

**REPORT TO:** Planning Committee  
**MEETING DATE:** Tuesday 2 March 2010  
**BY:** Executive Director of Environment  
(Planning & Building Standards)  
**SUBJECT:** Application for Planning Permission for Consideration

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Application No. **08/01090/OUT**

Proposal Planning permission in principle for residential and retail development including associated landscaping and car parking

Location **Pinkie Mains  
Pinkie Road  
Musselburgh  
East Lothian  
EH21 7TY**

Applicant Taylor Wimpey

Per Montagu Evans LLP

Ward 002

**RECOMMENDATION** Consent Granted

#### PLANNING ASSESSMENT

This application seeks planning permission in principle for residential development of some 23.9 hectares of primarily agricultural land to the south of Pinkie Road, Musselburgh. The site also includes Pinkie Mains farm shop and some agricultural buildings.

The site is bounded to the east and west by existing areas of housing, and to the north by Pinkie Road, beyond which are residential properties. To the south of the site lies agricultural land and beyond that the main east coast railway line. That agricultural land to the south forms part of the Edinburgh Green Belt.

A sloping central ridgeline that runs on an east to west axis defines a difference in the landform of the site between the upper, southern part of the site and the lower lying, northern part of the site. There is a small area of woodland centrally located within the site. There are also mature trees located to the south of the area of woodland and also on

parts of the northern edge of the site. The northern boundary of the site with Pinkie Road is enclosed by a stone boundary wall.

The application is supported by a Masterplan and design statement, a flood risk assessment, and a community consultation report.

The design statement in support of the submitted Masterplan originally did not adequately address matters of affordable housing provision, open space provision, house type and finishes, and development phasing. Amendments have subsequently been made to the design statement to address these matters and to better inform the content of the Masterplan.

The Masterplan submitted in support of the application shows how a total of 600 residential units could be accommodated on the application site. It also shows how access to the site from Pinkie Road would be taken at two new access points, one being a priority junction shown to be positioned close to the northeast corner of the site, the other a priority junction shown to be positioned close to the northwest corner of the site. A major area of open space is proposed for the central part of the site. This would incorporate the existing area of woodland that is centrally located within the site. The Masterplan indicates that a shop could be provided in the northwest corner of the site, adjacent to Pinkie Road.

The design statement that now supports the applicant's Masterplan provides a contextual analysis of the site and sets out the design principles for the development. The design principles address matters of design concept, access, including pedestrian and cycle access and public open space and play area provision in respect of the different character areas of the proposed development.

As the area of the application site is greater than 2 hectares and the number of dwellings is greater than 50, the development proposed in this application is under the provisions of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009 defined as a major development and thus it cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for the decision of the Council.

One letter of objection to the application has been received. The objection is made on the grounds that the proposed development would have a seriously detrimental effect on the quality of life of the objector's family and of other local residents. Concern is also raised that the proposed development would put further strain on local services such as schools and transport.

Musselburgh and Inveresk Community Council, a consultee, raise concerns in relation to road and pedestrian safety, flooding, and the impact of construction activities on the public. They also state that it would not be acceptable for any coal mining to proceed within the Pinkie Mains area.

The proposed development that is the subject of this application for planning permission in principle does not involve any proposal for the extraction of coal.

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.

The application site is covered by Proposal H4 (Pinkie Mains) of the adopted East Lothian Local Plan 2008. Proposal H4 allocates the land for a development of approximately 450 houses with associated infrastructure provision. Thus it is designated a strategic housing site.

Proposal H4 requires the Council to prepare a Development Framework addressing the development requirements of the site and for a prospective developer to submit for approval a masterplan consistent with that Framework and with the Local Plan's development policies prior to or as part of an application for planning permission in principle or planning permission for a development of the site. Proposal H4 also stipulates the need for a flood risk assessment to be submitted and that there be developer contributions for all necessary infrastructure, education and community facilities arising as a consequence of the development of the site.

