



## MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

TUESDAY 22 AUGUST 2023  
VIA A DIGITAL MEETING FACILITY

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**Committee Members Present:**

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

**Other Councillors Present:**

None

**Council Officials Present:**

Mr K Dingwall, Service Manager – Planning  
Ms E Taylor, Team Manager – Planning Delivery  
Mr C Grilli, Service Manager – Governance  
Ms P Gray, Communications Adviser  
Mr J Canty, Transportation Planning Officer  
Mr G McLeod, Transportation Planning Officer  
Ms L Hunter, Senior Roads Officer  
Mr A Hussain, Transportation Planning Officer  
Mr I Chalmers, Senior Engineer – Flood Protection

**Clerk:**

Ms B Crichton

**Visitors Present/Addressing the Committee:**

Item 2: Mr T Thomas, Mr C Hall, Ms P Swan, and Ms J Bell  
Item 3: Mr S Hindson  
Item 4: Mr I Hunt

**Apologies:**

Councillor C Cassini  
Councillor C McGinn

**Declarations of Interest:**

Item 2: Councillor Hampshire, due to being a trustee of a trust who would be a developer contribution beneficiary.

**1. MINUTES OF PLANNING COMMITTEE MEETING, 6 JUNE 2023**

The minutes were agreed as an accurate record of the meeting.

*Sederunt: Councillor Hampshire left the meeting, and Councillor McMillan took over as Convener.*

**2. FURTHER REPORT OF HANDLING OF PLANNING APPLICATION NO. 21/00997/PM – ERECTION OF 78 HOUSES, GOLF CLUBHOUSE, GOLF RELATED FACILITIES INCLUDING DRIVING RANGE, SHORT COURSE, PRACTICE AREA AND ASSOCIATED WORKS – DUNBAR GOLF CLUB, EAST LINKS ROAD, DUNBAR**

A further report of handling was submitted in relation to Planning Application No. 21/00997/PM. Keith Dingwall, Service Manager - Planning, presented the report, highlighting the salient points. The application was brought back before the Planning Committee for assessment in line with new National Planning Framework 4 (NPF4). The recommendation was to grant consent.

Responding to a question from Councillor McLeod, Mr Dingwall advised that sports pitch changing pavilions would be at Hallhill North. He referred to the Local Development Plan (LDP) inset map site DR3 allocated for open space for pitch provision; he said there was an intention for a planning application to come forward with the detail of this sports pitch provision in the future.

Responding to a question from Councillor Findlay, Mr Dingwall said that NPF4 had a policy which allowed the planning authority to require artworks in suitable circumstances, and it was felt that an artwork was justified in this development. Generally it would be for the applicant to propose artworks, and the planning authority would make relevant consultations before coming to a decision.

Councillor McIntosh asked why it had been deemed that affordable housing was not required as part of this development, given the strict nature of NPF4 Policy 16's requirement for 25% affordable housing unless there were specified circumstances. Mr Dingwall said that one such circumstance under the LDP which did not require affordable housing was if the application was for an 'enabling development'. The proposed housing was to enable development of the golf course infrastructure. It had been considered by Planning Committee previously that affordable housing was not required in this instance and this remained the position of the planning authority.

Tony Thomas spoke to the application. He highlighted the planning report's conclusion that there were no additional implications as a result of the adoption of NPF4 and said that proposals did accord with NPF4 policies. He gave examples of how the proposals created sustainable, liveable, and productive places, including: reuse of the existing clubhouse site; the planting programme; use of sustainable construction methods; the quality of new homes; and through delivery of economic benefits. He advised of gas-free parts of the development, including the new clubhouse and many of the proposed homes, and installation of hybrid intelligent heating systems in those homes which were not gas-free. He advised that these homes had suitably-sized piping for conversion to be heated only by air source heat pumps in the future. He said proposed planting would improve the existing mix of habitats and seek to enhance biodiversity across the site. He summarised that the economic, environmental, and community benefits of the new clubhouse and enhanced golf facilities justified the enabling development of the new homes, and said the housing development would be in keeping with other housing developments in the area. He highlighted letters of support for the application.

