in conditions of planning permission in principle 16/00485/PPM - Erection of 90 houses, 51 flats and associated works

Location **Longniddry Farm  
Longniddry  
East Lothian  
EH32 0NZ**

Applicant Cruden Homes (East) Ltd

Per APT Planning & Development

**RECOMMENDATION** Consent Granted

## **REPORT OF HANDLING**

### **PROPOSAL**

Although this application is for the approval of matters specified in conditions of planning permission in principle 16/00485/PPM it has to be determined as a major development type application because the area of the application site is greater than 2 hectares and the number of dwellings detailed is greater than 49. Accordingly, the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

The approval of matters specified in conditions is now sought for the erection of 90 houses, 51 flats and associated works on an area of land measuring some 7.5 hectares to the south side of the main east coast railway line at Longniddry and thus on part of the larger site to which planning permission in principle 16/00485/PPM and the masterplan docketed to that permission apply. The associated works include the formation of roads, footpath and parking areas, the formation of SuDS, the formation of areas of amenity open space, the erection of boundary enclosures, and hard and soft landscaping.

The application site comprises the proposed 90 houses and 51 flats, along with land of the larger site to which planning permission in principle 16/00485/PPM applies that would comprise access roads, public open space, SuDS, amenity open space and a sports pitch.

The site that is the subject of planning permission in principle 16/00485/PPM is allocated for mixed use development of circa 450 houses by Proposal PS1 (Longniddry South) of the adopted East Lothian Local Development Plan 2018. A design brief for the site was approved by the Council in October 2018.

This application (Ref. 22/00732/AMM) is one of two approval of matters specified in conditions applications (Refs: 22/00732/AMM and 22/00734/AMM), each submitted by a different applicant, that together with two further applications (Refs. 22/00733/P and 22/00735/P) also submitted by the same two applicants, together all relate to an area of land measuring some 15 hectares that comprises roughly the eastern part of the larger site to which planning permission in principle 16/00485/PPM applies, and which is located to the east of the Braid Burn, excluding Longniddry Farm Steadings.

The land of the application site consists of agricultural fields, and rises gently from north to south. There is an existing length of rubble stone boundary wall located on the northeast part of the site.

The site is bounded to the north by a combination of the main east coast railway line, the residential property of Station House and an area of vacant land between the north boundary of the site and the railway line. Further to the north beyond Station House is Longniddry Railway Station. To the west, the site is bounded by a combination of the residential cottages of Nos. 3 - 6 Longniddry Farm Cottages, the land and buildings of Longniddry Farm Steading, land of Phase 1 of the Longniddry Farm development, and further land of the larger site to which planning permission in principle 16/00485/PPM applies, including the Braid Burn corridor. To the south the site is bounded by a combination of further land of the larger site to which planning permission in principle 16/00485/PPM applies and agricultural land. To the east the site is bounded by agricultural land.

Parts of the Braid Burn corridor to the west of the application site and the area of vacant land to the north of the application site are identified as being of biodiversity interest.

Nos. 3-6 Longniddry Farm Cottages, which are located to the west of the application site are listed as being of special architectural or historic interest, Category C. Longniddry Farm Steadings and Farmhouse are both listed as being of special architectural or historic interest, Category B and are located further away to the west of the application site.

Further to the south, outwith the site, on the south side of the C76 public road, is the Garden County Farmland Special Landscape Area.

The Gosford House Inventory Garden and Designed Landscape is outwith the site to the north, beyond the railway line and to the north of the B1377 classified public road.

Of the 90 houses and 51 flats to be erected on the site, 71 of the houses and 22 of the flats would be for private sale, and 19 houses and 29 flats are proposed as affordable housing units. In terms of their size the affordable housing units would comprise 8 x 1-bed cottage flats, 8 x 2-bed cottage flats, 1 x 2-bed flat over garage, 6 x 1-bed flats, 6 x 2-bed flats, 1 x 2-bed bungalow, 7 x 2-bed houses, and 11 x 3-bed houses. The private sale units would comprise 6 x 1-bed units provided as flats, 21 x 2-bed units provided as

flats, flats over garages, houses and bungalows, 44 x 3-bed units provided as terraced and semi-detached houses, 19 x 4-bed units provided as semi-detached and detached houses, and 3 x 5-bed units provided as semi-detached and detached houses. In terms of their heights, of the 90 houses and 51 flats to be erected on the site there would be a total of 6no single storey bungalows, 5no one and a half storey units, 97no two storey units, 3no two and a half storey units, and 3no three storey flatted buildings. Terraces would vary between 3 and 5 houses in length, though in some instances would comprise of 6 units where cottages flats are proposed.

The majority of the proposed houses and flatted buildings would face towards either the principal and secondary roads of the proposed development or towards areas of open space land on the north, east, west and south parts of the application site, including SuDS areas, the proposed sports pitch and 'village green' area. However some, including the flats above garages, and the single storey bungalows would directly face onto the back lanes/courts. All of the houses would be provided with garden ground. The majority of the proposed houses would have short front gardens to the public street. The cottages flats would have allocated garden areas. None of the proposed flats in the three-storey blocks would have gardens or drying greens.

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

Vehicular access to the proposed 141 residential units would be taken from the classified B6363 public road (Coal Road) via the three access junctions and roads that serve Phase 1 of the Longniddry Farm development of planning permission in principle 16/00485/PPM. The main access junction and associated road (Limekilns Road) is located roughly centrally along the length of the west side of the land of planning permission in principle 16/00485/PPM, the other two accesses and roads are located to the north (Morrison Lane) and south (Queens Road). Morrison Lane is a one-way road, only allowing access from the classified B6363 public road (Coal Road). Primarily access to the proposed 141 residential units would be via the centrally located Limekilns Road, however it would be possible to use any one of the three access junctions and subsequently the secondary and tertiary roads of Phase 1 of planning permission in principle 16/00485/PPM. None of the proposed 141 residential units would individually have direct vehicular access from the classified B6363 public road (Coal Road).

Vehicular, pedestrian and cycle access to the houses and flats would be taken by way of the new roads to be created through the site, which would access the classified B6363 Coal Road by way of the three access junctions and roads that serve Phase 1 of the Longniddry Farm development of planning permission in principle 16/00485/PPM. The proposed housing development would be split into three main blocks, each with smaller back lanes and footpaths that would further sub-divide the housing into smaller groupings.

All of the driveways and private car parking associated with the proposed houses and flats would be located to the rear of the houses and flats and would be accessed from the back lanes/courts. Visitor parking would be provided on-street. Cycle parking for the flatted buildings comprising plots 7-15, 19-27, and 72-83 would be provided in a secure building at a rate of 1 space per flat.

There are no existing trees on the site. There is an existing length of rubble stone boundary wall on the northeast part of the site and it is proposed that the majority of this length of wall would be retained. An area of open space ('village green') would be formed on the southern part of the site to the north of the adjacent housing proposal the subject of planning application 22/00734/AMM. A further strip of open space would be

located on the northern part of the site and on the eastern part of the site in the form of a grass sports pitch. A SuDS basin would be formed towards the northeast and northwest corners of the site.

Landscaping works, including the planting of new trees, would be carried out on the 'village green' area of open space and on the northern area of open space, around each of the SuDS basins and to the west side of the grass sports pitch. Further trees would be planted along the sides of the new roads and back lanes.

Subsequent to the registration of this application, further drawings have been submitted showing revisions to the site layout, including changes to plots 84-88 and 104, changes to the colour scheme for the external finishes of some of the plots, to provide a continuous shared use path along the full length of the northern part of the site, and to correct errors and omissions on the application drawings.

The following documents have been submitted in support of the application:

- Planning Statement (June 2022);
- Design Statement (June 2022);
- Archaeological Evaluation Written Scheme of Investigation (AOC Project No. 26237, dated 7th April 2022);
- Landscape Maintenance and Management Proposals (ref. SC1003-LE-7100, dated April 2023);
- Flood Risk Assessment (prepared by KAYA Consulting Limited, Version 2.0, dated June 2022);
- Transport Addendum (prepared by WSP, dated 27th January 2022);
- Stage 2 Road Safety Audit (prepared by Stewart Paton Associates, Ref. 5354, dated October 2022);
- Drainage Assessment (prepared by Indev Consult, dated March 2022);
- Noise Impact Assessment (prepared by ITP Energised, Version V2, dated 24th April 2023);
- Climate Change Strategy Statement (prepared by APT Planning and Development, dated 15th November 2022);
- Phasing and Delivery Statement (dated 6th February 2023); and
- Phase II Geo-Environmental & Geotechnical Interpretative Report (prepared by Geovia, ref. 1709-03/January 2022).

In addition, the applicant's agent has provided a statement on the policies of National Planning Framework 4 (NPF4).

## **PLANNING HISTORY**

On 26 June 2018 planning permission in principle (Ref. 16/00485/PPM) was granted for residential development with associated greenspace, access and engineering works on some 30.7 hectares of predominantly agricultural land on the south side of the main east coast railway line at Longniddry. The site included Longniddry Farmhouse and Longniddry Farm Steadings along with other agricultural buildings. The Farm Steadings and Farmhouse are both listed as being of special architectural or historic interest, Category B. Nos. 3-6 Longniddry Farm Cottages are listed as being of special architectural or historic interest, Category C. The land of the application also includes the northern end of the Coal Road (the classified B6363 public road), Longniddry Main Street, the roundabout junction immediately to the northwest of Longniddry Railway Station and an area of land immediately to the east of the Railway Station car park. The Braid Burn bisects the site roughly centrally on a north-south alignment.

On 17 December 2020, planning application 17/00194/P was granted for the conversion of agricultural buildings/land at Longniddry Farm Steading to use for class 2, class 3, class 4, and holiday let (sui generis) uses, and for the erection of a covered canopy for class 3 use and associated works. Work to implement planning permission 17/00194/P has commenced.

On 21 December 2020, listed building consent application 17/00178/LBC was granted for alterations and extension to the Steading buildings, the formation of hardstanding areas, and the demolition of building and walls all to facilitate the development proposed through associated planning application 17/00194/P. Work to implement listed building consent 17/00178/LBC has commenced.

On 26 June 2019 planning application 18/01034/AMMM was granted for the erection of 4 houses, 35 flats and associated works as the approval of matters specified in conditions of planning permission in principle 16/00485/PPM.

On 26 June 2019 planning application 18/01038/AMMM was granted for the erection of 47 houses, 12 flats and associated works as the approval of matters specified in conditions of planning permission in principle 16/00485/PPM.

On 26 June 2019 planning application 18/01038/AMMM was granted for the erection of 71 houses, 10 flats and associated works as the approval of matters specified in conditions of planning permission in principle 16/00485/PPM.

Work to implement the approval of matters specified in conditions Refs. 18/01034/AMM, 18/01038/AMM and 18/01048/AMM has commenced and many of the houses and flats of Phase 1 of the Longniddry South development are now completed and occupied.

On 8 December 2020 planning permission 20/01020/P was granted for a variation of condition 20 of planning permission 18/01048/AMM to allow for changes to the positions of the solar panels on the roofs of plots 118 to 121, plot 143, plots 145 to 153, plot 159 and plots 162 to 168 at Longniddry Farm.

On 20 January 2022, a Section 42 application (Ref. 22/00071/PM) was registered for the variation of condition 24 of planning permission in principle 16/00485/PPM. That application was subsequently withdrawn by the applicant.