Proposal H4 reflects the requirements of Policy H2 (Development Frameworks) of the adopted East Lothian Local Plan 2008, which states that development proposals for strategic housing sites must conform to the relevant Development Framework. Masterplans for the entire allocated area that comply with the relevant Development Framework and with other local plan policies should be submitted prior to or as part of an application for planning permission.

A Development Framework for the site was approved by the Council at a meeting of Cabinet on the 11 November 2008. It sets out how the Council requires the site to be developed in terms of design and infrastructure provision. The Development Framework and the Masterplan submitted with the application are both material considerations in the determination of this application for planning permission in principle.

The land of the application site that is the subject of Proposal H4 is also covered by Policy DP5 (Major Development Sites) of the adopted East Lothian Local Plan 2008. As the site is a strategic housing site allocated by Proposal H4 to meet the requirements of the Edinburgh and the Lothians Structure Plan 2015, Policy DP5 requires the submission of a masterplan for all of it and an accompanying supporting statement. Policy DP5 sets out the minimum information that must be contained within the masterplan.

The Masterplan submitted with the application covers all of the Proposal H4 site.

The principle of the residential development of the application site is established by the allocation of that land for such development by Proposal H4 of the adopted East Lothian Local Plan 2008. Proposal H4 is consistent with Policy HOU3 (Strategic Housing Allocations) of the approved Edinburgh and the Lothians Structure Plan 2015, which requires the East Lothian Local Plan to allocate sufficient land for approximately 450 residential units at Musselburgh.

Through their detailed master planning of this site, the applicant has established that the

site is capable of accommodating more than 450 residential units. The masterplan submitted with the application indicates how a total of 600 residential units could be accommodated on the site.

The Council's Policy and Projects Manager accepts that the site could accommodate more than 450 residential units. Given that Policy HOU3 of the approved Edinburgh and the Lothians Structure Plan 2015 states that the number of residential units to be provided at Musselburgh is approximately 450, the Policy and Projects Manager advises that there should be a degree of tolerance in respect of this figure. He advises a tolerance of 5% be applied, to the effect that development of the site should include for the provision of no more than 473 residential units. Accordingly, and if the Planning Committee are of a mind to grant planning permission in principle for the residential development proposed in this application then the number of residential units should be limited to 473. The applicant is agreeable to a limit of 473 residential units. This is some 127 units less than the 600 total shown for the site in the Masterplan.

The design statement in support of the submitted Masterplan includes a development phasing plan. Of the 4 phases, 3 include for the provision on the site of 473 residential units. A future implementation of those 3 phases would deliver a co-ordinated and cohesive housing development of that land of the site to a 473 unit limit, leaving aside the remaining allocated land of the site (the identified fourth phase of 127 residential units) for possible future consideration by the Planning Authority as to whether or not it should be promoted for additional housing development.

What is proposed in principle for the development of the application site would be a sympathetic extension of Musselburgh with due regard to its existing built form. The principles of development include for a wide range of house types and sizes in order to cater for varying housing needs. Indicative densities are given for specific parts of the site. Together they set an indicative average density of 47.0 houses per hectare, which is in accordance with the minimum density requirement of 30 houses per hectare stipulated in the approved Development Framework. It is also stipulated in the Development Framework that 25% of the proposed housing component of the site's development has to be affordable housing. This is accepted in the design statement, with the stated principles that development of the affordable housing be fully integrated in its design with the other houses of the development and as groups of houses within the overall layout of the development.

The approved Development Framework stipulates the requirement for the provision of a local food retail facility within the application site. Included in the Masterplan is the principle of provision of a shop, to be located in the northwest corner of the site, on an area of land immediately to the south of Pinkie Road. As it is indicatively shown, the new shop would have a similar gross floorspace to that of the existing farm shop that would be lost to the proposed development and would be in a similar location. The proposed shop and the location indicated for it in the Masterplan are consistent with the requirements of the approved Development Framework. The shop is included within phase 1 of the phasing plan and it is stated in the phasing plan that development of each phase would be completed before works begin on the next phase. Thus, the stated intention of the applicant is that the shop would be completed as part of phase 1.