He said that the existing clubhouse no longer met golfer expectations, and the new clubhouse would enhance the club's reputation and bring economic benefits. He also drew attention to contributions and upgrades that would be made through the Section 75 agreement, and work the club had undertaken with schools and other groups.

Councillor McIntosh asked about heating of the homes. Mr Thomas confirmed that 60 of the homes would have the hybrid solution using gas, air source heat pumps, and solar panels. The intelligent heating system determined the most efficient use of power creation and would switch automatically. Councillor McIntosh questioned the continued use of gas, and Mr Thomas responded that the comfort and expectations of customers had to be considered; he said there was still a perception amongst housebuilders that customers liked having a gas boiler. Councillor McIntosh responded that housebuilders should be doing more to challenge these expectations.

Councillor McMillan asked for further information on improvements being made to transport links. Mr Thomas said contributions were made to the wider transport network through the Section 75 agreement, and specified works at Old Craighall.

Christopher Hall spoke against the application on behalf of the residents of Roxburgh Park. He noted the legal weight of NPF4 and its greater focus on the climate emergency. He drew attention to various NPF4 policies and commented on them. He said building the executive villas would change the coastline's character forever. He said that residents at the east end of Dunbar would have to use a car to access a green space unless they were members of the golf club. He felt small greens and play parks within the housing estate were not suitable alternatives; any suggestion the development would enhance public access to green space was disingenuous. He said that replacement of a wild area with the monoculture of a golf course was against the NPF4 principal to restore and better connect biodiversity. He felt that the enabling development argument was very thin, as there was no access to the clubhouse or facilities except for paying members or visitors and some school children given tuition. He said the development would reduce the town's flood risk resilience, and highlighted an acknowledgement in the risk assessment that there would be flooding issues for some of the houses in severe storms. He noted the club's 10-year waiting list, meaning there was no opportunity for growth, and felt visitors would be unlikely to venture beyond the golf course. He said there was no extra draw for tourists since there would be no hotel. He concluded that the application did not meet the policies of NPF4 and should be refused.

Alasdair Swan spoke against the application on behalf of Dunbar Community Council (DCC). He noted that many residents were unhappy with the proposals. He said that Scottish ministers could not have intended that tokenism would be enough to meet the ambitious criteria of NPF4, as DCC considered that the proposals failed to meet the criteria of 20 of the 23 relevant policies. He said that the scheme and its house types, the lack of a comprehensive renewables plan for all 78 houses, and site itself, did not point to there being due consideration of the climate and nature crises. He highlighted the 15 hectares of land being lost at the deer park, with a resultant loss of habitat for wildlife and valued land for walking space. He said that only a small part of the site would be brown field. The development also encroached on the coastal belt for the construction of 18 executive homes which met none of the needs of the blue economy. He found no evidence to suggest that the house designs had been adapted to meet the zero-waste requirements of Policy 12, and he noted that the development would not be within a 20-minute neighbourhood bubble. He noted also the lack of recreational pathways and green spaces would result in a loss of amenity for residents. He also highlighted that the development did not meet housing needs for younger and older people, or for those with additional support needs. He said that the capacity of health services had not been considered. He summarised that the proposed houses were out of scale on the shore, and contributed nothing to local living. DCC considered that approval of the application would set the compliance bar very low for NPF4 as it believed the proposals to be in conflict with the majority of NPF4 policies.

Jacque Bell spoke against the application on behalf of West Barns Community Council (WBCC). She advised that WBCC remained opposed to proposals for executive housing to enable development at the golf club, which was recommended for approval despite the level of public objection. She noted issue with the long term viability of the golf course due to coastal flooding, and said that 18 of the houses were proposed to be situated on a site which could be waterlogged. She also noted a history on the land of slippage and sink holes. She said that sewage and drainage were of major concern, and highlighted issue at the newest Robertson development. She said that deer were already under pressure in the area, and the development would contribute to this. She said that the designs did not consider housing urgently needed within communities. She said that the housing being outwith a 20-minute neighbourhood bubble would increase the use of cars. She asked Members to reject the proposal, and to put the environment and green space for the community first.

