

**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 2 June 2015

**BY:** Depute Chief Executive  
(Partnerships and Community Services)

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

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Application No. **14/00534/PCL**

Proposal                      Erection of primary school and associated works

Location                     **Land at East Letham Mains  
Haddington  
East Lothian**

Applicant                    East Lothian Council

Per                             East Lothian Council

RECOMMENDATION            Consent Granted

#### PLANNING ASSESSMENT

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

As a statutory requirement of major development type proposals this development proposal was the subject of a Proposal of Application Notice (Ref: 11/00004/PAN) and thus of community consultation prior to this application for planning permission being made to the Council. The community consultation undertaken in respect of the proposed school was also at the same time undertaken in respect of a wider housing-led development of land at Letham Mains, Haddington.

As an outcome of that and as a statutory requirement for dealing with major development type applications a pre-application consultation report is submitted with this application. The report informs that some 188 people attended the pre-application public exhibition, which was held over a two day period at the Corn Exchange, Haddington, and that those attendees made a number of queries and suggestions regarding the proposals. Amendments have been made to the proposal following the community consultation. The development for which planning permission is now sought is however of the same character as that which was the subject of the community engagement undertaken through the statutory pre-application consultation of the proposal.

This application relates to some 43 hectares of agricultural land at Letham Mains, on the western edge of Haddington. The agricultural land is allocated for a mixed use development of 750 houses, social and community facilities and associated infrastructure by Proposal H3 (Letham Mains) of the adopted East Lothian Local Plan 2008. It is also allocated for a new primary school by Proposal ED3 (Letham Primary School, Haddington) of the adopted East Lothian Local Plan 2008.

The allocated site is irregularly shaped. The land slopes down from north to south. It is bounded to the north by the B6471 road, beyond which are existing residential properties, a field, and the land of the former Gateside Commerce Park.

In January 2015 planning permission (Ref: 14/00219/PM) was granted for the erection on the former Commerce Park site of 112 houses, business/ light industrial units (Class 4 use) and a pub/ restaurant. The commerce buildings have recently been demolished. Development of the 112 houses, business/ light industrial units (Class 4 use) and a pub/ restaurant has not yet commenced.

In November 2014 planning permission in principle 13/00800/PPM was granted for a residential and business development of the field that is on the northern side of the B6471 road, to the north of the allocated site. Approval of matters specified in conditions of planning permission in principle 13/00800/PPM (Refs: 14/00940/AMC and 14/00941/AMC) have since been granted for the erection of a total of 60 houses on the part of the field approved for housing development. Additionally in April 2015 the Council resolved to grant planning permission (Ref: 14/00904/P) for the erection of a further 19 houses on the part of the field approved for housing development, subject to the prior conclusion of a legal agreement to secure education and affordable housing contributions. That legal agreement has not yet been concluded and therefore planning permission 14/00904/P has not yet been granted. In March 2015 approval of matters specified in conditions of planning permission in principle 13/00800/PPM (Ref: 15/00204/AMM) was sought for the erection of business units on the part of the field approved for business development. The application has not yet been registered as it was found to be invalid on receipt.

To the east the allocated site is bounded by the St Laurence House Burn and a section of the Letham Burn, beyond which are residential properties. The allocated site is bounded to the south by agricultural land and by a length of Pencaitland Road.

In March 2014, following an appeal to the Scottish Ministers, planning permission in principle (Ref: 13/00071/PPM) was granted for the principle of the residential development of some 6.7 hectares of land at Dovecot Farm, to the south of Pencaitland Road and part of the allocated site. In September 2014 approval of matters specified in conditions of planning permission in principle 13/00071/PPM (Ref: 14/00731/AMM) was sought for the erection of 109 houses and 4 flats on that land. That application is pending consideration and no decision has yet been taken on it.

The allocated site is partly bounded to the west by a belt of trees and beyond that by a shared access drive serving the properties of Letham House, East Cottage, Little Letham and West Letham. Letham House is listed as being of special architectural or historic interest (Category B). The allocated site is otherwise bounded to the west by agricultural land.

A Scheduled Ancient Monument, known as Spottiswoode, enclosure 145m SSW of, occupies the northeast part of the allocated site.

A residential property known as Gateside Cottage is located at part of the northern end of the allocated site.

In July 2013 planning permission (Ref: 13/00519/PM) was sought for the erection of 385 houses and 48 flats on the western part of the allocated site. In January 2014 planning permission (Ref: 14/00089/PM) was sought for the erection of 257 houses and 119 flats and a public square on the eastern part of the allocated site. Cross-referenced reports on planning applications 13/00519/PM and 14/00089/PM are at this time also presented to the Planning Committee.