The approved Development Framework stipulates the requirement for the provision of at

least 2.7 hectares of open space, to be located such that it would be accessible from the proposed new housing.

Included in the Masterplan is the principle of formation a large park centrally located in the site, partly on the existing ridge that runs through the central part of the site. It is indicatively shown that the park could contain 2 play areas and a kickabout pitch. With an area of 5.3 hectares the park, as indicated exceeds the minimum amount of open space required by the approved Development Framework. With its central location, the proposed park would be easily accessible to occupants of the proposed houses. Moreover, it is shown that the proposed park would be accessible to occupants of the existing residential areas to the east and west of the site through the formation of pedestrian accesses between it and Galt Avenue to the east and Pinkie Crescent to the west. The proposed park and the location indicated for it in the Masterplan are consistent with the requirements of the approved Development Framework.

The applicant confirms that they would retain ownership of the proposed park as well as responsibility for its future maintenance. The Council's Landscape and Countryside Manager is satisfied with that.

The approved Development Framework also stipulates a required enhancement of the existing facilities at Wallyford Park and states that this should be a developer responsibility. The applicant accepts the Council's Healthy Living Manager's stated requirement for a developer contribution of £15,596.33 for the upgrading of the existing facilities at Wallyford Park. This is consistent with the requirement of the approved Development Framework. Such developer contribution can be secured by an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997. The basis of this is consistent with the tests of a planning agreement set in Planning Circular 1/2010: Planning Agreements.

The Masterplan indicates how other areas of formal and informal open space could be located throughout the site. The Council's Landscape and Countryside Manager is satisfied with the principles of both the size and location of those areas of open space.

The Council's Policy and Projects Manager is satisfied that the outline landscape proposals for the site correspond with the landscape advice set out within the approved Development Framework.

The Council's Head of Transportation has considered the transport assessment submitted with the application and generally agrees with its findings. He raises no objections to the principles of layout of the proposed development, of site access and parking and of the likely impacts of additional traffic generation on the existing road network. He does however have concerns with regard to the operational capacity of the High Street/ Bridge Street/ Mall Avenue signalised junction to accommodate the additional traffic that could be generated by the proposed development and by other developments proposed within the Musselburgh area. The Head of Transportation advises that the Council propose to introduce a Dial Up Fixed Time UTC System, which would enable the Council to react remotely to any congestion problems on the High Street/ Bridge Street/ Mall Avenue junction. It would also allow the Transportation Division to monitor all junctions and pedestrian crossings within Musselburgh. A residential development of the application site would make it necessary to add further traffic signals into the Council's proposed

traffic control system for Musselburgh and to upgrade it from a Dial Up Fixed Time UTC System to a Scoot system, which will provide greater efficiency and control. The Head of Transportation confirms that the cost of implementing a Scoot System to cover the junctions likely to be affected by the proposed development is £28,500. This contribution would have to be made prior to occupancy of the 200th residential unit. The financial contribution from the proposed development of £28,500 can be secured by a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 or by some other legal Agreement. The basis of this is consistent with the tests of a planning agreement set in Planning Circular 1/2010: Planning Agreements. Planning conditions and/or legal agreements will be used to secure this provision. The applicants have indicated that they are willing to enter into a Section 75 Agreement.

The approved Development Framework requires the applicant to improve pedestrian and cycle access on Pinkie Road. To enable this a detailed scheme of improvements to Pinkie Road is promoted through a drawing that accompanies the applicant's transport assessment. The scheme of improvement works proposed includes the formation of shared footways and cycleways and the provision of a signalised junction at the junction of Ashgrove and Pinkie Road. The advice received from the Council's Head of Transportation is that such arrangements for improving pedestrian and cycle access on Pinkie Road are in principle acceptable. He does not advise that the proposed signalised junction at the junction of Ashgrove and Pinkie Road should be extended to also include the junction of Pinkie Terrace and Pinkie Road or the proposed new junction of the proposed western site access and Pinkie Road.