On 20 January 2023, listed building consent 22/01144/LBC was granted for the installation of solar panels, the re-roofing of a pend and the formation of a doorway on the Steading buildings, as changes to the scheme of development the subject of listed building consent 17/00178/LBC. Work to implement listed building consent 22/01144/LBC has commenced.

On 18 January 2023, planning permission 22/01145/P was granted for the installation of solar panels, the re-roofing of a pend and the formation of a doorway on the Steading buildings, as changes to the scheme of development the subject of planning permission 17/00194/P. Work to implement planning permission 22/01145/P has commenced.

On 3 November 2022, a Section 42 application (Ref. 22/01218/P) was registered for the variation of condition 24 of planning permission in principle 16/00485/PPM to extend the time period for the renovation and conversion of the buildings of the Longniddry Farm Steading to no later than December 31st 2024. Application 22/01218/P is pending consideration and no decision has yet been taken on it.

On 13 March 2023, planning application 23/00228/P was registered alterations,

extension and change of use of a derelict building to the north side of Longniddry Farm Steading to use as a Cafe (Class 3) and associated works. Planning application 23/00228/P is made part retrospectively because works have already commenced. Planning application 23/00228/P is pending consideration and no decision has yet been taken on it.

On 19 October 2022, planning application 22/00734/AMM was registered for the erection of 124 houses, 6 flats and associated works as approval of matters specified in conditions of planning permission in principle 16/00485/PPM. Planning application 22/00734/AMM is pending consideration and no decision has yet been taken on it.

On 13 October 2022, planning application 22/00733/P was registered for the erection of 9 flats and associated works on part of the land of planning permission in principle 16/00485/PPM. Planning application 22/00733P is pending consideration and no decision has yet been taken on it.

On 14 September 2022, planning application 22/00735/P was registered for the erection of 9 houses and associated works on part of the land of planning permission in principle 16/00485/PPM. Planning application 22/00735/P is pending consideration and no decision has yet been taken on it.

## **EIA**

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 7 November 2022, the Council issued a formal screening opinion to the applicant. The screening opinion notes that the proposals are for the approval of matters specified in conditions of planning permission in principle 16/00485/PPM and that a screening opinion was issued for planning permission in principle 16/00485/PPM in June 2015, and that that screening opinion confirmed that the development the subject of that planning permission in principle was not likely to have significant effects on the environment and that an EIA was not therefore required. The screening opinion on the current application (Ref. 22/00732/AMM) 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 residential development and associated works 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 adopted National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018.

In terms of Policies 1, 2, 15 and 18 of NPF4, the contribution this development could make to addressing tackling the climate and nature crises (Policy 1), to make adjustments or incorporate features that reduce greenhouse gas emissions (Policy 2 -

climate mitigation and adaptation), the contribution this development would make towards local living/20 minute neighbourhoods, or towards infrastructure provision is largely predetermined by the grant of planning permission in principle 16/00485/PPM.

Thereafter, Policies 3 (Biodiversity), 4 (Natural Places), 7 (Historic Assets and Places), 12 (Zero Waste), 13 (Sustainable Transport), 14 (Liveable Places), 16 (Quality Homes), 20 (Blue and Green Infrastructure), 21 (Play, recreation and sport) and 22 (Flood Risk and Water Management) of NPF4 are relevant to the determination of this application.

Also relevant to the determination of the application are Proposal PS1 (Longniddry South) and Policies HOU1 (Established Housing Land), HOU3 (Affordable Housing Quota), HOU4 (Affordable Housing Tenure Mix), OS3 (Minimum Open Space Standard for New General Needs Housing Development), OS4 (Play Space Provision in new General Needs Housing Development), T1 (Development Location and Accessibility), T2 (General Transport Impact), W3 (Waste Separation and Collection), NH3 (Protection of Local Sites and Areas), NH10 (Sustainable Drainage Systems), NH11 (Flood Risk), CH1 (Listed Buildings), DP1 (Landscape Character), DP2 (Design), DP3 (Housing Density), and DP9 (Development Briefs) of the adopted East Lothian Local Development Plan 2018.

Also relevant to the determination of the application is the Council's Sustainable Drainage Systems (SuDS) and Design Standards for New Housing Areas Supplementary Planning Guidance.

Material to the determination of the application are Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that in considering whether to grant planning permission for development which affects a listed building or its setting a planning authority shall have special regard to the desirability of preserving and enhancing the building, its setting and any features of special architectural or historic interest which it possesses.

Also material is Planning Advice Note 67: Housing Quality, Designing Streets and Designing Places (PAN 67).

PAN 67 explains how Designing Places should be applied to new housing. In PAN 67, it is stated that the planning process has an essential role to play in ensuring that: (i) the design of new housing reflects a full understanding of its context - in terms of both its physical location and market conditions, (ii) the design of new housing reinforces local and Scottish identity, and (iii) new housing is integrated into the movement and settlement patterns of the wider area. The creation of good places requires careful attention to detailed aspects of layout and movement. Developers should think about the qualities and the characteristics of places and not consider sites in isolation. New housing should take account of the wider context and be integrated into its wider neighbourhood. The quality of development can be spoilt by poor attention to detail. The development of a quality place requires careful consideration, not only to setting and layout and its setting but also to detailed design, including finishes and materials. The development should reflect its setting, reflecting local forms of building and materials. The aim should be to have houses looking different without detracting from any sense of unity and coherence for the development or the wider neighbourhood.

Also material to the determination of the application is the development brief for allocated site PS1: Longniddry South set out in the Development Briefs Supplementary Planning Guidance 2018 and the approved masterplan for the site as approved by the grant of

planning permission in principle 16/00485/PPM. The development brief sets out the land uses expected for the allocated site and how the Council requires the site to be developed.

## REPRESENTATIONS

Four representations to the application have been received. All of the representations raise objection to the proposed development and the main grounds of objection as summarised are:

1, the proposals include an additional 18 dwellings above the number originally approved;

2, a number of buildings are now proposed to be 3 and 2.5 storey and the design and height of these buildings is not in keeping with the village aesthetic and the heights of the other buildings in Longniddry and will lead to a loss of privacy and daylight for nearby properties;

3, it is not clear how the existing local infrastructure will be able to cope with the influx of people into these buildings;

4, the plans have changed greatly since the original designs were displayed.

5, three-storey blocks of flats were not part of the proposals displayed to the Longniddry residents, and the expectation was for houses not blocks of flats;

6, the additional vehicle and pedestrian movements associated with these flatted buildings will also be markedly increased compared to if there were houses on the locations of the flatted buildings;

7, new access road to the existing Nos. 3 - 6 Longniddry Farm Cottages is inappropriately placed and would have a detrimental impact on the amenity of the occupiers of the cottages, and the drawings do not accurately show the existing gardens;

8, the use of the existing driveway that serves the existing cottages of Nos. 3, 4, 5 and 6 Longniddry Farm Cottages as a public footpath would have a detrimental impact on the privacy and amenity of the occupiers of the existing cottages; and

9, how will the existing cottages (Nos. 3 - 6 Longniddry Farm Cottages) get vehicular access to their front gardens?

This application proposes the erection of 141 residential units as approval of matters specified in conditions of planning permission in principle 16/00485/PPM. Condition 3 of planning permission in principle 16/00485/PPM restricts the number of residential units within the development at Longniddry Farm to no more than 450. Phase 1 of the residential development at Longniddry Farm comprised of 179 units of the 450 units approved. The 179 residential units approved through Phase 1 of the Longniddry Farm development, along with the 130 residential units proposed through separate application 22/00734/AMM, and the 141 units proposed through this application (Ref.22/00732/AMM), together amount to the 450 units approved by the grant of planning permission in principle 16/00485/PPM.

Through separate applications 22/00733/P and 22/00735/P a total of 18 residential units are proposed. Those application stand to be determined on their own merits.



In accordance with the masterplan docketed to planning permission in principle 16/00486/PPM the properties of 3-6 Longniddry Farm Cottages will no longer have a vehicular access via the Argyle Bridge from the A198 public road. A new vehicular access will be provided from within the development.

The provision of a continuous shared use path between the northwest boundary of the site of the current application (Ref. 22/00732/AMM) and the Argyle Bridge is a requirement of condition 22 of planning permission in principle 16/00485/PPM, and the details of the path are required to be submitted and approved by the Planning Authority prior to its provision. Those details have not yet been approved. As the path will pass close by 6 Longniddry Farm Cottages then consideration must be given to the impact of that path on the amenity of the occupiers of that house and the other houses of the terrace. Therefore, details of the continuous shared use path will not be approved unless it includes the measures that will be carried out to ensure the privacy and amenity of the occupants of the cottage(s). Notwithstanding, the landowner of those cottages has confirmed that measures would be put in place to mitigate the amenity of those cottages from the formation and use of the continuous shared use path.

Furthermore, the details of the continuous shared use path must include details of the drainage to be installed to prevent water run off and flooding.

## **COMMUNITY COUNCIL**

Longniddry Community Council (LCC), as a consultee on the application, does not support the application in its current form and as summarised their main comments are:

- a) concerns regarding vehicular use of the 'safe routes to school' footpath at the Argyle Bridge by vehicles associated with the existing cottages Nos. 3 - 6 Longniddry Farm Cottages and No. 14 Main Street;
- b) concerns regarding the lack of details of the new access for the existing cottages Nos. 3 - 6 Longniddry Farm Cottages and when this will be delivered;
- c) concerns regarding the proximity of the existing dropped kerb to the new pedestrian crossing on Main Street;
- d) lack of a barrier at the side of the burn to prevent a person from falling in;
- e) water run-off from the driveway of the existing cottages Nos. 3 - 6 Longniddry Farm Cottages onto the 'safe routes to school' footpath at the Argyle Bridge;
- f) the Section 75 Agreement, which required the provision of a continuous footpath route between the development and the Argyle bridge prior to the occupation of any one of the houses or flats, has not been adhered to;
- g) concerns regarding the potential loss of privacy/amenity for the existing cottages of Nos. 3 - 6 Longniddry Farm Cottages as a result of the location of a footpath of the development proposals;
- h) dismay at the number of three storey flatted buildings featured in the proposals, which would not be in keeping with the area in general;
- i) lack of progress in some areas of the Longniddry Farm development approved by the grant of planning permission 16/00485/PPM and communication from the landowner and developers;

j) concerns regarding the width of the junctions of Limekilns Road and Queens Road with the B6363 Coal Road and the visibility at those junctions;

k) lack of dropped kerbs for pedestrians crossing at the Queens Road junction with the Coal Road;

l) deterioration of the surface of the B6363 Coal Road; and

m) lack of information regarding the heating system for the proposed houses, whether or not solar panel will be fitted and lack of details on EV charging points.

LCC also refer to application 22/01218/P for the variation of condition 24 of planning permission 16/00485/PPM. That application has not yet been determined and stands to be determined on its own merits.

Contrary to the LCC comment regarding the S75 Agreement, that Agreement did not include a clause requiring the provision of a continuous footpath route between the development and the Argyle Bridge.

The application drawings include information on proposals for solar panels to be fitted to the proposed buildings. Subsequent to the submission of the application, details have been provided in the Climate Strategy Statement on the matter of the heating system for the proposed houses and flats and on electric vehicle charging.