Planning permission is sought through this application for the erection of a primary school and associated works on the central part of the allocated site. The site has an area of 2.2 hectares and is located immediately to the southeast of the residential property of Gateside Cottage.

The proposed primary school would be erected on the eastern part of the application site. The facility would include a nursery, which would form the southern part of the proposed building. The front elevation of the building would face eastwards, towards the public square proposed in planning application 14/00089/PM. Most of the building would be two storeys in height although the southern part would be single storey in height. The walls of the building would be finished in coloured cladding with factory finished rainscreen panels. The roof would be clad with metal standing seam with a silver/ grey finish and the windows and doors would be aluminium clad, timber framed and double-glazed. The site plan identifies that the area of land immediately to the west of part of the proposed school building could be used in the future to accommodate a school extension.

A hard surfaced play area would be formed immediately to the west of the building, with a grassed play area provided further to the west. The outdoor play area for the nursery would be provided immediately to the south of the nursery part of the building. An all weather pitch and a hard surfaced multi use games area would be formed within part of the southern end of the application site.

There would be screen planting along the boundary of the site with Gateside Cottage. Vehicular access to the school would be taken from the north of the site, via an access road proposed in application 14/00089/PM. A one way access road would be formed along part of the northern end of the application site, with vehicles exiting the school campus at a point close to the northeast corner of the application site. A total of 31 car parking spaces would be formed on the northern end of the site. The site plan also shows that an additional 4 car parking spaces could be provided as part of a future expansion proposal. Three separate pedestrian accesses to the school grounds are also proposed. One would provide pedestrian access from the public square proposed in planning application 14/00089/PM. The other two would provide pedestrian access from the housing proposed to the south and to the west of the application site.

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 the proposed development of the allocated lands of Letham Mains falls within the category of a Schedule 2 Development, being one that may require the submission of an Environmental Impact Assessment (EIA). Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. On 30 August 2011 the Council issued a formal screening opinion to the applicant. The screening opinion concludes that it is East Lothian Council's view that the proposed development is not likely to have a significant effect on the environment such that consideration of environmental information is required before any grant of planning permission. It is therefore the opinion of East

Lothian Council as Planning Authority that there is no requirement for the proposed development to be the subject of an EIA. This includes the proposed erection of a primary school within the allocated site.

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 South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Plan 2008.

Policies 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Proposal ED3 (Letham Primary School, Haddington) and Policies ENV1 (Residential Character and Amenity), ENV7 (Scheduled Monuments and Archaeological Sites), H2 (Development Frameworks), DP1 (Landscape and Streetscape Character), DP2 (Design), DP4 (Design Statements), DP20 (Pedestrians and Cyclists), DP22 (Private Parking), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

A material consideration in the determination of this planning application is the Development Framework for Letham Mains, which was approved by the Council at a meeting of Cabinet on the 18 January 2011. It sets out how the Council requires the site to be developed in terms of its land use, design and infrastructure requirements.

There is no public objection to the application.

Haddington Community Council raise no objection to the proposed school, although they raise concerns over the possibility of parents dropping children off at school by car. They suggest that some form of traffic management system should be put in place to reduce vehicle speeds and to make it more difficult for non residents to just simply drive and drop.

The principle of the proposed new school being erected within the allocated lands of Letham Mains is established by Proposal ED3 of the adopted East Lothian Local Plan 2008 and by the approved Development Framework for Letham Mains.

Consistent with Policy DP4 of the adopted East Lothian Local Plan 2008, a design statement has been submitted with the planning application. It provides a contextual analysis of the site and sets out the design principles for the development. The design principles address matters of architectural design, landscape and access in respect of the proposed development.

The proposed school would be of a modern contemporary architectural style. It would appropriately respond to the public square that is proposed to the east of it. The proposed school would not appear incongruous, exposed or an over development of the land upon which it would be built. By its positioning, design, architectural form and finishing materials it would be in keeping with the character and appearance of the modern development of Letham Mains and would not be harmful to the character and appearance of the area.

The proposed school by its positioning and distance from nearby housing would not give rise to harmful overlooking or overshadowing of existing nearby properties or of the residential units proposed in planning applications 13/00519/PM and 14/00089/PM.

The Council's Environmental Protection Manager recommends that any plant and equipment within the proposed development should be designed and constructed so that noise emanating there from does not exceed NR20 at any frequency in any neighbouring property where measurements are taken through a 50 millimetre window gap or greater. This matter can be controlled by way of a condition. The imposition of such a condition would ensure that the proposed school building does not give rise to an unacceptable level of noise.