**Sederunt:** *Councillor Collins joined the meeting.*

The Convener moved to comments, and Councillor McLeod said that Dunbar Golf Club had a first class golf course with second rate facilities. He was fully supportive of the application, but said he may take a different approach if further applications were to come in.

Councillor Gilbert said he had had sufficient doubts to vote against the application when it was first heard, and the additional scrutiny against NPF4 had increased those doubts.

Councillor McIntosh agreed with the Mr Hall's statement that it was important that NPF4 was not only a tick box exercise. She felt there was too large a gap between the proposals and what NPF4 required. She was particularly concerned about the loss of access to a green space for local residents, and about flooding. She had become aware that flood assessments did not take erosion into account, and it looked likely that this coastline would change through erosion, and felt that it was not sensible or viable to put 17 houses on this area of land. She also felt that installing gas in houses did not give due weight to the climate crisis.

Councillor Allan did not agree that approval of this application would be a 'carte blanche' for other applications being assessed against NPF4, and thought that the Planning Committee would continue to consider applications on a case-by-case basis. Councillor Findlay agreed with Councillor Allan, and felt that the economic benefits would be significant.

Councillor Collins supported the application. She felt there would be significant economic benefit to the tourism and hospitality industries in Dunbar, and local children would also benefit from the proposals.

Councillor McMillan thought that objectors had put forward strong arguments, but felt that their points had been addressed in officers' comments in the report. He highlighted Policy 29, encouraging rural economic activity and diversification whilst ensuring that the distinctive character of the rural area was guarded and enhanced, and felt the proposals would encourage economic activity through enhancement of the golf facilities. He thought the development would enhance the community of Dunbar economically, socially, and culturally, and he would support the application.

Councillor McMillan then moved to a roll call on the officer recommendation to grant consent. Votes were cast as follows:

For:	8	(Councillors McMillan, Allan, Collins, Findlay, Findlay, Forrest, McLeod, and Yorkston)
Against:	2	(Councillors Gilbert and McIntosh)
Abstentions:	0	

## Decision

The Planning Committee agreed to grant the application, subject to the following:

1. the 31 conditions listed in the original Planning Assessment Report of 4 October 2022, as well as the addition of the officer recommended condition requiring the development to begin before the expiration of three years from the date of planning permission granted agreed by Planning Committee at the meeting of 4 October 2022;
2. an additional condition (condition 33) requiring the submission and approval of the detail of the provision of artwork; and
3. the satisfactory conclusion of an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997, or some other legal agreement designed to secure from the applicant:
  - (i) a financial contribution of a total of £643,890 towards the provision of additional accommodation at Dunbar Primary Lower School (John Muir Campus), Dunbar Primary Upper School (Lochend Campus) and Dunbar Grammar School;
  - (ii) a financial contribution to the Council of £2,658 for transport improvements to Old Craighall Junction, Salters Road Interchange, Bankton Interchange, Musselburgh town centre improvements and Tranent town centre improvements;
  - (iii) a financial contribution to the Council of £25,714 towards the provision of signalling the junction of Queens Road and Spott Road, Dunbar;
  - (iv) a financial contribution to the Council of £76,424.40 towards the provision of a full size grass community sports pitch and changing facilities; and
  - (v) a control on the phasing of the proposed development on the following terms:
    - (1) No work shall commence on any of the houses approved in this planning permission unless and until development of the Clubhouse and the Clubhouse Car Park has commenced to the satisfaction of the Council.
    - (2) The occupancy of more than 22 houses is prohibited until the (1) Commencement of Development of the Golf Academy and Driving Range; and (2) the completion of the Clubhouse and car park to a building shell extent, which building shell extent includes being wind and watertight (roof, walls and windows), the extent is to be agreed with the Council.
    - (3) The Commencement of Development of the Green-Keepers maintenance facility building and the short hole golf course and practice area shall be no later than the Occupation of the forty fifth (45) house.
    - (4) The Commencement of Development of any of the houses on the Existing Clubhouse Site (shown as Site 2 on the application drawings) is prohibited until the construction of the Clubhouse and the Car Park and the Golf Academy and the Driving Range are completed all to the satisfaction of the Council.
    - (5) No houses shall be occupied at the Existing Clubhouse Site (shown as Site 2 on the application drawings) until after the completion of the Green-Keepers maintenance facility building to the satisfaction of the Council.
    - (6) No more than Nine (9) houses erected at the Existing Clubhouse Site (shown as Site 2 on the application drawings) shall be occupied until the construction of the short hole golf course and practice area have been completed to the satisfaction of the Council.
4. That in accordance with the Council's policy on time limits for completion of planning agreements it is recommended that the decision should also be that in the event of the Section 75 Agreement not having been executed by the applicant, the landowner and any other relevant