## **PLANNING ASSESSMENT**

By the grant of planning permission in principle 16/00485/PPM, approval has been given for the principle of the erection of a total of 450 houses on the larger site at Longniddry South, including the land of the current application site, following technical assessments which demonstrated that local and wider infrastructure, subject to financial contributions and conditions, can accommodate such level of development. To date, approval has been granted for the erection of a total of 179 residential units on the wider site at Longniddry South (Ref. 18/01034/AMM, 18/01038/AMM and 18/01048/AMM). Therefore as the cap of 450 residential units has not yet been reached within the Longniddry South site, there can therefore be no objection in principle to the erection of the 90 houses and 51 flats now proposed on this particular part of that larger site.

Consequently, in the determination of this application, the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the housing development, the landscaping of and means of access to the site and the means of any enclosure of the boundaries of the site. In this regard, the detailed proposals have to be considered against relevant development plan policy, the approved masterplan of and conditions attached to planning permission in principle (Ref. 16/00485/PPM).

Policy DP3 of the adopted East Lothian Local Development Plan 2018 states that all new housing sites will be expected to achieve a minimum average density of 30 dwellings per hectare using a full range of housing types and sizes.

The proposal would not achieve a minimum average density of 30 dwellings per hectare and, as such, does not comply with Policy DP3. However, that is because the site includes land proposed for access roads, public open space, SuDS and a sports pitch, all of which would serve not just the proposed 141 units but all of the larger housing development the subject of planning permission in principle 16/00485/PPM. If these areas are removed from the calculation, the area of housing would achieve a minimum

average density of 30 dwellings per hectare. Moreover, the density and layout of the proposed development is generally consistent with the density, layout and mix of house types approved in the indicative masterplan of planning permission in principle 16/00485/PPM and accords with the number of residential units indicated in the development brief for PS1.

NPF4 Policy 14 (Design, quality and place) states that development should be designed to improve the quality of an area with well-designed development that makes successful places by taking a design-led approach to create healthy, pleasant, connected, distinctive, sustainable and adaptable places.

Designing Streets and the Council's Supplementary Planning Guidance on Design Standards for New Housing Areas state that new housing development should create distinctive, safe and pleasant, welcoming, adaptable places that are easy to move around and resource efficient. Street layouts should be hierarchical, permeable and interconnected and should complement and should extend the surrounding street pattern. Such layouts spread vehicle traffic evenly through a site and to the surroundings, help prevent localised traffic congestion, and encourage walking and cycling. Proposed street layouts must maximise connections within the site and to surrounding streets, and ensure the movement requirements of the development strategy are met. By the design and arrangement of street types, street layouts must influence vehicle drivers preferred route choice to ensure the tertiary streets between residential blocks are less busy.

A development brief has been adopted for allocated site PS1 (Longniddry South). The area of the current application, some 7.5 hectares, comprises approximately 24% of the whole PS1 (Longniddry South) allocation, which has an area of some 30.7 hectares.

The details now submitted for approval are for a scheme of development comprising a mix of detached, semi-detached, and terraced houses and for flats consisting of a three flatted buildings, cottage flats, and flats over garages (i.e. coach house flats). Houses would be single, two storeys, and two and a half storeys in height, flatted buildings would be three storeys in height, cottage flatted buildings would be two storeys in height, and flats over garage would be one and a half storeys in height. Streetscapes have been designed with subtle hierarchies by using a range of heights and floor to ceiling heights between the larger and smaller houses. This allows for variation in scale to be expressed by varied eaves and ridge lines from plot to plot. The total number of units proposed accords generally with the planning permission in principle granted for this part of the site. Of the 90 houses and 51 flats to be erected on the site, 71 of the houses and 22 of the flats would be for private sale, and 19 houses and 29 flats are proposed as affordable housing units. The mix of residential units includes a range of sizes and types, including flatted buildings and single storey houses.

The proposed residential development would be part of the second housing phase of the eastern part of the wider Longniddry South development, which would form an extension to the southern edge of Longniddry. The proposed housing area would be located to the south of the main east coast railway line and would be seen in relation to this and the existing built form of the housing beyond the railway line further to the north, and in the context of housing of Phase 1 of the wider Longniddry South development to the east, and eventually it would be seen in relation to other parts of the second phase of the new housing development immediately to the south and east of the application site, which is the subject of planning application 22/00734/AMM. In all of this, the proposed residential development would be sympathetic to and would not be out of keeping with the character of the settlement and local area.

The majority of the proposed houses and flatted buildings would face towards the principal roads of the proposed development however some would face towards area of landscaped areas, including SuDS basins, and towards footpaths and open space, including the proposed sports pitch on the west, north, east and south parts of the development site. Other properties, including the flats over garages, and the single storey houses would directly front onto the back lanes/courts. All of the houses and the cottage flats would be provided with garden ground. The majority of the proposed houses would have short front gardens to the public street. None of the flatted buildings, including the flats over garages, would be provided with garden ground or drying greens.

The varying heights of the proposed houses and flatted buildings and an articulation of the building lines of their front elevations with the public roads and footpaths they would face towards would add interest to the streetscape. Gables at junctions would include windows to allow for passive overlooking not just from primary elevations. Due to the changes in levels over the site from north to south and the variations in their heights as a result of hierarchical design, some of the terraces of houses would have stepped rooflines adding further detail and breaking up their massing. The three storey flatted buildings (plots 7-15, plots 19-27, and plots 72-83) and the two and a half storey houses (plots 95, 96 and 142) are located at the junction of streets or at a focal point and would be focal buildings at prominent locations within the hierarchy of streets, and in some cases would overlook landscaped open space areas, adding further interest to the streetscape. These buildings would be on the opposite side of the streets from each other, and in the case of the flatted building of plots 72-83 would be on the opposite side of the street to a 3-storey flatted building the subject of planning application 22/00733/P, and together these groupings of higher buildings would form focal points and would frame the views at these street junctions. The two and a half storey houses, along with the single, one and a half, and 2-storey houses would add proportionate variety to the heights of the proposed housing development and would punctuate the views into, out from and through this part of the second phase of this part of the larger housing development the subject of planning permission 16/00485/PPM, whilst also addressing the open space areas within the site.

Parking for the proposed houses and flatted buildings would be primarily located to the rear of the houses and flats and would be accessed from the back lanes/courts. Some of the houses would have private driveways to the rear of them. Those houses are primarily on blocks 1 and 3 of this proposed development. Road widths would be narrowed with on-street visitor parking and traffic calming measures, and the back lanes/courts would be short in length with widths narrowing. All of this would encourage lower vehicle speeds on primary streets and in back lanes/courts. In all of this the proposed housing development would provide an attractive street setting which would not be dominated by parking.

In the design principles of the street layout, the proposals generally respond to the requirements of Designing Streets and the Council's Supplementary Planning Guidance on Design Standards for New Housing Areas. The houses and flatted buildings and associated areas of ground, in their proposed grouping, orientations, and layout would be generally consistent with the principles as set out in Scottish Government's policy statement on "Designing Streets" and in the Council's Supplementary Planning Guidance on Design Standards for New Housing Areas. The proposed layout of roads, pathways and parking spaces would also generally be consistent with those principles.

When viewed alongside the housing developments of Phase 1 of the wider Longniddry South development to the east and in the context of the development proposals the subject of planning applications 22/00733/P, 22/00734/AMM and 22/00735/P, which as yet have not been determined, the proposed permeable street pattern, road and

pedestrian/cycle accesses and open spaces would create a distinctive yet attractive urban expansion of Longniddry that would have due regard to the existing built form of the settlement on the northern side of the main east coast railway line and the development approved by the grants of planning permission 18/01034/AMM, 18/01038/AMM and 18/01048/AMM for Phase 1 of the wider Longniddry South development to the east. The proposed layout is broadly consistent with the pattern, layout and density of development of the approved masterplan drawing of planning permission in principle 16/00485/PPM and also is sufficiently in accordance with the development brief for PS1 (Longniddry South). In this the proposal is also consistent with Policy DP9 of the adopted East Lothian Local Development Plan 2018.

The range of houses and flats proposed and the variations in their heights as a result of both hierarchical design, rising from single storey to three storey and subtle differences in floor to ceiling heights, and accommodating the change in ground levels across the site from north to south, would give a variation of architectural form to the development, which coupled with the orientation and layout of the buildings, would give a degree of variety of appearance to the development, and would add interest and detail to views of the proposed development. The architecture of the proposed houses and flatted buildings is of a traditional pitched roof form that is reflective of the Burgh vernacular with simple windows, doors and detailing, the arts and crafts character and the East Lothian Garden City architectural style that can be seen in other buildings of Longniddry. Details and styles vary from simpler houses to those with a more imposing stature within the streetscape. Architectural details include steeply pitched, hipped and gabled roofs, sprocketed eaves, pitched roof dormers, wall-head gable details, projecting bay windows, painted timber framed windows, a variety of multi-paned astragalled windows, window and door surrounds, and simple chimneys with multiple chimney pots. All of these design features add detail and interest to the proposed buildings using a simple place narrative comprising 'Burgh Vernacular', 'Improvement', 'East Lothian Victorian' and 'East Lothian Garden City' architectural styles. Further variation and detail would be added to the external appearance of the proposed houses and flats through the colour of their external walls, window bands, doors, garage doors, and rainwater goods/downpipes.

The elevations of houses and flats fronting onto areas of landscape open space, including SuDS basins, and onto the proposed sports pitch, are articulated with window openings, including where this is a gable or side elevation, and in all of this add detail and interest to all publicly visible elevations of the proposed development. In all of this, all of the house plots and the flatted buildings together, by virtue of their heights, positioning, architectural form and design and their external finishes and colours, would present an attractive and varied streetscape both within and on the outer edges of the proposed development.

The finish of the external walls of the proposed houses and flatted buildings would be a coloured wet dash render and their roofs would be clad with either natural slates or natural clay pantiles. The frames, and where relevant astragals, of the windows of the proposed houses and flats would be of a painted timber construction and external doors would be of painted timber construction. To continue the character feature of the predominantly white painted external finish of the frames of the windows of the houses and flatted buildings of Phase 1 of the wider Longniddry South development to the east, the external face of the frames of the windows, including where relevant their astragals, of the houses and flats the subject of this application should also be white painted unless otherwise approved by the Planning Authority. This requirement could be made a condition of a grant of approval of matters specified in conditions.

Otherwise, the palette of external finishes and colours for the proposed 90 houses and

51 flats would be in keeping with the distinctive place narrative architectural style, character and integrity of the proposed development, with the architectural style and character of the existing houses and flatted buildings of Phase 1 of the wider Longniddry South development to the east, and with the architectural style and character of the existing houses and buildings of parts of Longniddry. A condition can be imposed on a grant of approval of matters specified in conditions for the proposed development to secure external finishes and colours.

The appearance of the proposed houses and flats and the narrower and more organic layout of the streets results in a distinctive local character to the proposed development that would be both reflective of the arts and crafts character of some of the houses and buildings of Longniddry and would also be distinct in its own design, character and integrity, and is also reflected in architectural character and layout of the houses and flats approved for Phase 1 of the wider Longniddry South development approved by the grants of planning permission 18/01034/AMM, 18/01038/AMM and 18/01048/AMM, and in architectural character and layout of the houses and flats in the proposals the subject of planning applications 22/00733/P, 22/00734/AMM and 22/00735/P, which as yet have not been determined, and which together with this application (Ref: 22/00732/AMM) form the eastern part of the wider site of planning permission in principle 16/00485/PPM. The lower density and narrower street widths, with the houses having only short front gardens, and the inclusion of housing in the back lanes/courts creates a feeling of a more local scale development that has a more organic character and encourages social interaction.