The Head of Transportation confirms that there is no transportation objection to the principle of the proposed development of the application site subject to the financial contribution in respect of the Scoot system and subject to the imposition of conditions on a grant of planning permission in principle to ensure that satisfactory pedestrian footpaths are provided, that appropriate off site road improvement works are undertaken, that a Travel Plan be submitted, and that construction traffic movements be controlled.

On these foregoing transportation considerations the principles of the proposed development are consistent with Policies T1 and T2 of the adopted East Lothian Local Plan 2008.

The Council's Heritage Officer states that the application site is within the core of what is considered to be the site of the Battle of Pinkie. The Battle of Pinkie has recently been recognised as of National and European significance and is an important heritage asset. The Development Framework requires that the applicant make a financial contribution towards a Heritage Implementation Plan for the Battle site, which has been prepared by the Council's Heritage Officer. The applicant have confirmed in writing that they are willing to contribute £16,859.78, the amount suggested by the Council's Heritage Officer. This contribution can be secured by a legal agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997 or by some other legal Agreement. The basis of this is consistent with the tests of a planning agreement set in Planning Circular 1/2010: Planning Agreements.

It is stated in Scottish Planning Policy: February 2010 that archaeological sites and monuments are an important finite and non-renewable resource and should be protected and preserved in situ wherever feasible. The presence and potential presence of

archaeological assets should be considered by planning authorities when making decisions on planning applications. Where preservation in situ is not possible planning authorities should through the use of conditions or a legal agreement ensure that developers undertake appropriate excavation, recording, analysis, publication and archiving before and/or during development. If archaeological discoveries are made during any development, a professional archaeologist should be given access to inspect and record them. Planning Advice Note 42: Archaeology similarly advises.

The Council's Heritage Officer advises that the application site is located within an area of known archaeological sites dating from the pre-historic period through to World War II remains. Accordingly she recommends that a programme of archaeological works should be carried out by a professional archaeologist to evaluate the application site for any potential archaeological remains. This can be secured through a condition attached to a grant of planning permission for the proposed development. This approach is consistent with Scottish Planning Policy: February 2010, Planning Advice Note 42: Archaeology and with Policy ENV7 of the adopted East Lothian Local Plan 2008.

The Development Framework requires that the proposed development must incorporate on-site zero and low carbon equipment contributing at least an extra 15% reduction in CO2 emissions beyond the 2007 building regulations CO2 standard. The applicant has submitted a 'SPP6 Compliance Report', which proposes to meet this requirement by installing solar PV systems (solar panels) on the south facing roofs of the development. The applicant's SPP6 Compliance Report' has been assessed by the Council's Head of Community Housing & Property Management, who is satisfied that the identified reductions in CO2 emissions are capable of being achieved. If planning permission in principle is to be granted for the proposed development, a condition should be imposed requiring further details of the means by which the 15% reduction in CO2 emissions development is to be achieved and a timetable for its implementation.

The site lies to the north of the main east coast rail line, and a noise impact assessment of noise from that rail line on the proposed housing development has been submitted by the applicant. The Council's Senior Environmental and Consumer Services Manager accepts the findings of the noise impact assessment that the only critical consideration is the potential impact of night time noise. On this he does not advise that the potential impact of night time noise from use of the rail line would be unacceptable and therefore does not oppose the principle of residential development of the site. He is satisfied that, if required, suitable mitigation of night time noise could be achieved through the design and layout on the site of the houses, a matter of detail controllable through the determination of a future application for approval of matters specified in conditions or for planning application.

A condition can be imposed on a grant of planning permission in principle for the proposed development requiring that a contaminated land investigation be undertaken prior to the commencement of any development, as recommended by the Senior Environmental and Consumer Services Manager.