party within six months of the decision taken on this application, the application shall then be refused for the reason that without the developer contributions and phasing control to be secured by the Agreement the proposed development is unacceptable due to a lack of sufficient school capacity at Dunbar Primary Lower School (John Muir Campus), Dunbar Primary Upper School (Lochend Campus) and Dunbar Grammar School, a lack of roads and transport infrastructure improvements, a lack of new sports pitches and changing accommodation and a lack of control to ensure delivery of the golf club facilities the enabling housing is proposed to deliver, contrary to, as applicable, Policy 18 of NPF4, Proposals CF1 and ED6 and Policies DEL1, T32 and DC5 of the adopted East Lothian Local Development Plan 2018.

*Additional Condition*

1. Unless otherwise agreed in writing by the Planning Authority, no residential unit shall be occupied and no use shall be made of the new golf clubhouse or any of the new golf related facilities unless and until details of artwork to be provided on the site or at an alternative location away from the site have been submitted to and approved by the Planning Authority. The details shall include a timetable for the provision of the artwork.

The artwork shall thereafter be provided in accordance with the details and timetable so approved.

Reason:

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

*Sederunt: Councillor Hampshire re-joined the meeting.*

**3. PLANNING APPLICATION NO. 22/01416/AMM – APPROVAL OF MATTERS SPECIFIED IN CONDITION 1 OF PLANNING CONSENT 21/00290/PPM - RELATING TO THE SUBSTATION DEVELOPMENT ZONE AND THE TEMPORARY CONSTRUCTION COMPOUND DEVELOPMENT ZONE, LAND AT EDINBURGH ROAD, COCKENZIE**

A report was submitted in relation to Planning Application No. 22/01416/AMM. Mr Dingwall presented the report, highlighting the salient points. The report recommendation was to grant consent.

Officers responded to questions from Members. Councillor Yorkston raised that there had been local concern over the development taking place at the other side of Edinburgh Road. He sought confirmation that the traffic from this proposed development would not use either East Lorimer Place or Edinburgh Road during the construction process, but would instead use the internal private road. Mr Dingwall was aware of concerns regarding traffic to the Inchcape development and had asked enforcement officer to get in touch with the developers. He knew that there was a desire to use the private service road where possible. Liz Hunter, Roads Officer, added that the original planning application indicated that all construction traffic would reach the site via the private service road through the Cockenzie Power Station site. A construction traffic management plan had been received relating to the original application, which suggested a change of access approach to use local roads rather than the private service road. Officers had requested that this be reviewed and that the private service road only be used for construction traffic.

Councillor Gilbert asked questions about the size and timing of the development in relation to the Inchcape development. Mr Dingwall would take these questions offline, but stressed that this application had to be considered on its own merits. Simon Hindson of SSE added that there was no fixed timeframe for starting work on the site, but thought there would not be

significant overlap with the Inchcape development. He advised that the construction traffic management plan was under review to minimise the cumulative impact on the community.