The application drawings and the Design Statement indicates that solar/photovoltaic panels are proposed to be installed on the roofs of the houses and flatted buildings and that those solar/photovoltaic panels would be integrated into the roof finish of the buildings. Depending on the orientation of the proposed house or flat, those solar/photovoltaic panels would be located to the front or rear elevation roof slope of the building in order to maximise efficiency and in this context there would be many instances where the solar panels would be located on the front elevation roof slope and thus would be readily visible in public views.

Scottish Government guidance for planning authorities on microgeneration technology in relation to renewable energy, which states that solar/photovoltaic (PV) panels can produce energy even in cloudy conditions but the power output increases with the intensity of the sun and for this reason the siting and orientation of PV panels is crucial and they should ideally face between south-east and south-west to maximise the amount of light they receive.

Where solar panels are located on the rear or side elevation roof slopes of the proposed houses and flatted buildings where those elevations are not readily visible in public view, the proposed solar/photovoltaic panels would not be readily visible in public views but rather would primarily be viewed in glimpses between buildings, and subject to them not being an overdevelopment of the roof slope they were installed on, and if integrally fitted into the roof finish, they would not be likely to appear harmfully dominant on the roof slopes and thus would not be harmful to the character and appearance of the development or of the area.

In all cases, the area of the roof slope that the proposed solar/photovoltaic panels would cover would not be an overdevelopment of the roof slope of the building they would be installed on, but rather would be a subservient feature on the roof of the building that would be seen in the context of the greater scale and massing of the roofs they would be installed on and the greater scale and massing of the houses and flats.

In the majority of cases where the proposed solar/photovoltaic panels would be positioned on the front elevation of a proposed house, the proposed roof finish would be natural slate and thus the dark grey/brown colouring of the proposed solar/photovoltaic panels and their associated flashing would be seen in the context of the dark grey colouring of the natural slate roof finish and thus would appear less visually prominent.

Furthermore in June 2019, East Lothian Council (ELC), at its meeting on Tuesday 27th August 2019, approved a motion declaring a Climate Emergency, and moreover NPF4 policies 1 and 2 seek to secure development that makes a contribution to addressing tackling the climate and nature crises (Policy 1) and that makes adjustments or incorporate features that reduce greenhouse gas emissions (Policy 2 - climate mitigation and adaptation).

The installation of solar/photovoltaic panels on the roofs of the proposed houses and flatted buildings will contribute towards reducing greenhouse gas emissions and tackling the climate and nature crises, as well as supporting ELC's climate emergency declaration and its vision for low carbon, sustainable, environmentally friendly and inclusive development for East Lothian.

On balance, taking all of the aforementioned material considerations into account, including the Council's declaration of a Climate Emergency on 27th August 2019 and NPF4 policies 1 and 2, the benefits of the proposed solar/photovoltaic panels outweigh their limited short duration harm to the visual amenity of the proposed development and of the area.

The requirement for the solar/photovoltaic panels to be installed integrally so as to be as flush fitted as possible into the roof finish they would be installed on and for their flashing to be kept to a minimum could be made a condition of a grant of approval of matters specified in conditions.

Notwithstanding the aforementioned design assessment of the proposed development, once built and occupied the proposed houses and flats of the proposed development would benefit from permitted development rights for minor alterations that could be in the form of alterations to them (i.e. changes to windows, roofs, etc) and extension to them and for the erection of or changes to their boundary enclosures. Such alterations to the appearance of the proposed houses and flats or the erection of boundary enclosures could result in a loss of and harm to the distinct architectural character and style of the proposed development. It would therefore be prudent for the Council as Planning Authority to remove permitted development rights for such alterations and means of boundary enclosure, a detail that could be controlled by a condition attached to a grant of planning permission for the proposed development.

The proposed houses and flats, due to their positioning on the application site and by virtue of their height, size and scale, architectural character and design and external finishes, would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features within their landscape setting. This coupled with the proposed landscaping along the north boundary with the main east coast railway line, on the eastern part of the site, and along the development streets would ensure a visually attractive and cohesive development, with the proposed houses and flats visible but not appearing incongruous or intrusive in their surroundings.

The listed buildings of Longniddry Farmhouse and Steadings and Nos. 3 - 6 Longniddry Farm Cottages would be intervisible with parts of the proposed development. The immediate setting of Longniddry Farmhouse and Steadings incorporates a number of trees around their north, west and east periphery.

The masterplan layout approved by the grant of planning permission 16/00485/PPM indicatively shows development of the heights now proposed in similar proximity to the listed buildings. Furthermore, in its position to the east of those listed buildings the proposed development the subject of this application would not impact the existing trees around their periphery that provide landscape setting to the listed buildings and would continue to do so. Accordingly, the proposed development would be set back a sufficient distance from the listed buildings of Longniddry Farmhouse and Steadings and Nos. 3 - 6 Longniddry Farm Cottages and would not dominate or draw focus away from those listed buildings and thus would not be harmful to the setting of those listed buildings.

The proposed development would be located on the south side of the main east coast railway line and thus also to the south of the classified public roads of the A198 (Main Street) and the B1377. In such location, the proposed development would be some 75 metres away from the Gosford House Inventory Garden and Designed Landscape. At such distance and due to the intervening land, including the land of the railway station and its car parking areas and a line of trees along the north side of part of the railway station car park, the proposed development is unlikely to be readily visible in views of the Gosford House Inventory Garden and Designed Landscape. In any long range glimpsed views, the proposed development would not have a harmful impact on the elements justifying the designation of the Inventory Garden and Designed Landscape.

The proposed development is part of the wider area of land of Longniddry South, which is allocated for mixed use development by Proposal PS1. The proposed development the subject of this application would be some 445 metres away from the northern edge of Garden County Farmland Special Landscape Area which is located outwith the application site to the south on the south side of the C76 public road. At such distance away from the Special Landscape Area and as part of the wider area of land of Longniddry South, and as the density and heights of the proposed development generally accords with the density, layout and mix of house types approved in the indicative masterplan of planning permission in principle 16/00485/PPM, the proposed development the subject of this application would not have a harmful impact on the special character of the area.

Condition 5 of planning permission in principle 16/00485/PPM requires that a programme of archaeological work (Historic Building Recording, Watching Brief and Evaluation) be undertaken for the whole of the site of planning permission in principle 16/00485/PPM. The Council's **Archaeology Officer** advises that the application site is part of the wider Longniddry South development the subject of planning permission in principle 16/00485/PPM and that the site has been evaluated archaeologically and no further archaeological interventions are required.

On all of these design considerations, the proposed houses and flats would not be harmful to the character and appearance of the area and would not appear incongruous in their landscape setting and would not be harmful to the character and appearance of the area. Nor would they be harmful to or detract from the setting of the nearby listed buildings, the Gosford House Inventory Garden and Designed Landscape or the Garden County Farmland Special Landscape Area.

The site would be accessed from the classified B6383 public road (Coal Road) by the junctions and network of roads and footpaths approved for Phase 1 of the wider Longniddry South development approved by the grant of matters specified in conditions 18/01034/AMM, 18/01038/AMM and 18/01048/AMM. Within the site a network of roads and footpaths would provide access to the 141 residential units the subject of this application and other parts of the larger site the subject of planning permission in



principle 16/00485/PPM. Enhanced pedestrian links approved by the grant of planning permission in principle 16/00485/PPM would provide connections from the proposed development under the railway line to the rest of Longniddry. Further connections in the form of roads, cycle and walking paths would connect the proposed 141 residential units to the areas of open space on the northern and eastern parts of the site and to the Braid Burn corridor further to the west.

The masterplan docketed to planning permission in principle 16/00485/PPM indicates how areas of formal and informal open space, including a sports pitch, could be located throughout the allocated site.

Some 3.9 hectares of the application site consists of land common to this application site and to planning application 22/00734/AMM, which together with planning applications 22/00733/P and 22/00735/P comprise the eastern part of the larger site to which planning permission in principle 16/00485/PPM applies, and includes open space, SuDS and the proposed sports pitch.

The site that is the subject of this approval of matters application includes the land shown on the docketed masterplan as being the location for areas of open space and includes the provision of open space, an equipped play area and the sports pitch.

Open space in the form of a wildflower grassed area, a 'village green', including the provision of an equipped children's play area and a grassed sports pitch would be provided respectively on the northern, southern and eastern parts of the site. The applicant's agent has confirmed that areas of open space including equipped play areas would be managed under the factoring agreement in place for the new homes. This would exclude the proposed sports pitch which, once completed, is to be transferred to the Council as part of the S75 Agreement on planning permission in principle 16/000485/PPM.

SuDS in the form of two SuDS basins and a swale would be located on the northeast and northwest parts of the application site.

The requirement for details of the development and maintenance of the open space and equipped play area to be provided is controlled by condition 21 of the grant of planning permission in principle 16/00485/PPM.

The Council's **Amenity Services Officer** advises that open space and equipped play facilities for the site should be provided according to the larger development site the subject of planning permission in principle 16/00485/PPM of which the application site is a part. The Amenity Services Officer notes that, excluding the SuDS areas, in excess of 60m<sup>2</sup> per unit of open space would be provided through the development proposals.

On the matter of the equipped play area shown on the 'village green' area of the site, the Amenity Services Officer notes that the equipped play area would be only some 14m to 18m away from the frontages of residential properties which is less than the 20m distance referred to in guidance. She comments that wherever practical the ambition for a minimum 20m buffer is supported however she advises that she does not object to the proposed location of the equipped play area and acknowledges that this is a central location within the development and its position on the larger area of open space allows footpaths to cross the area of open space allowing accessibility whilst not bisecting the main equipped play area.

However, whilst the Amenity Services Officer does not object to the location of the equipped play area on the 'village green' she goes on to comment that the range of play

equipment is not suitable for 0 - 15 years age children and therefore does not support the range of play equipment proposed.

The Amenity Services Officer also advises that additional play equipment such as 'trim trail' and 'natural play' should be incorporated in to the landscaped area along the southeast edge of the wider Longniddry South development the subject of planning permission in principle 16/00485/PPM opposite and adjacent to housing plots 243 and 257.

The Amenity Services Officer advises that the area of wildflower meadow on the northern part of the application site should include mown grass paths.

The requirement for details of the play equipment to cover ages 0-15 years, and the provision of additional 'trim trail' and 'natural play' to be incorporated in to the landscaped area along the southeast edge of the wider Longniddry South development the subject of planning permission in principle 16/00485/PPM, and for mown paths within the wildflower grassed area of the northern part of the site, as well as the timescale for the delivery of the open space and equipped play areas, all to be submitted for the prior approval of the Planning Authority could be controlled by a condition of approval of matters specified in conditions.

By their positioning the areas of open space and equipped play would benefit from passive overlooking from the proposed houses and flats and from nearby proposed footpaths from which they would be accessed.

Accordingly, the open space and formal equipped play area detailed on the application drawings are consistent with the docketed masterplan. On this consideration, and subject to the aforementioned planning controls, the provision of open space would not conflict with NPF4 Policy 21 or Policies OS3 and OS4 of the adopted East Lothian Local Development Plan 2018 or with the indicative masterplan docketed to planning permission in principle 16/00485/PPM.

The application drawings include details of a proposed electricity substation to be located between plots 141 and 142. The proposed electricity substation building would be single storey in height with render walls and a slate roof. It would be small in scale and massing and would not appear harmfully intrusive within the streetscape or be harmful to the character and appearance of the proposed development.

