

REPORT TO: Planning Committee

MEETING DATE: Wednesday 29 March 2017

BY: Depute Chief Executive (Partnerships and Community

Services)

SUBJECT: Application for Planning Permission for Consideration

Application No. 17/00031/AMM

Proposal Approval of matters specified in conditions of planning permission in

principle 15/00760/PPM - Conversion of building to form 3 houses and 18 flats, erection of 47 houses, 57 flats and associated works

Location Former Fire Service Training School

Main Street Gullane East Lothian EH31 2HG

Applicant CALA Management Ltd

Per JTP

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

Although this application is for the approval of matters specified in conditions of planning permission in principle 15/00760/PPM it has to be determined as a major development type application because the area of the application site is greater than 2 hectares and the number of dwellings detailed is greater than 50. Accordingly the application cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

The application site comprises the whole of the former Scottish Fire Service Training School (SFSTS) on the south side of Main Street, Gullane. It is made up of a number of different buildings of differing architectural form. The principal building on the site is a substantial four storey building of traditional form and design which is of architectural merit, known as Henderson House. It fronts onto Main Street. To the east and south of this principal building are other more modern buildings including accommodation blocks, a garage and workshop complex, a gymnasium and a training centre, which are built

around a courtyard complex.

In January 2017 planning permission in principle 15/00760/PPM was granted for a residential development of the application site with associated infrastructure and landscaping following the conclusion of a legal agreement to secure education, off site play area enhancement and affordable housing provisions.

Approval of matters specified in conditions of planning permission in principle 15/00760/PPM is now sought for the conversion of Henderson House to form 3 houses and 18 flats, the erection of 47 houses, 57 flats and associated works on the application site. The remainder of the existing buildings on the site would be removed to make way for new residential units.

Of the 47 houses to be erected within the site, 21 would be detached, 10 would be semi-detached and 16 would be terraced. In terms of size, 38 of the 47 proposed houses would contain 5 bedrooms, 5 would contain 4 bedrooms and 4 would contain 3 bedrooms. Of the 3 houses to be formed within Henderson House, 1 would contain 2 bedrooms and 2 would contain 3 bedrooms.

There would be 9 buildings erected within the site which would comprise car ports at ground floor level and 3 bedroom flats at first floor level contained within 2-storey buildings. The car ports would provide for off street parking for some of the proposed houses and flats.

In addition three flatted buildings would be erected on the northern part of the site fronting onto Main Street and two flatted buildings would be erected on the western part of the site fronting onto Muirfield Drive. All these flatted buildings would each be 3-stories high.

The 75 flats would each contain a mix of 1, 2 and 3 bedrooms.

The submitted details also include for the internal access roads, garages, parking courts, boundary treatments, landscaped open space, SUDS and associated works.

Vehicular, pedestrian and cycle access to the houses and flats would be taken by way of a new access junction from Main Street and from an existing access into the site from Muirfield Drive and also a secondary new access from Muirfield Drive. Separate pedestrian and cycle accesses would be formed from the site onto Main Street, Fenton Road and Garleton Court.

The boundaries of the site would be landscaped with new hedge and tree planting. Existing trees along the southern boundary of the site at its western side would be retained. A large area of open space would be formed centrally within the site and a smaller area of open space would be formed on the southeast part of the site. A SUDS basin would be formed adjacent to the east boundary of the site at its southern end and would be grassed. There is no proposal to form an equipped play area within the site. This is because, on the previous advice of the Council's Principal Amenity Officer, a financial contribution towards the enhancement of the existing play area at Recreation Park, which is on the west side of Muirfield Terrace a short distance to the southwest of the application site, with additional facilities was secured through planning permission in principle 15/00760/PPM, as an alternative to on site provision.

The application is supported by a Design and Access Statement. The Statement sets out the design principles and concepts that have been applied to the development. It also sets out the non-statutory community consultation which was undertaken prior to submitting this application.

The application is also supported by a Drainage Strategy Plan and Flood Risk Assessment, a Tree Survey and Arboricultural Constraints Report and a Preliminary Roost Assessment & Bat Activity Survey Report.

Subsequent to the registration of this application, further drawings have been submitted showing i) revisions to the detail of the elevations on one of the flatted buildings, alterations to the site layout to provide for alternative refuse arrangements and to show ground surfacing additions and off site works, (ii) an elevational drawing of the development from Fenton Road, and (iii) construction traffic management drawings.

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 the proposed development falls within the category of a Schedule 2 Development, being one that may require the submission of an Environmental Impact Assessment (EIA). Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. On 2 February 2016 the Council issued a formal screening opinion to the applicant. The screening opinion concludes that it is East Lothian Council's view that a housing development of the site 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 housing development to be the subject of an EIA.

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.

Relevant to the determination of the application is Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policies H1 (Housing Quality and Design), DP1 (Landscape and Streetscape Character), DP2 (Design), DP14 (Trees on or Adjacent to Development Sites), DP15 (Sustainable Urban Drainage Systems), C1 (Minimum Open Space Standard for new General Needs Housing Development), C2 (Play Space Provision in new General Needs Housing Development), T2 (General Transport Impact), DP20 (Pedestrians and Cyclists), DP22 (Private Parking) and DP24 (Home Zones) of the adopted East Lothian Local Plan 2008.