Mr Hindson then gave his presentation. He advised that the tallest building on the site would be 12.45m, and pointed out the various buildings on a site map. He provided information about the 36 wind turbines 66km off the East Lothian coast which would connect into the new substation at Cockenzie. The development was considered as nationally important infrastructure under the provisions of NPF4. He noted the design principals used to influence the development's integration within the site; the planning permission in principle had limited the building height to 18m, but he said the tallest building at 12.45m would be 10m shorter than the adjacent Scottish Power substation and would be commensurate with the tallest Inchcape building. He said that the smaller structures rather than one large building would break up the mass of buildings on the site, and advised that the site would be levelled and the buildings cut into the landform to set the buildings down. The buildings would also be set back from Edinburgh Road, and the electrical infrastructure would be hidden from the majority of people. He also described the planting, which would provide screening and enhance biodiversity. Lighting would be motion activated and low wattage to avoid impact on nearby properties, and noise would be within consented limits. He noted the condition requiring buildings to have a gradation of colour from dark to light, and said the developer was happy to work with officers on final arrangements. He showed images to illustrate the graded colours, the screening impact of the land, and the size of the development next to the Scottish Power substation. He said that the officer recommendations were welcomed.

Councillor Yorkston raised concern about the planting being on only one side of the service road, which would not provide adequate screening if travelling from Cockenzie to Prestonpans. Mr Hindson explained that this was because the developer did not control the land on the other side of the service road.

The Convener asked whether more than 36 turbines could be fed into this facility. Mr Hindson advised that the developer had a grid connection offer of up to 500 megawatts for the site, and the Section 36 consent was for 36 turbines with a maximum capacity of 500 megawatts. Therefore, further turbines would need a different group connection and Section 36 consent from Marine Scotland.

Councillor Yorkston was fully supportive of the application and was happy to see the size of the development not using its entire permitted allocation in terms of height and footprint. He would vote to approve the application.

Councillor McMillan welcomed earlier comments relating to transport and noise for local residents. Residents had raised concern with him about the amount of traffic, and he hoped that every effort would be made to minimise disruption. He would support the application.

The Convener noted that the development represented another piece of national infrastructure coming to East Lothian. Renewable energy from offshore wind required onshore infrastructure. He appreciated that the majority of equipment had been put into buildings, and welcomed the two-tone colour. He said that the planting would also be appreciated by the local community, and would support the application.

The Convener moved to a roll call vote on the report recommendation to grant consent, and Members unanimously voted to grant the application.

## **Decision**

The Planning Committee granted planning permission, subject to the undernoted conditions:

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

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

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground 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 substation buildings shown in relation to the finished ground levels on the site.

Reason:

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

- 2 Notwithstanding that which is stated on the drawings docketed to this approval of matters specified in conditions permission, a detailed specification of the external finishes (including the colours) of the exterior cladding, doors, rainwater goods, external staircases and external building services of all the substation buildings hereby approved (the GIS building, control building, harmonic filter building and STATCOM building) shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development.

Thereafter the external finishes (including the colours) used in the construction of all the substation buildings shall conform to the details so approved.

Reason:

To ensure the development is of a satisfactory appearance in the interest of the amenity of the locality.

#### **4. PLANNING APPLICATION NO. 22/01333/PM – ERECTION OF 49 HOUSES, 4 FLATS AND ASSOCIATED WORKS – LAND TO THE SOUTH OF DAVIDS WAY, LETHAM, HADDINGTON**

A report was submitted in relation to Planning Application No. 22/01333/PM. Mr Dingwall presented the report, highlighting the salient points. The report recommendation was to grant consent.

Officers responded to questions from Members. Councillor McIntosh asked whether there was a pavement all the way around the road that circled the houses under discussion, and spoke of the potential for accidents on new build estates where minor roads had no pavements. The Convener noted that the model where the carriageway was also a footway was used widely and seemed to work. Councillor McIntosh thought that the design standards required separate pavements, and was content if this development had a separate pavement to the carriageway.

