

**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 1 December 2009

**BY:** Executive Director of Environment  
(Planning & Building Standards)

**SUBJECT:** Application for Planning Permission for Consideration

---

Application No. **09/00403/FUL**

Proposal Erection of 22 flats, 6 houses and associated works

Location **Land At Appin Drive  
Prestonpans  
East Lothian**

Applicant Persimmon Homes East Scotland

Ward 003

RECOMMENDATION Consent Granted

#### PLANNING ASSESSMENT

The site the subject of this application is part of the larger area of land at Longdykes covered by Proposal H38 (Longdykes, Prestonpans) of the adopted East Lothian Local Plan 2008. Proposal H38 states that approximately 20 hectares of land on the site of the former Longdykes Market Garden is allocated for housing and associated development. Previously the land was allocated for such development by Proposal PS1 of the adopted East Lothian Local Plan 2000, to meet the strategic housing land requirement for the Prestonpans area set by Policy H7 of the approved Lothian Structure Plan 1994.

Outline planning permission (Ref: 00/01165/OUT) was granted in June 2003 for the residential development of the land of the former Longdykes Market Garden (i.e. Longdykes). Outline planning permission 00/01165/OUT was granted subject to conditions, including a condition restricting the total number of residential units to be erected on the land to no more than 500.

Through subsequent grants of reserved matters approval or full planning permission the road layout has been constructed and most of the land is already developed, mainly with new houses but also with some flatted buildings. The majority of the new houses and flats are occupied.

The site that is the subject of this planning application is an undeveloped area of land located centrally on the southern half of the Longdykes housing site. The public road of McLachlan Gardens, which runs on an east to west axis, runs through the middle of the application site, bisecting it into two parts.

In December 2003 reserved matters approval (Ref: 03/00786/REM) relative to outline planning permission 00/01165/OUT was granted for the erection of 358 houses and 120 flats on the Longdykes housing site. The applicant was Persimmon Homes (East Scotland) Ltd. That approved housing development included the erection of 13 houses on the site that is the subject of this planning application, 4 to the north of McLachlan Gardens and the other 9 to the south of it.

Planning permission is now sought for an alternative scheme of residential development for this part of the Longdykes housing site, comprising the erection of 22 flats and 6 houses.

The site is bounded to the south by the flatted buildings of McGregor Pend, to the west by the public roads of McGregor Pend and Appin Drive, to the north by the houses of Appin Drive and Clanranald Avenue, and to the east by residential properties and by the public road of Clanranald Avenue.

It is proposed that a two storey building containing two flats and a terrace of 4 two storey houses be located on the part of the application site that is to the north of the public road McLachlan Gardens. The two storey building containing two flats would be positioned with its front (western) elevation facing towards Appin Drive, from where its vehicular access would be taken. The terrace of 4 two storey houses would be positioned with their front (southern) elevation facing towards the public road of McLachlan Gardens, from where their vehicular accesses would be taken. It is also proposed that two detached two storey houses and three buildings containing a total of 20 flats would be located on the part of the application site that is to the south of the public road of McLachlan Gardens. All of those proposed buildings would be positioned with their front (northern) elevations facing towards the public road of McLachlan Gardens. The 20 flats would be contained in three buildings, two of which would be three storeys in height and the other one, two storeys in height. The flats would each contain two bedrooms. Two of the proposed houses would contain two bedrooms, two of the proposed houses would contain three bedrooms, and the other two proposed houses would contain four bedrooms. The walls of the buildings would be predominantly finished in dry dash render with buff coloured stone base courses and feature panels. The roofs of the buildings would be pitched and gabled and clad in concrete tiles. Doors and windows would be double glazed and constructed with UPVC frames. The two four bedroom houses would each have two dedicated off-street parking spaces. All of the other proposed houses and flats would each have one dedicated off-street parking space. A lay-by containing two visitor parking spaces would additionally be formed on part of the south side of the public road of McLachlan Gardens, at a point close to the junction of McLachlan Gardens with Appin Drive.

The applicant confirms in writing that the flats and the houses would all be for affordable rent.

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

The development plan is the approved Edinburgh and the Lothians Structure Plan 2015 and the adopted East Lothian Local Plan 2008.

Policies HOU1 (Existing Housing Sites) and ENV1G (Design of New Development) of the approved Edinburgh and the Lothians Structure Plan 2015 and Proposal H38 (Longdykes, Prestonpans) and Policies DP1 (Landscape and Streetscape Character), DP2 (Design), DP22 (Private Parking) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Material to the determination of the application is the Scottish Government Advice given in Planning Advice Note 67: Housing Quality.

Planning Advice Note 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 spoiled 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.