The Executive Director of Education and Children's Services advises that the cumulative effect of all the housing development proposed in the Musselburgh area will be to generate pupil numbers that cannot be accommodated at the existing nursery school, primary school and the catchment secondary school. A projection of school rolls based on the number of houses likely to be brought forward by the proposed housing developments

in the Musselburgh area concludes that total house numbers on the development site has to be controlled to no more than 473 and that the annual rate of completion of them over a 6 year period has also to be controlled. Such controls can be exercised by conditions imposed on a grant of planning permission in principle for the proposed development of the site.

The Executive Director of Education and Children's Services further advises of the need for developer contributions of £398,722 towards the cost of provision of additional pre-school accommodation, £2,181,714.60 towards the provision of additional accommodation at Pinkie St Peter's Primary School, and £537,030 towards the provision of additional accommodation at Musselburgh Grammar School (a total developer contribution of £3,155,426.60). Such a developer contribution can be secured by an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997. The basis of this is consistent with the tests of a planning agreement set in Planning Circular 1/2010: Planning Agreements. Subject to the Council securing the appropriate developer contribution the proposal is consistent with Policy INF3 of the adopted East Lothian Local Plan 2008, which stipulates that new housing will only be permitted where the developer makes appropriate provision for infrastructure required as a consequence of their development. The applicant has indicated that they are willing to enter into a Section 75 Agreement.

The Council's Head of Community Housing & Property Management advises that, in accordance with the Council's Affordable Housing Policy, 25% of the 473 new build residential units should be affordable housing (i.e. 118 units from the total of 473). Agreement has been reached with the applicant over the required mix of affordable housing tenures, house types and sizes, the general locations for the affordable housing within the application site, and their phasing and delivery. The terms for the provision of the affordable housing requirement should be the subject of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997. The basis of this is consistent with the tests of a planning agreement set in Planning Circular 1/2010: Planning Agreements. The applicant has confirmed in writing that they are willing to enter into such a Section 75 Agreement.

The proposed development by its scale and prominent public location would have a significant impact on the local environment and thus in accordance with the requirements of Policy DP17 of the adopted East Lothian Local Plan 2008 it should incorporate artwork either as an integral part of the overall design or as a related commission. This can be secured by a condition on a grant of planning permission in principle for the proposed development.

SEPA originally objected to the proposed development on the grounds of flood risk. In response to those concerns, the applicant have removed one house that was indicated to be positioned on the flood plain of the small watercourse that runs across the southeast corner of the site. They also provided clarification to SEPA on a number of flood risk hydrology matters. In light of this further information and confirmation of the removal of the one house from the flood plain of the small watercourse SEPA have removed their objection to the application.

SEPA further advise that provision of an integrated sustainable urban drainage scheme (SUDs) must be agreed for surface water drainage arrangements based on CIRIA's SUDS

manual. A condition can be imposed on the grant of planning permission in principle to ensure that the detailed drainage strategy for the site complies with CIRIA's SUDS manual.

## RECOMMENDATION

That planning permission in principle be granted subject to:

1. The undernoted conditions.
2. 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:
  - (i) Secure from the applicant a financial contribution to the Council of £15,596.33 towards the upgrading of the existing facilities at Wallyford Park.
  - (ii) Secure from the applicant a financial contribution to the Council of £3,155,426.60 (£5,535.72 per unit) towards the provision of additional accommodation at Pinkie St Peter's Primary School and its associated nursery school, and Musselburgh Grammar School.
  - (iii) Secure from the applicant a financial contribution to the Council of £28,500 towards the implementation of a Scoot Traffic Control System for Musselburgh. The contribution would have to be made prior to occupancy of the 200th residential unit of the residential development of the application site.
  - (iv) Secure from the applicant a financial contribution to the Council of £16,859.78 towards a Heritage Implementation Plan for the Battle of Pinkie site.
  - (v) Secure the provision of 118 affordable houses within the application site.