Councillor Forrest asked about the difference the addition of seven houses made to sizes of the plots. Ian Hunt, applicant's agent, responded that the houses had been made smaller. The 5- and 4-bedroom houses had been very wide, and the width had been condensed. The depth of gardens was still 9-12m along the plots, and overlooking and overshadowing distances were maintained throughout the site. The main difference was bringing in 2-bedroom terraced houses to replace 3-bedroom semi-detached houses to intensify the use of the land.

Councillor Forrest welcomed the social housing coming forward. Councillor McIntosh welcomed replacement of 3-bedroom houses with 2-bedroom houses, as there was a lack of



2-bedroom houses in the area. She was also impressed with the entirely gas-free central heating and hoped that CALA and other housing developers would follow suit.

Councillor McMillan welcomed the application and particularly the house types. He also thought that safety and work to connect paths and cycle paths had to remain at the forefront in consideration of future developments.

The Convener then moved to a roll call vote on the officer recommendation to grant consent, and Members unanimously voted to approve the application.

## **DECISION**

The Planning Committee granted planning permission, 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 Notwithstanding that which is stated on the drawings docketed to this planning permission, a detailed specification of all external finishes of the houses of the proposed development shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. The external finishes of the houses shall be in accordance with a co-ordinated scheme of materials and colours that shall be submitted to and approved in advance by the Planning Authority. This co-ordinated scheme shall in detail promote render as the predominant finish to the walls of the houses, with a use of more than one render colour and with a strongly contrasting difference in the colours such that they will not each be of a light colour. The render colours shall have due regard to the finishes of other residential properties in Haddington. However, some use of reconstituted stone would be acceptable providing it is limited to a distinctively complete feature of the houses, respectful of their design integrity. All such materials used in the construction of the houses and flats shall conform to the details so approved.

Reason:

To ensure the development is of a satisfactory appearance in the interest of the amenity of the locality.

- 4 A timetable for the provision of the erection of the boundary enclosures for the rear gardens of the houses hereby approved shall be submitted to and approved in advance by the Planning

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

Reason:

To ensure the satisfactory provision of the boundary enclosures in the interest of safeguarding the privacy and amenity of future residents of the development and residential properties nearby.

- 5 Prior to any site development works a suitable Geo-Environmental Assessment must be carried out, with the Report(s) being submitted to the Planning Authority for approval. It should include details of the following:

- (i) A Preliminary Investigation incorporating a Phase I Desk Study (including site reconnaissance, development of a conceptual model and an initial risk assessment);
- (ii) A Ground Investigation comprising a survey of the extent, scale and nature of contamination, and an updated conceptual model of the site. It is required if the Desk Study has indicated that the site is potentially contaminated and the degree and nature of the contamination warrants further investigation;
- (iii) An appraisal of the remediation methods available and proposal of the preferred option(s).

The site investigation and risk assessment must be undertaken by suitably qualified, experienced and competent persons and must be conducted in accordance with the Environment Agency's Contaminated Land Report 11, Model Procedures for the Management of Land Contamination, CLR11.

If it is concluded by the written report that remediation of the site is not required, then Parts (a) and (b) of this Condition can be disregarded.

(a) Prior to any works beginning on site (and where risks have been identified), a detailed Remediation Statement should be produced that shows the site is to be brought to a condition suitable for the intended use by the removal of unacceptable risks to all relevant and statutory receptors. The Statement should detail all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. It should also ensure that the site will not qualify as contaminated land under Part2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development. The Statement must be submitted to the Planning Authority for approval.

(b) Following completion of the measures identified in the approved Remediation Statement, a Validation Report should be submitted that demonstrates the effectiveness of the remediation carried out. It must be approved by the Planning Authority prior to commencement of the new use of the land.

In the event of the presence of any previously unsuspected or unforeseen contamination of the land of the application site being found, development shall not begin, or shall cease to continue, until further investigations have been carried out to determine if any additional remediation measures are required.

Reason:

To ensure that the site is clear of contamination and that remediation works are acceptable.