28 written objections have been received. The main grounds of objection are as follows:

- i) local residents bought their properties in the understanding that the site was to be used for private housing;
- ii) loss of private views;
- iii) loss of property value;
- iv) additional traffic generated by the development would increase congestion and result in a road safety hazard;
- v) loss of privacy and amenity through overlooking and loss of daylight; and
- vi) the flatted buildings would be visually overbearing.

As a consultee, Prestonpans Community Council raise no concerns about the proposed development.

The principle of residential development of the application site is established by the grant of outline planning permission 00/01165/OUT, a decision that when taken was compliant with Policy H7 of the approved Lothian Structure Plan 1994 and Proposal PS1 of the adopted East Lothian Local Plan 2000. The principle of residential development of the

site is further established by the approval of reserved matters 03/00786/REM. The development of the site as part of the larger Longdykes housing site continues to be supported by Policy HOU1 (Existing Housing Sites) of the approved Edinburgh and the Lothians Structure Plan 2015 (the replacement for the Lothian Structure Plan 1994) and Proposal H38 of the adopted East Lothian Local Plan 2008 (a continuation of previous Proposal PS1 of the former East Lothian Local Plan 2000).

Outline planning permission 00/01165/OUT restricted the number of residential units to be developed at Longdykes to no more than 500. In addition to the 358 houses and 120 flats (a total of 478 units) approved by reserved matters approval 03/00786/REM, and as amendments to that approved scheme of housing development of 478 units, planning permission was subsequently granted (Refs: 04/00549/FUL and 04/00637/FUL) for a further 21 flats and 1 house at Longdykes. Already therefore reserved matters approval/planning permission has been granted for the erection of a total of 500 residential units on the Longdykes housing site.

This total includes for the erection of 13 houses on the application site. The additional 15 residential units now proposed for this part of the land of Longdykes would be in excess of the total of 500 residential units set for Longdykes by outline planning permission 00/01165/OUT.

The principal determining factor in this case is to establish whether there is now justification for exceeding the approved total of no more than 500 residential units at Longdykes.

The reason for the limit having been set at 500 units was to ensure that the land of Longdykes was not over developed relative to a lack of education provision in Prestonpans. The Acting Executive Director of Education and Children's Services now advises that there would be sufficient infant, primary and secondary school capacity in Prestonpans to accommodate the number of children likely to arise from the additional 15 residential units now proposed.

Furthermore the application site is capable of accommodating all of the 28 residential units now proposed for it, including satisfactory vehicular and pedestrian access and amenity space without there being an overdevelopment of it. The proposed development would not be of a density incompatible with existing densities of development elsewhere on the Longdykes housing site, in particular the density of the component of four storey flatted buildings on the southern part of the Longdykes housing site that is adjacent to the application site. Accordingly, there is justification to grant planning permission for an additional 15 residential units in excess of the existing limit on residential development of 500 units.

As the proposed development would be comprised entirely of affordable housing units there is no requirement for the provision of any additional affordable housing units under the Council's affordable housing policy.

This planning application was registered in June 2009 at which time neighbours had been notified of it. Subsequently consultation with relevant consultees was carried out. Following concerns raised by planning officers in respect of the proposed positioning of one of the three storey flatted buildings on the part of the application site to the north of

the public road of McLachlan Gardens, the applicant amended the application through the submission on 18th September 2009 of a revised site layout plan showing: (i) a repositioning of that three storey flatted building to the part of the application site to the south of the public road of McLachlan Gardens so as to be in proximity to the other proposed three storey flatted building and the four storey flatted buildings erected on the southern part of the Longdykes housing site, (ii) for a reciprocal repositioning of the proposed terrace of four houses from the southern to the northern part of the application site and for an associated change to the layout on that part of the site, and (iii) removal from the application site of a small area of grassed land that initially formed the northeast corner of the site and which is part of the property of the neighbouring house of 2 Clanranald Avenue. The application, as so amended has been re-notified to neighbours and there has been re-consultation on it.

As they are now to be positioned the proposed three storey flatted buildings would be seen alongside and against the backdrop of the four storey flatted buildings that are to the south of the application site. In such a position and by virtue of their height, size and scale the proposed three storey flatted buildings would be appropriate to their location and would not appear as prominent or overbearing. The proposed houses and two storey flatted buildings, due to their positioning on the application site and by virtue of their height, size and scale would integrate with the two storey houses they would be in proximity to and thus would be appropriate to their location. The proposed houses and flats would be of a similar form and design to the already approved houses and flats that have been and are being built within the Longdykes housing site, and they would not therefore appear as a disjointed and inharmonious grouping of buildings. The proposed houses and flats would not cause any incongruous change to the architectural harmony, integrity and character of the scheme of housing development approved for the Longdykes housing site, provided there is compliance with the scheme of external finishes previously approved for the housing site. In this regard, the predominant external wall finish should be render. This matter can be controlled by a condition imposed on the grant of planning permission for the proposed houses and flats.