Subject to the imposition of this recommended condition the proposed school would not have an adverse impact on the residential character and amenity of the housing proposed in planning applications 13/00519/PM and 14/00089/PM. On this consideration the proposed development is consistent with Policy ENV1 of the adopted East Lothian Local Plan 2008.

The application site is located outwith the Scheduled Ancient Monument known as Spottiswoode, enclosure 145m SSW of. It would be at a sufficient distance away from that Scheduled Ancient Monument such that it would have no impact on its setting.

The Council's Archaeology/ Heritage Officer advises that the application site is within an area of known prehistoric and medieval remains. Accordingly he 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 controlled through a conditional grant of planning permission. This approach is consistent with Scottish Planning Policy: June 2014, Planning Advice Note (PAN) 2/2011: Planning and Archaeology and with Policy ENV7 of the adopted East Lothian Local Plan 2008.

The Council's landscape project officer raises no objection to the proposed development, although she recommends that a scheme of landscaping should be submitted to and approved by the Planning Authority. This can be secured through a conditional grant of planning permission.

On all of these foregoing findings on matters of design, layout, landscaping and amenity the proposals are consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies H2, DP1 and DP2 of the adopted East Lothian Local Plan 2008, and with the approved development framework for Letham Mains, Haddington.

The Council's Road Services do not object to the proposed development and are satisfied with the proposals for site access and parking. They do not raise concerns that parents would be likely to drop off their children by private car. In this regard, it should be noted that the catchment area for the new school would be purely the housing proposed at Letham Mains in planning applications 13/00519/PM and 14/00089/PM. The central location within the proposed housing and the proposed pedestrian links have been specifically designed to minimise the likelihood of pupils being dropped off at school by private car.

A Travel Plan Framework has been submitted which outlines the methods and principles of managing travel patterns and modes to and from the school for all visitors. Whilst this is acceptable, Road Services recommends that a green travel plan should be submitted for the prior approval of the Planning Authority. This should take into account the measures outlined in the Travel Plan Framework once the school is opened. The green travel plan should seek to minimise private car trips and encourage use of alternative modes of transport such as walking and cycling. Additionally the Travel Plan should include details of the measures to be provided, the methods of management, monitoring,

review, reporting and duration of the Plan. It should also take account of the likely impacts of adjacent construction activity from the adjacent housing sites. The provision of a green travel plan could reasonably be secured by a condition imposed on a grant of planning permission.

In respect of construction works, Road Services recommend that prior to the commencement of development, a Construction Method Statement to minimise the impact of construction activity on the amenity of the area should be submitted to and approved by the Planning Authority. The Statement should detail mitigation measures to be employed to control noise/ dust/ construction traffic, and delivery traffic movements and should include the proposed hours of working. A Construction Method Statement can be secured through a condition imposed on the grant of planning permission for the proposed school development.

With the imposition of conditions to cover the issues raised by Road Services the proposal does not conflict with Policies T1, T2, DP20 and DP22 of the adopted East Lothian Local Plan 2008.

The proposals for drainage, SUDS and surface water management have been amended following concerns raised by the Scottish Environment Protection Agency. They raise no objection to the revised proposals, being satisfied that the proposed development would not result in an unacceptable flood risk.

Scottish Water were consulted on this planning application but have not provided any comments on it.

## RECOMMENDATION

That planning permission for the proposed school be granted subject to the following 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 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.

- 2 Samples of the external finishing materials and finishing colours to be used in the development shall be submitted to the Planning Authority for its prior approval, prior to their use in the development. Only those materials and finishing colours approved by the Planning Authority will be used in the external finishes of the development hereby approved.

Reason:

To ensure the external finishes are appropriate in the interests of protecting the amenity of the area.

- 3 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.

- 4 The design and installation of any plant or equipment shall be such that any associated noise does not exceed noise rating curve NR20 at any frequency when measured within any neighbouring residential building. Noise measurements shall be taken within the building with windows open at least 50mm.

Reason:

In the interests of protecting the amenity of future nearby properties.

- 5 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.

- 6 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. 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.

- 7 A Green Travel Plan to minimise private car trips and to encourage use of alternative modes of transport such as cycling and walking shall be submitted to and approved by the Planning Authority prior to the school opening for use. Additionally the Green Travel Plan shall include details of the measures to be provided, the methods of management, monitoring, review, reporting and duration of the Plan.

The approved Green Travel Plan shall be implemented prior to the first opening of the school.

Reason:

In the interests of ensuring sustainable travel patterns in respect of the proposed school.

- 8 Prior to the commencement of development, full details of the finalised SUDS scheme shall be submitted to and approved in writing by the Planning Authority, following consultation with SEPA. Development shall thereafter be carried out in accordance with the details so approved.

Reason:

To ensure adequate protection of the water environment from surface water run-off.