No details have been submitted for the position, size, form, appearance and colour(s) of any gas governors to serve the proposed development. Such forms of structure can impact negatively on the character and appearance of a development and therefore it would be prudent for the Planning Authority to impose a condition requiring details of the position, size, form, appearance and colour(s) of any gas governors to be submitted prior to the commencement of development on the site.

On all of these matters of design, these other components of the proposed development would not be harmful to the character and appearance of the area and would not appear incongruous in their landscape setting and would not be harmful to the harmful to the character and appearance of the area. Nor would they be harmful to or detract from the setting of the nearby listed buildings, Inventory Garden and Designed Landscape or Special Landscape Area.

A scheme of landscaping of the site has been submitted as part of the application for matters specified in conditions including tree planting on the open space land on the northern part of the site, in the vicinity of the SuDS basins and proposed sports pitch,

and street trees along the streets and back courts/lanes.

A Landscape Maintenance and Management Proposals Plan report has also been submitted. That report has been updated in line with comments received from the Council's **Landscape Project Officer**.

The Landscape Project Officer has reviewed this report along with the landscape drawings submitted with the application.

The Landscape Project Officer makes the following comments:

1) the planting schedules of the landscape layout drawings is labelled as being indicative and omits information on the species of the proposed grass mixes;

2) 'structure shrubs' comprising native small tree and shrub species have been shown to the northwest corner of the site adjacent to the SUDS basin and hedgerow and hedgerow tree planting along the eastern site boundary. This will help to provide containment for the development from the east. It is recommended that the trees are positioned to one side of the hedge to enable maintenance of the hedge to be undertaken without damaging the trees. This should be taken on board at the planting plan stage;

3) protective fencing around structure shrubs should be minimum 1.5m high timber post and wire fencing with rabbit/deer proof mesh, and a timescale for its removal should be included in the Landscape Maintenance and Management Proposals Plan report to ensure that this is removed once the plants are established;

4) streetscape hedges or shrub planting is shown for the majority of front gardens which is supported. It is recommended that the front gardens are included in communal landscape maintenance as the planting to these is an important feature of the design that should be retained;

5) fastigate feature trees within communal space within the streetscape is supported;

6) some large species individual feature trees with spreading canopies should be included within the 'village green' area to provide shade and amenity value, particularly around the play area and seating areas;

7) 'Pachysandra' does not grow in East Lothian and should be removed from the indicative planting schedule;

8) the northwest SuDS basin is designed with regular shape and steep sides. If the shape cannot be changed then planting should be included around and within the basin to soften and integrate the basin into the wider landscape with the use of root barriers as required to protect underground pipes; and

9) the northeast is also designed with regular shape and would also be some 3.85m in depth although it is wider and has been designed with varying shallower slopes of between 1 in 6 and 1 in 7. The application drawings show planting within the basin is only wet meadow grass. There is minimal tree planting around the basin, comprising a few trees. If the shape cannot be changed then planting should be included around and within the basin to soften and integrate the basin into the wider landscape with the use of root barriers as required to protect underground pipes.

Accordingly, the Landscape Project Officer recommends the following conditions to

secure:

- A detailed scheme of landscape planting based on the landscape layout drawings taking into account the Landscape Project Officer's comments set out above; and
- The landscape planting shall be implemented and maintained and managed in accordance with the Landscape Maintenance and Management Proposals Plan report.

Subject to the aforementioned planning controls, the Landscape Projects Officer is satisfied that the proposed development could be provided with a satisfactory scheme of landscaping and does not object to the proposed development.

On all of these foregoing findings on matters of design, density, layout, landscaping and amenity the details submitted for approval are consistent with Policies DP1, DP2, DP3, DP9, CH1, OS3, OS4 and NH8 of the adopted East Lothian Local Development Plan 2018, the Council's approved development brief for site PS1 (Longniddry South) and Scottish Government policies and guidance given in Planning Advice Note 67: Housing Quality, Designing Streets and Designing Places.

It is the practice of the Council to consider a distance of 18 metres between directly facing windows and 9 metres between a window and a garden boundary as a sufficient separation distance to prevent harmful overlooking of neighbouring residential properties from proposed new buildings.

However, the Council's Supplementary Planning Guidance on Design Standards for New Housing Areas states that the council recognises that adherence to minimum distances can discourage innovative design and reinforce use of standard layouts and may consider relaxation of these distances where it can be satisfactorily demonstrated that innovative solutions can be employed to retain privacy and protect amenity of existing and new residents. The council may also chose to apply the above standards more flexibly, depending on the context of the site (e.g. conservation area where rear distances are often less than those detailed.)

The proposed housing development would provide an attractive residential environment for future residents of the proposed houses and flats. The majority of the houses and flats are shown to be laid out in such a way that adheres to the normally accepted privacy and amenity criteria on overlooking and overshadowing, whilst affording the future occupants of the houses and flats an appropriate level of privacy and residential amenity. Where there are instances that do not meet the normally accepted privacy and amenity criteria those instances are primarily in relation to distances across the new public streets. In these cases, the narrower street layout is an integral component of the design ethos of the proposed development to reflect a more compact and organic arrangement of buildings and streets with natural passive overlooking of streets and footpaths and between properties which is reflective of the tighter street patterns in parts of some historic towns and villages of East Lothian.

In the cases of plots 42, 44, 46 and 119, a first floor window of each of those respective houses would allow for harmful overlooking of neighbouring properties by virtue of being less than 9 metres away from neighbouring private garden ground and within 18 metres of directly facing first floor windows. In order to mitigate for such loss of privacy, these respective first floor windows of plots 42, 44, 46 and 119 could be obscure glazed. The requirement for the provision of such obscure glazing can be controlled by a condition attached to a grant of planning permission.

In the cases of plots 36, 37, 104 and 105, roof windows of the rear elevation of each of the respective flats over garages would allow for harmful overlooking of neighbouring

properties by virtue of being less than 9 metres away from neighbouring private garden ground and within 18 metres of directly facing first floor windows. In order to mitigate for such loss of privacy, these respective roof windows of plots 36, 37, 104 and 105 could be positioned on the roof slope so that their bottom sill would be a minimum of 1.8 metres above the finished floor level of the room the roof window would serve. The requirement for such positioning of the roof windows can be controlled by a condition attached to a grant of planning permission.

The proposed public footpaths throughout the development, including the path that would pass along the north part of the site would be a sufficient distance away from existing neighbouring residential properties and proposed properties or would be screened by boundary enclosures of an appropriate solidity and height so as not to result in harmful overlooking or loss of privacy to any existing neighbouring residential property or proposed property.

Thus, on balance and taking account of the design integrity and ethos of the proposed development, and subject to the aforementioned planning control, the proposed development would afford the future occupants of the houses and flats an appropriate level of privacy and residential amenity and would not be harmful to the privacy and amenity of any existing neighbouring residential property.

On the matters of the flatted buildings and the flats over garages not being provided with garden ground or drying greens the applicant's agent advises that each flat will be provided with a washer/dryer and that this is to be agreed with the Council's **Housing Strategy Team**.

The Council's Housing Strategy Team does not raise objection to the proposed development on this matter.

The Council's **Senior Environmental Health Officer** advises that due to its position there are concerns regarding the potential impacts on occupiers of the proposed residential properties arising from noise from road and rail traffic. A Noise Impact Assessment report (Project number 5071 Version V2, dated 2023-04-24) has been submitted with the application. The Senior Environmental Health Officer has reviewed that report and advises that he accepts the conclusions of that report. Accordingly, subject to the glazing units of the windows of plots with line of sight to the railway line being fitted with acoustic vents that provide a minimum reduction of 28 dB Dn,eW, as detailed on drawing 4 of the Noise Impact Assessment report and the gardens that would be fully exposed to road and rail traffic noise being fitted with 1.8 metres high rendered masonry walls and the north and rear boundaries of the rear gardens of plots 41 and 65 being enclosed by 2 metres high rendered masonry walls as detailed on drawing 4 of the Noise Impact Assessment report, details that could be controlled by a condition attached to a grant of planning permission, the Senior Environmental Health Officer raises no objection to the proposed development. Subject to these planning controls, the future occupants of the houses and flats would be afforded an appropriate level of privacy and residential amenity.

The Council's **Environmental Protection Officer (Contaminated Land)** advises that he has reviewed the Phase II Geo-environmental Report (prepared by Geovia) and confirms that he is satisfied that the investigation and assessment has been carried out in accordance with best practice guidelines and the relevant standards. The Environmental Protection Officer (Contaminated Land) agrees with the findings that there are no potentially unacceptable risks to on-site receptors from any viable pollutant linkages and that no mitigation measures are required. In these circumstances, there is no requirement for any additional investigative works to be carried out this stage. However,

the Environmental Protection Officer (Contaminated Land) advises that in light of the sensitive nature of the proposed development (new residential properties) and the extent of the site, he recommends that a condition be imposed to mitigate for unexpected ground conditions (contamination). It would not be unreasonable for such a condition to be imposed.

The application site is capable of accommodating all of the houses and flats without being an overdevelopment of the site and without being incompatible with the density of existing housing development in the area.

On all of these foregoing findings on matters of design, density, layout, and amenity, the details submitted for approval are consistent with Policies 4, 7, 14, 16 20 and 21 of NPF4 or Policies OS3, OS4, CH1, DP1, DP2, DP3 and DP9 of the adopted East Lothian Local Development Plan 2018, the Council's approved development brief for site PS1 (Longniddry South) and Scottish Government policies and guidance given in Planning Advice Note 67: Housing Quality, Designing Streets and Designing Places.

The Council's **Biodiversity Officer** raises no objection to the proposed development the subject of this application. They note that the site is part of the larger site of planning permission in principle 16/00485/PPM, and that it is at present part of a ploughed field which has limited ecological value.

NPF4 Policy 3 states that major development will only be supported where it can be demonstrated that the proposal will conserve, restore and enhance biodiversity including nature networks. This proposal is for matters specified in conditions of planning permission in principle 16/00485/PPM, and a planning control requiring retention of trees and planting of native wildflower mixes and details of the provision of bat boxes and bird boxes is included in the grant of planning permission in principle 16/00485/PPM. Thus, this matter is largely predetermined by the grant of planning permission in principle 16/00485/PPM.

In respect of Policy 3 the applicant's agent has provided a statement that:

- o Longniddry South is being developed on previously farmed land with little biodiversity value;
- o The creation of public open space, new garden ground and improvements to the Canty Burn will all have significant biodiversity benefits; and
- o From the outset (inclusion in the local development plan and supporting studies for planning permission in principle) biodiversity enhancements have been central to the creation of a sustainable and attractive development.

Whilst the development of the application site for housing has been established by the grant of planning permission in principle 16/00485/PPM and a condition of the grant of planning permission in principle 16/00485/PPM requires biodiversity interventions for the Braid Burn corridor, it would be prudent for the Planning Authority to seek a more detailed statement from the applicant, including further appropriate measures to conserve, restore or enhance biodiversity on the site. The requirement for such a statement including any further appropriate measures to conserve, restore or enhance biodiversity on the site could be controlled by a condition of a grant of approval of matters specified in conditions. Subject to the aforementioned control, the proposed development would not be harmful to the biodiversity and would not conflict with NPF4 Policy 3 or Policy NH3 of the adopted East Lothian Local Development Plan 2018.

NPF4 Policy 12 and Policy W3 of the adopted East Lothian Local Development Plan 2018 encourages sustainable waste management.