1 Before development commences application for approval of matters specified in a condition(s) of this planning permission in principle

(a) must be made before whichever is the latest of the following:

- (i) the expiration of 3 years from the date of the grant of the permission
- (ii) the expiration of 6 months from the date on which an earlier application for the requisite approval was refused, and
- (iii) the expiration of 6 months from the date on which an appeal against such refusal was dismissed, and

(b) may be made for: (i) different matters, and (ii) different parts of the development, at different times.

In relation to any matter, only one application may be made by virtue of sub-paragraphs (ii) and (iii) above after the expiration of the 3 years period of sub-paragraph (i) above.

This planning permission in principle lapses on the expiration of 2 years from the date of approval of the last of the matters specified in a condition(s) of this permission unless the development to which the permission relates is begun before that expiration.

Reason:

Pursuant to Section 59 of the Town and Country Planning (Scotland) Act 1997

- 2 The details submitted pursuant to Condition 1 shall generally accord with the Indicative Master Plan and Design Statement/ Principles for Development docketed to this planning permission in principle, and shall address the following requirements:
- a. The shop shall have a floor space broadly similar to the existing shop on the application site.
  - b. The provision of recycling facilities within the site of the shop hereby approved.
  - c. The provision of 1 secure cycle storage space per flat.
  - d. The retention of the existing stone walling on the northern boundary of the site, other than where demolition is required to facilitate the formation of new accesses to the site.
  - e. The retention of the existing trees that are indicated for retention on the Master Plan docketed to this planning permission in principle.
  - f. The external finishes of the residential units shall be in accordance with a co-ordinated scheme of materials and colours that shall respect the layout of the development and shall promote render as the predominant finish to the walls of the residential units.

Reason:

To enable the Planning Authority to control the development in the interests of the amenity of the development and of the wider environment.

- 3 The phasing of the development of the site shall be carried out in strict accordance with the phasing plans that are in the Design Statement/ Principles for Development docketed to this planning permission in principle, 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.

- 4 The development of the site shall generally conform with the density requirements established for the identified development areas detailed in the docketed Design Statement/ Principles for Development, as well as generally complying with the indicative mix of housing detailed in the same Design Statement/ Principles for Development.

Reason:

To ensure compliance with the provisions of the development plan.

- 5 No more than 473 residential units are approved by this grant of planning permission in principle.

Reason:

To ensure that the number of houses erected on the site accords with the strategic housing land supply for the Musselburgh area and to ensure that there is sufficient education capacity.

- 6 Housing completions on the application site in any one year (with a year being defined as being from 1st April to 31st March the following year) shall not exceed the following completion rates:

Year 1- 30 houses  
Year 2- 125 houses  
Year 3- 125 houses  
Year 4- 125 houses  
Year 5- 45 houses  
Year 6- 23 houses

Reason:

To ensure that the completion rate of residential development within the application site accords with the provision of education capacity.

- 7 No development shall take place until there has been submitted to and approved in writing by the Planning Authority a scheme of landscaping. The scheme shall provide details of : the height and slopes of any mounding on or recontouring of, the site; tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. 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.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

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

- 8 Prior to the commencement of development a long term landscape and habitat management plan shall be submitted to and approved in writing by the Planning Authority.

Reason:

To maximise the ecological potential of the proposed development.

- 9 Prior to the commencement of development details of the zero and low carbon equipment to be incorporated into the development and predicted carbon emission, using SAP or SBEM calculations, shall be submitted to and approved in writing by the Planning Authority. The details shall have due regard to the 'SPP6 Compliance Report' (dated July 2009) that is docketed to this planning permission in principle. The completed development shall accord with the details so approved.

Reason:

To ensure this development complies with the on-site carbon emissions targets of Planning Advice Note 84.