On these considerations of design and layout the proposed development is consistent with Policy ENV1G of the approved Edinburgh and the Lothians Structure Plan 2015, Policies DP1 and DP2 of the adopted East Lothian Local Plan 2008 and with the Scottish Government advice given in Planning Advice Note 67.

The proposed houses and flats would be positioned on the site such that they would not give rise to harmful overlooking or overshadowing of any adjacent property. They would not result in any significant loss of daylight, sunlight or privacy to neighbouring properties. The proposed houses and flats would not harmfully impact on the privacy and amenity of the residents of existing neighbouring properties. The occupiers of the proposed houses and flats would also benefit from a sufficient level of privacy and residential amenity.

The Council's Senior Environmental & Consumer Services Manager raises no objection to the proposed development.

On these considerations of amenity the proposed development is consistent with Policy DP2 of the adopted East Lothian Local Plan 2008.

In the interests of safeguarding the amenity of the future occupiers of the proposed flats it should be made a condition on a grant of planning permission for the proposed development that the proposed bin storage facilities are formed and made available prior to the occupation of the proposed flats.

The proposed development follows the form of development in terms of street layout previously approved by reserved matters consent 03/00786/REM. The Council's Head of Transportation advises that the proposed arrangements for site access and car parking are acceptable and therefore he raises no objection to the proposed development. The existing road network is of an adequate standard to cope with the traffic levels likely to arise from the proposed development. The proposals comply with Policies T2 and DP22 of the adopted East Lothian Local Plan 2008.

The Scottish Environment Protection Agency advise that a surface water drainage system should be provided in accordance with the principles of a 'Sustainable Urban Drainage System'.

The matters raised by objectors regarding loss of private views, loss of property value, and that residents bought their properties on the basis that the lands of the application site were to be developed for private housing are not material considerations in the determination of this planning application.

#### CONDITIONS:

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

Reason:

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

- 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 the occupation of the last house or flat hereby approved, the proposed access roads, parking spaces, and footpaths shall have been constructed on site, in accordance with the docketed site layout drawing. 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.

- 4 Notwithstanding that which is stated on the drawings docketed to this planning permission, a detailed specification of all external finishes of the houses and flats of the proposed development shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. The external finishes of the houses and flats 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 respect the layout of the development and shall promote render as the predominant finish to the walls of the houses and flats. 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.

- 5 Prior to the commencement of development details of the bin and cycle storage facilities for the flatted properties shall be submitted to and approved in advance by the Planning Authority. The details shall show at least 1 cycle space per flat. Prior to the occupation of any of the flats the bin and cycle storage facilities shall have been formed in accordance with the approved details and made available for use. Thereafter, the storage facilities shall be retained in use solely as bin and cycle storage areas.

Reason:

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

## Letters From

Shaun Baxter  
Sho91@hotmail.com

Michael And Irene Richardson  
18 Struan Wynd  
Prestonpans  
East Lothian  
EH32 9FR

Louise Shaw  
Louisebarbour\_1@hotmail.com

Gail McNab  
18/8 McGregor Pend  
Prestonpans  
EH32 9FS

Gordon Edmondston  
22 McLachlan Gardens  
Prestonpans  
East Lothian  
EH32 9FQ

David And Kirstin Coltman  
Bloomsbythesea@aol.com

Katie And David Barron  
Kbaron@hotmail.co.uk

Ryan Gribbin  
Ryan@worldalarm.co.uk

Mrs L Gribbin  
Lisa@worldhosted

John MacLean  
Jklmaclean@gmail.com

Richard Gilbert  
Richie@gilbert-it.co.uk

Mr Mark And Mrs Kathryn Fairfoul  
Markfairfoul@googlemail.com

Mark And Lisa Simpson  
Tweety1978@msn.com

Lynn Welsh  
Lynn.welsh@hotmail.co.uk

Mrs Lorna Jappy  
Lornaj16@live.co.uk

Mr And Mrs L Glen  
Llyod.glen@talktalk.net

Mandy And Craig Manson  
4 Clanranald Avenue  
Prestonpans  
EH32 9FP

Susan Findlay  
Sfindlay@scotsman.com

Lorraine Frame  
Lorrainekenny1@aol.com

Ryan Gribbin  
Ryan@worldhosted.net

Stephen Devine  
Steved3v@aol.com

Sandra Rafferty  
2 Clanranald Avenue  
Prestonpans  
East Lothian  
EH32 9FP

Ryan Gribbin  
Ryan@worldhosted.net

Lorna Jappy  
Jas66@live.co.uk

David And Kirstin Coltman  
Bloomsbythesea@aol.com

W Scott  
7/17 McGregor Pend  
Priory Gate  
Prestonpans  
East Lothian  
EH32 9FS

Susan Findlay  
Susan.Findlay@scotsman.com

3 Glengarry Terrace  
Prestonpans  
East Lothian