Swept path analysis drawings submitted by the applicant as part of this application. The Council's **Road Services** advise that due to the narrow geometry of the streets and back courts/lanes of the proposed development there is potential for large vehicles to over-run kerbs and footways. Road Services therefore request that amended swept path analysis drawings be submitted that demonstrate that the wheel-track of an FTA 10 metres (large rigid) vehicle manoeuvring will be 0.3 metres clear of any proposed kerblines and that the body of the vehicle will be 0.5 metres clear of any proposed vertical obstruction (i.e. wall, etc.). The requirement for the revised swept path analysis drawing can be made a requirement of a planning condition.

The Council's **Waste Services** raises no objection to the proposed development but advises that all residents would be responsible for presenting individual containers outwith the property on the public footpath for collection. Waste Services also ask that the containers for the entire development are ordered in one batch rather than individually to reduce unnecessary journeys. This information has been sent to the applicant's agent.

Subject to the aforementioned planning control requiring the submission of the swept path analysis, the proposal complies with Policy 12 of NPF4 and Policy W3 of the adopted East Lothian Local Development Plan 2018.

The principles of the means of accessing of the proposed housing development are already decided by the grant of planning permission in principle 16/00485/PPM. These include vehicular access to the proposed housing being taken from the classified B6363 (Coal Road) through Phase 1 of the Longniddry South development.

The submitted details for accessing the site are in accordance with these established principles of the means of accessing the residential development.

The Council's Road Services raise no objection to the proposals subject to the following matters being controlled by conditions:

1) The junction of the B6363 and Queens Road shall be modified to enable concurrent 2-way use by entering and exiting vehicles. The road width shall be a minimum of 5.5 metres. This is a requirement of ELC Standards for Development Roads for developments of 300 houses or more. The applicant shall submit details for approval, including Swept Path Assessments and Road Safety Audit and the junction shall be constructed and available for use prior to the occupation of the 300th unit.

2) The applicant shall provide a 'phasing plan' indicating how an adoptable footpath would be provided to serve each phase of development as it is occupied, to ensure that a continuous pedestrian (and cycle) path, to an adoptable standard, shall be available from any occupied phase to the footway and controlled crossing of the A198 Main Street. This is requested to provide a Safe Route to School.

3) The applicant shall provide Swept Path Assessments (SPA) demonstrating that the wheeltrack of an FTA 10 metre (Large Rigid) Design Vehicle will be 0.3 metres clear of any proposed kerblines and the body of the vehicle 0.5 metres clear of any vertical obstruction (wall etc.), and to identify any locations within the site layout where this cannot be achieved. This assessment shall then inform the applicant's Refuse Strategy, with the applicant confirming that the designated routes shown in the Refuse Strategy are fully accessible for the Design Vehicle. The SPA shall consider all vehicle movements in and out at all junctions. The applicant must ensure that there will be no 'over-sail' of public footways by the body of vehicles.

4) Speed reduction measures shall be incorporated within a revised site road layout, these shall include horizontal and vertical deflection e.g. raised table junctions, road humps etc. These shall be positioned at intervals of 40-80 metres on main access roads within the development. Details shall be submitted for approval.

5) A Stage 2 (Detailed) Quality Audit shall be submitted. This is required a) to ensure that pedestrian and cycling routes have been provided and are continuous and b) to ensure safe pedestrian and cycling routes are maintained through construction phase to occupation for each phase of development and that safe servicing/vehicle turning provision is maintained. This shall be supported by a detailed development phasing plan, demonstrating that a Safe Route to School/ pedestrian route to the village centre will be available to each phase as it is occupied.

6) The proposed access roads, cycleways and external roadworks shall be subject to Road Safety Audit. This process must be completed through Stages 2, 3 & 4 (Detailed Design, Post Opening Audit & Post Opening Audit + 12 months) - The audit process shall be undertaken in accordance with GG119 Road Safety Audits, or as amended by latest version. The scope of matters to be considered within Road Safety Audits and Quality Audits shall be agreed with the planning authority in advance and prior to undertaking the audit.

7) Prior to the commencement of development, a programme for monitoring the condition of the construction access route from the A1 trunk road to the construction access to the application site, prior to, during the period of construction on each anniversary of the commencement of the development, and immediately following the completion of the development hereby approved, shall be submitted and approved in writing by the Planning Authority. Thereafter the approved programme of monitoring shall be implemented. Any remedial works shown by the monitoring as arising from the construction of the development, shall be undertaken by the applicant within 3 months of the completion of the final monitoring undertaken, unless an alternative means of securing the works is approved in writing by the Planning Authority to ensure that damage to the adjoining road network resulting from the construction of the development is rectified.

8) All access roads shall conform to ELC Standards for Development Roads in relation to road layout and construction, footways & footpaths, parking layout and number, street lighting and traffic calming measures. (Note - road layout within the site is not generally to ELC Standards for Development Roads).

9) Vehicle access's to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing and have a minimum width of 5.5 metres over the first 10 metres to enable adequate two way movement of vehicles.

10) Driveways shall have minimum dimensions of 6 metres by 3 metres. Double driveways shall have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length. Pedestrian ramps to houses may encroach by up to 300mm on the width (but not the length) provided they are no greater than 150mm in height above the adjacent driveway surface.

11) Within residential private parking areas the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres. All visitor parking spaces within these areas shall be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings.

12) Cycle parking shall be included at a rate of 1 space per flat. The parking shall be in



the form of 1 locker per flat or communal provisions in the form of a lockable room or shed.

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

14) 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.

15) A Green Travel Plan to minimise private car trips and to encourage use of alternative modes of transport such as trains, buses, cycling and walking shall be submitted to and approved by the Planning Authority prior to the housing being occupied and /or the business units coming into operation.

16) Construction access route should only be via the B6363 (Coal Road).

17) Details of electric vehicle charging to be installed for all residential units shall be submitted to and approved in advance in writing by the Planning Authority.

18) The three garage spaces forming the ground floor of plot 104 (Flat over garage) shall be retained for the parking of vehicles only.

19) If provision of the off-site path link from the northeast corner of the site to the rear of Longniddry station is possible the said footpath link shall be included in the scheme of landscaping. If such provision is not possible, the scheme shall nevertheless be designed so as to facilitate provision of such a link at a future date should circumstances change.

20) The new vehicular access giving access to the parking areas of 3-6 Longniddry Farm Cottages shall be formed and available for use prior to the use of the existing access by vehicular traffic under the Argyll Bridge ceasing.

Subject to the imposition of those controls the proposal is not contrary to Policy T1 and T2 of the adopted East Lothian Local Development Plan 2018.

The proposed development includes provision of footpath connections with Phase 1 of the wider Longniddry South development. It also identifies a potential link between the current application site and the northern side of the Longniddry Farm Steadings, however the detail of that footpath link has not been clearly shown on the application drawings. It would therefore be prudent for the Planning Authority to require details of that proposed footpath link between the current application site and the northern side of the Longniddry Farm Steadings. The requirement for the details of that footpath to be submitted could be controlled by a condition.

The Council's **Outdoor Access Officer** advises that there are a number of footpaths around the edge of the proposed development, within its proposed parks and across the site the subject of this application. The Outdoor Access Officer raises no objection to the proposed development.

A Flood Risk Assessment report (FRA) and SuDS Drainage Strategy report along with SuDS and drainage strategy drawings have been submitted with the application. Following comments from the Council's **Structures Flooding and Street Lighting Team Manager** these reports and drawings have been updated to reflect current climate change allowance levels and to clarify the surface water drainage for the site. They advise that the SuDS basins are designed to attenuate surface water run-off to the 1 to 200 year flood event with an additional allowance for climate change and that the basins are fitted with a flow control measure that limits the outflow to a specific flow rate, and that all of this limits the amount of water that can enter the burn.

The Structures Flooding and Street Lighting Team Manager is now satisfied that the drainage strategy assesses the correct level of climate change allowance and that the proposed drainage and SuDS can attenuate that level of water on the site. Therefore he raises no objection to the application.

SEPA are also satisfied with the updated Flood Risk Assessment and do not object to the application.

Therefore subject to appropriate conditions the proposal accords with Policy 22 Flood risk and water management of NPF4 and Policies NH10 SUDS and NH11 Flooding of the adopted East Lothian Local Development Plan 2018.

Due to being in close proximity to the main east coast railway line, Network Rail have been consulted on the application. Network Rail advise that they raise no objection in principle to the proposed development subject to matters relating to development drainage, boundary treatment, landscape planting, vehicle incursion and construction being taken into account. Network Rail's comments have been sent to the applicant's agent for information. The applicant's agent has confirmed that Network Rail's comments will be taken into account. Network Rail do not raise any concerns that the proposed development could prejudice any future development of the adjacent railway.

The mechanism of the provision of a financial contribution towards additional educational provision for a housing development of 450 residential units has already been secured through the grant of planning permission in principle 16/00485/PPM.

The mechanism of the provision of 25% affordable housing within the larger site for residential development of 450 residential units (i.e. 113 units of the proposed 450 units) is already secured through the grant of planning permission in principle 16/00485/PPM. The masterplan docketed to planning permission in principle 16/00485/PPM does not indicate the locations of the affordable housing. Forty eight of the 141 residential units (19 houses and 29 flats) the subject of this application (Ref: 22/00732/AMM) for matters specified in conditions of planning permission in principle 16/00485/PPM are identified as affordable housing.

The provision of affordable housing units on the larger site of planning permission in principle 16/00485/PPM has to be considered strategically across the whole site of planning permission in principle 16/00485/PPM. The 48 affordable units proposed in this application is greater than 25% of the 141 residential units proposed in this application. When this application is taken alongside the other applications for Phase 2 of the Longniddry South development (Refs. 22/00734/AMM, 22/00733/P and 22/00735/P), and

the applications already approved for Phase 1 of the Longniddry South development (Refs. 18/01034/AMM, 18/01038/AMM and 18/01048/AMM), which together comprise the site of planning permission in principle 16/00485/PPM, an overall figure of 118 affordable housing units across these seven planning applications is a sufficient amount and provides the necessary 25% of affordable housing units and is therefore acceptable.

The Council's **Housing Enabler (Strategy and Development)** advises that the mix of house types, sizes and tenures proposed through this application is satisfactory to meet the current housing needs of the area and to ensure flexibility for future sustainability. The proposals include 48 affordable housing units. The mechanism for securing the delivery of the affordable housing is through the Section 75 Agreement of planning permission in principle 16/00485/PPM. Accordingly, the proposals do not conflict with Policies HOU1, HOU3 and HOU4 of the adopted East Lothian Local Development Plan 2018.

The Council's **Obligations Officer** notes that this application is for matters specified in conditions of planning permission in principle 16/00485/PPM and thus is part of the Section 75 Agreement of that grant of planning permission in principle, which requires financial contributions towards infrastructure to accommodate the development of 450 housing units. The Council's Obligations Officer advises that no further contributions, beyond those already captured in the Section 75 Agreement of planning permission in principle 16/00485/PPM, are required in respect of the 141 housing units proposed through this matters specified in conditions application.

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 report on the actions to be taken to reduce the carbon emissions from the building and from the completed development should be required on relevant applications for planning permission.

Policies 1 and 2 of NPF4 encourage, promote and facilitate development that addresses the global climate emergency and nature crises and that minimise emissions and adapts to the current and future impacts of climate change.

The applicant has submitted a Climate Change Strategy Statement with the application, which advises that the proposed development has been designed to comply with current Scottish Government Building Standards. The statement advises that a 'fabric first' approach will be adopted with improved u-values and reduced infiltration. It goes on to explain that gas boilers are proposed to be installed to provide both hot water and heating to the dwellings, and that solar panels will be installed on each building to provide a minimum 50% carbon emissions abatement. The statement further advises that ductwork for the future installation of electric vehicle charging infrastructure will be provided where private houses have either a private garage or parking space and that a communal 7KW car charging point will be provided in the communal parking area for each flatted block.