- 6 The flatted building hereby approved shall be provided with communal drying green space in accordance with the details shown for such space on drawing number PL(01) Revision E titled 'Site Plan Phase 2A'. The communal drying green space shall be formed and made available for use prior to the occupation of the flats on plots 210, 211, 212 and 213, and shall thereafter be retained and available for such use unless otherwise approved in writing by the Planning Authority.

Reason:

In the interest of the amenity of the neighbouring residential properties and to minimise the environmental impact of the development.

- 7 Prior to the occupation of the flats hereby approved, the bin storage facilities for those flats as shown on docketed drawing number PL(01) Revision E titled 'Site Plan Phase 2A' 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.

- 8 All new planting, seeding and turfing as detailed on drawing numbers MMLM2 104.22 SL-01 Revision C, MMLM2 104.22 SL-02 Revision A and MMLM2 104.22 SL-03 Revision A docketed to this planning permission shall be carried out in the first planting season (between November and February) following the completion of the development hereby approved. Any new trees, shrubs, plants or hedging which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area and to enhance the biodiversity of the site.

- 9 Prior to commencement of development hereby approved a Surface Water Management Plan (SWMP) for the site shall be submitted to and approved by the Planning Authority. The SWMP shall include details on how surface water and attenuation water on site will be managed and shall demonstrate that the level of protection to be attenuated will ensure that there will be no flooding at a 1 in 200 year plus climate change flood event.

The development shall thereafter be carried out in strict accordance with the Surface Water Management Plan and details so approved, unless otherwise agreed in writing with the Planning Authority.

Reason:

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

- 10 The residential scheme of development shall comply with the following transportation requirements:

(i) all roads and paths shall conform to East Lothian Council Standards for Development Roads and, in particular, all paths and footways shall have a maximum longitudinal gradients of 5%;

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

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

(iv) all prospectively adoptable parking bays (i.e. that will form part of the public road) shall have minimum dimensions of 2.5 metres by 6 metres. This can be reduced to a minimum length of 5 metres on the proviso that there is adequate road space to manoeuvre in adjacent to the parking bay;

(v) vehicle accesses to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing. Within private parking areas, the minimum dimensions of a single parking space shall be 2.5m by 5 metres. The circulation lane should be 6 metres wide for nose-in parking - a narrower lane is acceptable for echelon parking;

(vi) all path and footway connections from a zone under construction to the existing settlement shall be constructed to an adoptable standard before the occupation of any units in that particular zone;

(vii) prior to commencement of development, a Factoring Plan shall be submitted clearly indicating the different responsibilities for long-term maintenance including: private and shared private areas, factored areas, and prospectively adoptable roads; and

(viii) a Travel Information Pack with information for residents to encourage use of sustainable modes of transport such as trains, buses, cycling and walking shall be submitted to and approved by the Planning Authority prior to construction commencing. The Travel Information Pack will include local bus and train timetables, local cycling and walking maps, information on bike hire/car sharing, and shall include details of how it will be distributed to residents.

Reason:

In the interests of pedestrian and road safety.

- 11 Prior to the commencement of development, a Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area shall be submitted to and approved by the Planning Authority. Construction access to the site will not be permitted via the Knox Place junction onto West Road or via Clerkington Road/Park Lane'. The Construction Method Statement shall recommend mitigation measures to control noise, dust, construction traffic (including parking, routes to/from site and delivery times) and shall include hours of construction work.

The recommendations of the Construction Method Statement shall be implemented prior to the commencement of development. Development shall thereafter be undertaken in accordance with the details so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

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

- 12 No work shall be carried out on the site unless and until an effective vehicle wheel washing facility has been installed in accordance with details to be submitted to and approved by the Planning Authority prior to its installation. Such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.

Reason

In the interests of road safety.

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

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

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

Reason:

To minimise the environmental impact of the development.

- 14 Prior to the commencement of development, a report on the actions to be taken to reduce the Carbon Emissions from the build and from the completed development shall be submitted to and approved in writing by the Planning Authority. This shall include the provision of renewable technology for all new buildings where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report so approved.

Reason:

To minimise the environmental impact of the development.

Signed .....

Councillor Norman Hampshire  
Convener of the Planning Committee