- 10 A Travel Plan shall be submitted to and approved by the Planning Authority prior to the occupation of any of the residential units hereby approved. The Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site, and will include a timetable for its implementation, details of the measures to be provided, the system of management, monitoring, review, reporting and duration of the Plan.

The Travel Plan shall thereafter be implemented in accordance with the details so approved.

Reason:

In the interests of ensuring sustainable travel patterns in respect of the residential development.

- 11 The transport infrastructure improvements of Pinkie Road shall be fully undertaken in accordance with docketed drawing no. 206561-A 03 prior to the first occupation of the 200th residential unit hereby approved.

Reason:

In the interests of road safety.

- 12 A Construction Method Statement to minimise the impact of construction activity on the amenity of the area shall be submitted to and approved by the Planning Authority prior to the

commencement of development. The Construction Method Statement shall recommend mitigation measures to control noise, dust, construction traffic and shall include hours of construction work.

The recommendations of the Construction Method Statement shall be implemented prior to the commencement of development.

Reason:

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

- 13 Development shall not begin until a scheme to deal with contamination on the site has been submitted to and approved in writing by the Planning Authority. The scheme, which shall include a detailed gas survey (long term monitoring) and a detailed groundwater monitoring exercise, 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.

Before any of the buildings are occupied the measures to decontaminate the site shall be fully implemented as approved by the Planning Authority.

Reason:

To ensure that the site is clear of contamination prior to the occupation of any of the buildings.

- 14 No development shall take place until the applicant has, through the employ of an archaeologist or archaeological organisation, secured the implementation of a programme of archaeological work on the site of the proposed development in accordance with a written scheme of investigation which the applicant will submit to and have approved in advance by the Planning Authority.

Reason:

To facilitate an acceptable archaeological investigation of the site.

- 15 No residential unit shall be occupied 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 and the artwork as approved shall be provided prior to the occupation of the final residential unit approved for erection on the site.

Reason:

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

- 16 Surface water from the application site shall be treated in accordance with the principles of the SUDS Manual (C697), which was published by CIRIA in March 2007.

Reason:

To ensure that the drainage scheme complies with best SUDS practice to protect nearby watercourses and groundwater.

- 17 Prior to the first occupation of any of the houses highlighted in the docketed Design Statement as being within phase 3 of the development, the footpaths running through the area delineated on the docketed Masterplan as being Pinkie Mains Park, which shall include street lighting and which shall be made up to an adoptable standard, shall be formed in the position that is indicatively shown for them on the Masterplan docketed to this planning permission in principle.

Reason:

In the interests of road safety.

- 18 Prior to the first occupation of the 225th residential unit hereby approved two footpaths, which shall include street lighting and which shall be made up to an adoptable standard, shall be formed

between Galt Avenue and the eastern side of the section of distributor road immediately to the east of the area delineated as being Pinkie Mains Park, in the position that is indicatively shown for them on the masterplan docketed to this planning permission in principle.

Reason:

In the interests of road safety.

- 19 Prior to the first occupation of the 50th residential unit hereby approved a footpath link, which shall include street lighting and which shall be made up to an adoptable standard, shall be formed between the application site and the garage compound on the eastern side of Pinkie Terrace, in the position that is indicatively shown for it on the masterplan docketed to this planning permission in principle.

Reason:

In the interests of road safety.

- 20 Prior to the first occupation of the 350th residential unit hereby approved a footpath, which shall include street lighting and which shall be made up to an adoptable standard, shall be formed between the application site and Delta Road, in the position that is indicatively shown for it on the masterplan docketed to this planning permission in principle.

Reason:

In the interests of road safety.

- 21 The existing signalised pedestrian crossing at Pinkie Mains Farm shop shall be removed immediately after the farm shop has ceased trading and once the proposed signalised junction at Pinkie Road and Ashgrove has commenced operation. It shall be replaced with Double D islands and dropped kerbs.

Reason:

In the interests of road safety.

## **Letters From**

Michael Gallacher  
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