Although this statement provides some of the required information, further details on the actions to be taken to reduce the carbon emissions from the build and from the completed development are required and the requirement for this information could be secured through a condition attached to a grant of planning permission for the approval of matters specified in conditions. In addition, in order to further reduce carbon emissions, it would also be prudent to require proposals for the provision of new car charging points and infrastructure for them. This could also be secured by a condition imposed on a grant of planning permission for this proposed development.

Scottish Water were consulted on the planning application and raised no objection to it.

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 residential development 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 commencement of development on site, full details of the proposed Sustainable Drainage System (SuDS) 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.

Reason:

To ensure that the final SuDS design complies with Sewers for Scotland 4 and can be vested by Scottish Water in the interest of flood prevention, environmental protection and the long term amenity of the area.

- 4 In the event of the prescence of any previously unsuspected or unforeseen contamination of the land on the application site being found, development shall not begin or shall cease to continue until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme shall contain details of the proposals to deal with contamination to include:

- 1 the nature, extent and type(s) of contamination on the site,
- 2 measures to treat/remove contamination to ensure the site is fit for the use proposed,

3 measures to deal with contamination during construction works,  
4 condition of the site on completion of decontamination measures.

Thereafter any mitigation measures required shall be implemented as so approved.  
Thereafter a Verification Report shall be submitted confirming the satisfactory completion of the remedial works.

Before any of the houses and flats hereby approved are occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority, and a Verification Report shall be submitted for approval of the Planning Authority confirming the satisfactory completion of the remedial works.

If no unsuspected or unforeseen ground conditions are encountered during the development works, then this should be confirmed to the Planning Authority prior to occupation of the new dwellings.

Reason:

To ensure that the site is clear of contamination prior to the occupation of the houses and flats.

- 5 Prior to the commencement of development on the site, a delivery schedule and phasing plans for the whole of the site of planning permission 16/00485/PPM that establishes the phasing and timing programme for the proposed development. The delivery schedule and phasing plans shall include the phasing and timing for the provision of:

- i) footpaths/cycleways and external works such as on-site and off-site footpath links;
- ii) public road links, including paths, to local services, schools and the public road network;
- iii) drainage infrastructure;
- iv) recreational facilities, including open space, including the 'Village Green' and Braid Burn corridor, equipped play area and sports pitches;
- v) landscaping; and
- vi) construction phasing.

The phasing of the development of the site shall be carried out in strict accordance with the phasing plan so approved, unless otherwise approved in writing in advance by the Planning Authority.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the good planning of the site.

- 6 Prior to the commencement of development, a report on the actions to be taken to reduce the carbon emissions from the build and from the completed development shall be submitted to and approved in writing in advance by the Planning Authority. This report shall include, but not exclusively, the provision of renewable technology for all new buildings, where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report so approved.

Reason:

To minimise the environmental impact of the development.

- 7 Prior to the commencement of development, a scheme for the provision of car charging points and associated infrastructure for them, where feasible and appropriate in design terms, shall be submitted to and approved in writing by the Planning Authority. The scheme shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the charging points scheme so approved.

Reason:

To minimise the environmental impact of the development.

- 8 No part of the SuDS for the proposed development shall be sited within 10 metres of the railway boundary.

Reason:

To ensure that all surface and foul water arising from the development is collected and diverted away from Network Rail property.

- 9 Notwithstanding that which is shown on drawing nos. SC1003-LE-7000 rev D, SC1003-LE-7001 rev D and SC1003-LE-7002 rev D, a detailed scheme of landscaping, including planting plan and schedule, based on drawing nos. SC1003-LE-7000 rev D, SC1003-LE-7001 rev D and SC1003-LE-7002 rev D, shall be submitted to and approved in writing by the Planning Authority. The scheme shall provide details of: the height and slopes of any mounding on or re-contouring of the site including SuDS basin/ponds details; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. Non-thorn shrub species should be located adjacent to pedestrian areas. The scheme shall include indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development.

The landscaping shall be implemented to accord with the 'Phasing plan' drawing no. 1629(PL)002 Rev B with landscaping within each phase carried out in the first planting and seeding seasons following the occupation or completion of each phase, whichever is the sooner. The landscaping for the SuDS basins, open space to the north and the 'village green' area of open space shall be implemented within 1 year of commencement of Phase 1 of drawing no. 1629(PL)002 Rev B.

All planting, seeding or turfing comprised in the approved details of landscaping shall be implemented in accordance with the details so approved, including the timetable for implementation.

Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species and final size, unless the Planning Authority gives written consent to any variation. No trees or shrubs, detailed in the approved landscaping scheme to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority. All existing and new planting comprised in the scheme of landscaping shall be retained and maintained unless the Planning Authority gives written consent to any variation. All landscape shall be retained and maintained to accord with the details of the approved details of landscaping.

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.

- 10 The landscaping scheme pursuant to condition 9 shall be implemented, maintained and managed in accordance with the "Planting notes and landscape maintenance and management proposals" report docketed to this grant of matters specified in conditions.

The management of communal areas and front gardens as detailed in "Planting notes and landscape maintenance and management proposals" report shall be adopted and maintained by a Factor or a Residents Association in accordance with details to be submitted to and approved by the Planning Authority prior to the occupation of any residential units hereby approved.

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.

- 11 Prior to the commencement of development a detailed statement on the measures to be

implemented to enhance biodiversity on the site, including appropriate measures to conserve, restore or enhance biodiversity on the site and a timescale for their implementation shall be submitted to and approved in advance in writing by the Planning Authority. Thereafter, the measures to conserve, restore or enhance biodiversity on the site shall be implemented in accordance with the details and timescale so approved.

Reason:

In the interests of enhancing the biodiversity on the site.

- 12 Prior to the commencement of development, details, including their size, form, position, appearance and colour(s), of all gas governors, if relevant, to serve the development hereby approved shall be submitted to and approved in advance in writing by the Planning Authority, and thereafter any gas governors shall accord with the details so approved.

Reason:

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

- 13 The play equipment for this development is not hereby approved. Prior to the commencement of the development hereby approved, details of how all the areas of open space and the equipped play area are to be developed, laid out and maintained, including details of play equipment, surfacing and enclosures and a timetable for their implementation and delivery shall be submitted to and approved in advance in writing by the Planning Authority. Play equipment shall be suitable for ages 0 - 15 years.

The details shall include additional play equipment such as 'trim trail' equipped play on the green landscaped area of the southeast part of the masterplan of planning permission in principle 16/00485/PPM and shall include for mown paths in the wildflower grassed area of open space on the northern part of the site.

The details shall also include the costings of the play provision, which shall be commensurate with the requirements of the Council's Principle Amenity Officer assessment of Planning Permission in Principle 16/00485/PPM, and shall identify and define the areas of public open space and how they would be managed and maintained.

Thereafter, the areas of open space and the equipped play areas shall be installed, enclosed and thereafter retained and maintained in accordance with the details so approved.

Reason:

To ensure the satisfactory provision and maintenance of adequate play provision within the development in interests of the amenity of the area.

- 14 Prior to the commencement of development hereby approved, details of the footpath connection from the street south of the existing cottages of No.3- 6 Longniddry Farm Cottages to the north side of Longniddry Farm Steadings to connect to the shared use path leading to the Argyle Bridge shall be submitted to and approved in advance in writing by the Planning Authority. The details shall include a timescale for the provision of the footpath. The footpath shall be formed and made available for use in accordance with the details and timescale so approved and thereafter retained in use.

Reason:

To provide good pedestrian footpath network connections within the Longniddry South development.

- 15 Prior to the occupation of any one of the houses or flats hereby approved, an adoptable continuous footpath route between each phase of the development hereby approved and the controlled crossing of the A198 Main Street via the Argyle Bridge shall be provided in accordance with the details of such a footpath route and the timetable for its delivery to be

submitted to and approved in advance in writing by the Planning Authority. The continuous length of footpath shall be constructed to adoptable standards with lighting in accordance with East Lothian Council's Standards for Development Roads. The details and timetable shall show that the footpath would be provided to each phase of the site prior to the occupation of the houses/flats on that phase of the site.

Thereafter, the continuous footpath route shall be provided and delivered in accordance with the details so approved.

Reason:

In the interests of road and pedestrian safety and to provide a safe route to schools.

- 16 Construction access to the development hereby approved shall be taken from the classified B6363 public road (Coal Road) only unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of road and pedestrian safety.

- 17 Prior to the commencement of development hereby approved, Swept Path Assessments (SPA) shall be submitted to and approved in advance in writing by the Planning Authority. The information for the Swept Path Assessments (SPA) shall demonstrate that the wheeltrack of an FTA 10 metre (Large Rigid) Design Vehicle will be 0.3 metres clear of any proposed kerbline and the body of the vehicle 0.5 metres clear of any vertical obstruction (wall etc.), shall assess all vehicle movements (i.e. in and out) at all junctions, and shall identify any locations within the site layout where this cannot be achieved.

Thereafter, the layout of the development shall accord with the details so approved.

Reason:

In the interests of road and pedestrian safety.

- 18 Prior to the commencement of development, details for the modification of the junction of the B6363 classified public road and Queens Road to enable concurrent 2-way use by entering and exiting vehicles shall be submitted to and approved in advance in writing by the Planning Authority. The details shall provide a minimum road width of 5.5 metres and shall include swept path assessments and road safety audit.

Thereafter, and prior to the occupation of the 300th residential unit of matters specified in conditions approvals of planning permission in principle 16/00485/PPM, the modifications to the junction of the B6363 classified public road and Queens Road shall be carried out in accordance with the details so approved.

Reason:

In the interests of road and pedestrian safety.

- 19 Prior to the commencement of development, details of speed reduction measures shall be submitted to and approved in advance in writing by the Planning Authority. The speed reduction measures shall include horizontal and vertical deflection (i.e. raised table junctions, road humps, etc) and shall be positioned at intervals of 40-80 metres on main access roads within the development.

Thereafter, the speed reduction measures shall be implemented, retained and maintained in accordance with the details so approved.

Reason:

In the interests of road and pedestrian safety.

- 20 Prior to the commencement of development, details, including a timetable for their implementation, showing compliance with the following transportation requirements shall



be submitted to and approved in writing in advance by the Planning Authority.

(i) Any vehicle access to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing and shall have a minimum width of 5.5 metres over the first 10 metres to enable adequate two way movement of vehicles;

(ii) driveways shall have minimum dimensions of 6 metres by 3 metres. Double driveways shall have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length. Pedestrian ramps to houses may encroach by up to 300mm on the width (but not the length) provided they are no greater than 150mm in height above the adjacent driveway surface;

(iii) within residential private parking areas the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres. All visitor parking spaces within these areas shall be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings;

(iv) cycle parking shall be included at a rate of 1 space per flat. The cycle parking shall be in the form of 1 locker per flat or communal provisions in the form of a lockable room or shed; and

(v) a Green Travel Plan to minimise private car trips and to encourage use of alternative modes of transport such as trains, buses, cycling and walking shall be submitted to and approved in advance in writing by the Planning Authority prior to the housing being occupied.

Development shall thereafter be carried out in accordance with the details so approved unless otherwise approved by the Planning Authority in consultation with the Roads Authority.

All access roads shall conform to ELC Standards for Development Roads in relation to road layout and construction, footways & footpaths, parking layout and number, street lighting and traffic calming measures. This shall also comply with ELC Design Standards for New Housing Areas. NB the minimal level of treatment on home zone roads for streets with a single access.

Reason:

In the interests of road and pedestrian safety.

- 21 Notwithstanding that which is shown on the drawings docketed to this grant of planning permission, the 3 garage spaces forming the ground floor of proposed flat over garage plot 104 shall be retained open on their front elevation and at no time shall any part of the front elevations of those 3 garage spaces be enclosed. Thereafter, those 3 garages spaces shall be retained and maintained for the parking of vehicles only unless otherwise approved by the Planning Authority.

Reason:

To ensure that a sufficient standard of off-street parking is provided in the interests of road safety.

- 22 Prior to the commencement of development hereby approved, a programme for monitoring the condition of the construction access route from the A1 trunk road to the construction access to the application site from the B6363 classified public road shall be submitted and approved in writing in advance by the Planning Authority. The programme of monitoring shall include the condition of the route:
- i) prior to the commencement of the development hereby approved;
  - ii) during the period of construction on each anniversary of the commencement of the development; and
  - iii) immediately following the completion of the development hereby approved.

Unless an alternative means of securing the any remedial works is approved in writing by the Planning Authority, any remedial works identified by the monitoring as arising from the construction of the development hereby approved, shall be undertaken by the applicant/developer within 3 months of the completion of the final monitoring undertaken and shall be approved in advance in writing by the Planning Authority.

Thereafter the approved programme of monitoring shall be implemented in accordance with the details so approved.

Reason:

To ensure that damage to the adjoining road network resulting from the construction of the development is rectified, in the interests of road and pedestrian safety

- 23 The proposed access roads, cycleways and external roadworks shall be subject to Road Safety Audit and Quality Audit that shall be approved in advance in writing by the Planning Authority and thereafter the development hereby approved shall accord with the Road Safety Audit and Quality Audit so approved..

The Road Safety Audit shall be completed through Stages 2, 3 & 4 (Detailed Design, Post Opening Audit & Post Opening Audit + 12 months). The audit process shall be undertaken in accordance with GG119 Road Safety Audits, or as amended by latest version.

A Stage 2 (Detailed) Quality Audit shall be submitted to and approved in advance in writing by the Planning Authority. The Stage 2 Quality Audit shall include a detailed development phasing plan demonstrating that a Safe Route to School/pedestrian route to the village centre will be available to each phase of the development hereby approved as it is occupied.

Prior to the undertaking of the Road Safety and Quality Audits, the scope of matters to be considered within the Road Safety Audits and Quality Audits shall be agreed in advance in writing by the Planning Authority and thereafter the Road Safety and Quality Audits shall be undertaken in accordance with the details so approved.

Reason:

In the interests of road and pedestrian safety.

- 24 Other than to comply with the requirements of conditions 15 to 23, prior to the occupation of any one of the houses or flats hereby approved, the proposed access roads, parking spaces and footpaths shall have been constructed on site, in accordance with the docketed drawings and those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles in connection with the residential use of the houses and flats and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

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

- 25 Prior to the occupation of the houses hereby approved for plots 41 and 65 rendered masonry boundary walls shall be erected as follows:  
(i) 2 metres high rendered masonry boundary walls on the north and east boundary of the rear garden of plot 41,  
(ii) 2 metres high rendered masonry boundary walls on the north and west boundary of the rear garden of plot 65,

All as shown coloured BROWN in Drawing 4 of ITP Energised's Noise Impact Assessment Report Ref 5071 Version V2 of 2023-04-2023 docketed to this grant of planning permission for matters specified in conditions,

Such 2 metres high masonry boundary walls shall thereafter be retained in situ unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of protecting the internal amenity of the occupiers of the proposed houses and flats from noise associated with road and rail traffic.

- 26 Prior to their occupation the houses and flats hereby approved with glazing units on facades with a line of sight to the rail line will be provided with acoustic vents providing a reduction of 28 dB Dn,eW, enabling appropriate ventilation of habitable rooms with closed windows in accordance with Drawing 4 of ITP Energised Noise Report ref 5071 V2 of 24th April 2023 entitled Longniddy Phase Two Residential Development.

Such glazing units and ventilators shall thereafter be retained in the windows of those houses unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of protecting the internal amenity of the occupiers of the proposed houses and flats from noise associated with road and rail traffic.

- 27 The external finishes of the walls and roofs and other architectural features of the houses and flatted buildings hereby approved shall accord with the External Finishes Summary (nos.12205-HFM-ZZ-ZZ-SH-A-00-001 rev P03 and 12205-HFM-ZZ-ZZ-SH-A-00-002 rev P02) docketed to this approval of matters specified in conditions unless otherwise approved in writing by the Planning Authority.

The slate to be used to clad the roofs of the houses, flatted buildings and garages hereby approved shall be a natural slate, and the pantiles to be used to clad the roofs of the houses, flatted buildings and garages hereby approved shall be a natural clay pantile. Samples of the natural slate and natural clay pantiles shall be submitted for the prior written approval of the Planning Authority, prior to their use in the development hereby approved. Thereafter the natural slate and natural clay pantiles used shall accord with the samples so approved.

The render to be used for the finish of the external walls of the houses, flatted buildings and garages hereby approved shall be a wet dash render.

All rainwater goods and down pipes shall be of painted metal construction.

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.

- 28 The frames of the windows of the houses and flats hereby approved shall be of timber construction and the external face of the frames and where relevant their astragals shall be painted white unless otherwise approved in writing by the Planning Authority.

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.

- 29 All wall and roof mounted vents and flues to be installed on the houses, flats, garages and buildings hereby approved shall be the minimum number necessary and shall be concealed as much as possible and all visible parts of all vents and flues shall match as closely as possible the colour of the part of the roof or wall of the building to which they would adjoin.

Reason:

In the interests of safeguarding the character, integrity and appearance of the development hereby approved.

- 30 Prior to the occupation of the flats over garages of plots 36, 37, 104 and 105 hereby approved all of the roof windows of their respective rear elevation roof slopes shall be positioned on the roof slope so that their bottom cill would be a minimum of 1.8 metres above the finished floor level of the room the roof window would serve.

Thereafter, the respective roof windows shall be retained in such position on the roof slope with their bottom cill a minimum of 1.8 metres above the finished floor level of the room the roof window would serve, unless otherwise approved by the Planning Authority.

Reason:

To safeguard the privacy and amenity of the neighbouring residential properties.

- 31 Prior to the occupation of the flats hereby approved, the bin storage facilities for those respective flatted buildings shall be formed and made available for use.

Reason:

To ensure adequate provision for refuse/recycling storages and in the interest of the visual amenity of the area.

- 32 The solar/photovoltaic panels hereby approved to be installed on the roofs of the houses and flats also hereby approved shall be installed integrally into the roof slopes so that they shall not sit proud of the upper surface of the roofing material of the roofs but rather so that their upper surface is fitted as flush as possible with the upper surface of the roofing material of the roof, unless otherwise approved in writing by the Planning Authority.

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.

- 33 Prior to the occupation of the houses of plots 42, 44, 46 and 119 hereby approved the following windows shall be obscurely glazed in accordance with a sample of the obscure glazing to be submitted to and approved by the Planning Authority in advance of its use on the house and flat, as relevant:

i) the first floor window of the west elevation of the house on Plot 42;

ii) the first floor window of the east elevation of the house on Plot 44;

iii) the first floor window of the west elevation of the house on Plot 46;

iv) the first floor window of the east elevation of the house on Plot 119.

The obscure glazing of the respective first floor windows shall accord with the sample so approved. Thereafter the respective first floor windows shall continue to be obscurely glazed unless otherwise approved by the Planning Authority.

Reason:

To safeguard the privacy and amenity of the neighbouring residential properties.

- 34 All garden boundary enclosures shall be in accordance with docketed drawing no. 12205-HFM-ZZ-ZZ-DR-A-00-018 rev P07 unless otherwise approved by the Planning Authority.

Prior to the commencement of development, the timescales for their provision, shall be submitted to and approved in advance in writing by the Planning Authority.

All rear garden boundaries shall be enclosed by 1.8 metre high enclosures unless otherwise approved in advance in writing by the Planning Authority.

Development shall thereafter be carried out in full accordance with the details so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

To ensure the satisfactory provision of the boundary enclosures in the interest of safeguarding the visual amenity of the area and to safeguard the privacy and amenity of the residential properties.

- 35 A Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area shall be submitted to and approved in advance in writing by the Planning Authority prior to the commencement of development. The Construction Method Statement shall recommend mitigation measures to control noise, dust, construction traffic (including routes to/from site) and shall include hours of construction work and routing of traffic. The Construction Method Statement shall also make recommendations in respect of how pedestrians and school children can safely access the new school during construction works. It shall also provide details of utility/service drainage connections.

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

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.

Reason:

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

- 36 Prior to the commencement of the development hereby approved, details of wheel washing facilities to be installed on the site shall be submitted to and approved in advance in writing by the Planning Authority. The wheel washing facilities shall be provided and maintained in working order during the period of construction of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

Thereafter, the Wheel Washing Facilities shall be implemented and complied with in accordance with the approved details for the period of construction of the development hereby approved.

Reason:

In the interests of road and pedestrian safety.

- 37 All externally fitted service meter boxes of the houses and flats hereby approved shall be positioned to minimise their visibility within the streetscape and shall be coloured to match as closely as possible the colour of the external wall of the house/flat to which they are attached, unless otherwise approved in writing in advance by the Planning Authority.

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.

- 38 Details and samples, including colours, of the surface finishes for the hardstanding areas comprising parking areas, footpaths and cycleways shall be submitted to and approved in advance in writing by the Planning Authority prior to their use in the development hereby approved, and thereafter the materials used for the surface finishes of the hardstanding areas shall accord with the details 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.

- 39 Notwithstanding the provisions of Parts 1 and 1ZA of Schedule 1 and Class 7 of Part 2 of Schedule 1 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, as amended by The Town and Country Planning (General Permitted Development) (Scotland) Amendment Order 2011, or any subsequent Order amending, revoking or re-enacting that Order, no development other than that hereby approved or approved in compliance with any of the above planning conditions, shall take place on the houses and flats or within the curtilages of the houses and flats hereby approved or elsewhere on the application site without the prior permission of the Planning Authority.

Reason:

To safeguard the character and appearance of the development and its landscape setting.

- 40 No development shall be commenced on site unless and until written evidence that a contract has been entered into for the provision as affordable housing of all of the 19 houses and 29 flats hereby approved as affordable housing has been submitted to and agreed by the Planning Authority. Thereafter those 19 houses and 29 flats of the development shall only be used for affordable housing unless otherwise approved.

Reason:

In order to ensure the development is operated as affordable housing and is therefore compliant with the Council's policies for the provision of affordable housing and standards for car parking provision.

- 41 If provision of the off-site path link from the northeast corner of the site to the rear of the station is possible the said footpath link shall be included in the scheme of landscaping. If such provision is not possible, the scheme shall nevertheless be designed so as to facilitate provision of such a link at a future date should circumstances change.

Reason:

In the interests of safe access to the station.

- 42 The new vehicular access giving access to the parking areas of 3-6 Longniddry Farm Cottages shall be formed and available for use prior to the use of the existing vehicular access under the Argyle Bridge ceasing.

Reason:

To ensure continued access to those cottages.