A material consideration is the supplementary planning guidance of "Design Standards for New Housing Areas" approved by the Council on 10th March 2008. This guidance requires that a more flexible approach be taken in road layout and design for proposed housing developments and sets core design requirements for the creation of new urban structures that will support Home Zone development as well as establishing design requirements for the layout of and space between buildings. Developers must provide adequate information to the satisfaction of the Council to demonstrate the merits of their design.

Also material to the determination of this application is the Scottish Government Policy Statement entitled "Designing Streets". It provides an overview of creating places, with street design as a key consideration. It advises on the detail of how to approach the

creation of well-designed streets and describes the processes which should be followed in order to achieve the best outcomes.

Five written representations have been received in respect of this application, all of which raise objection to the proposed development.

A copy of the written representations is contained in a shared electronic folder to which all Members of the Committee have had access.

The main grounds of objection are summarised as follows:

- * The proposed footpath to Garleton Court would be a pedestrian and road safety risk;
- * New trees would lead to a loss of light:
- * The proposed flats would lead to a loss of privacy;
- * Traffic on Muirfield Drive and the local road network would increase:
- * The proposed development would lead to traffic problems and thus would result in a road safety hazard;
- * The health facilities in Gullane and rail links cannot accommodate future residents of the development;
- * The flatted buildings fronting onto Main Street are too high and balconies are inappropriate;
- * A number of trees would be lost;
- * Problems with the parking of construction traffic.

Gullane Area Community Council, as a consultee on the application advises that they do not object to the application. They do however make various comments on the requirement of planning permission in principle 15/00760/PPM for the submission of a Construction Method Statement.

By the grant of planning permission in principle 15/00760/PPM, approval has been given for the principle of the erection of 125 residential units on the application site. There can therefore be no objection in principle to the erection of the 125 residential units now proposed.

Therefore, in the determination of this application the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the development, the landscaping of and means of access to the site and the means of any enclosure of the boundaries of the site. In this regard the detailed proposals have to be considered against relevant development plan policy and the indicative masterplan and conditions attached to planning permission in principle 15/00760/PPM.

The site is within a predominantly residential area, being surrounded by residential properties which are within an area defined by Policy ENV1 of the adopted East Lothian Local Plan 2008 as being of predominantly residential character and amenity. The residential development of the application site would ensure that the predominantly residential character and amenity of the area is safeguarded and it would be compatible with the surrounding existing residential use of the area.

Paragraph 2.6 of the "Design Standards for New Housing Areas", approved by the Council on 10th March 2008, states that new housing development must create a hierarchical, permeable and interconnected street layout that complements and should extend the surrounding street pattern. Such layouts spread vehicle traffic evenly through a site and to the surroundings, help prevent localised traffic congestion, and encourage walking and cycling. Proposed street layouts must maximise connections within the site and to surrounding streets, and ensure the movement requirements of the development strategy are met. By the design and arrangement of street types, street layouts must influence vehicle drivers preferred route choice to ensure the tertiary streets between residential blocks are less busy. In paragraph 2.9 it is stated that Home Zones must be introduced to new development as part of a hierarchical, permeable and interconnected street layout.

The houses, flats and associated areas of ground, in their proposed groupings, orientations, and layout would be consistent with the principles of 'Home Zones' as set out in the Council's Design Standards for New Housing Areas and with the Scottish Government Policy Statement entitled "Designing Streets". The proposed layout of roads, pathways and parking spaces would also generally be consistent with those principles.

The details now submitted for approval are for a scheme of development comprising a mix of detached, semi-detached and terraced houses (13 types of residential units) and 75 flats, with the flatted buildings and houses being three storeys and two stories in height respectively. The total number of units proposed accords with the planning permission in principle granted for the site and the mix of residential units includes a range of sizes and types. The layout reflects the surrounding area, which is generally characterised by detached, semi-detached and terraced houses and flatted buildings.

The houses and flats would be finished predominantly with rendered walls and smaller areas of reconstituted stone and their pitched roofs would be clad with either red or grey concrete tiles. A condition can be imposed to require the submission of a scheme of final finishes with a palette of colours for the houses and flats, which has due regard to the finishes of other residential properties in the locality. Subject to the imposition of this condition, the proposed houses and flats would not cause any incongruous change to the architectural harmony, integrity and character of this part of Gullane.

The proposed layout is broadly consistent with the layout shown in the indicative masterplan docketed to planning permission in principle 15/00760/PPM. The proposed houses and flats, due to their positioning on the application site and by virtue of their height, size and scale, and architectural design would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features. In this respect, the flatted buildings have been designed to be subservient, but in keeping with Henderson House such that it remains the focal building within the site. The flatted buildings would also serve to reinforce the built form of the site frontages with Main Street and Muirfield Drive which, together with the proposed landscaping would ensure a visually attractive and cohesive development, with the proposed flatted buildings visible but not appearing incongruous or intrusive in their surroundings. The other components of the proposed development would not be harmful to the character and appearance of the area.

The proposed housing development would provide an attractive residential environment for future residents of the proposed houses and flats. The houses and flats are shown to be laid out in such a way that adheres to the normally accepted privacy and amenity criteria on overlooking and overshadowing, whilst affording the future occupants of the

houses and flats an appropriate level of privacy and residential amenity.

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

Condition 7 of planning permission in principle application 15/00760/PPM requires details of the proposed integrated sustainable urban drainage scheme (SUDS) for the site to be submitted. Drainage detail has been submitted with the application. The Scottish Environment Protection Agency has been consulted on the application and raise no objection to the proposed development, advising that the proposed methodology for dealing with surface water drainage at the site is satisfactory.

The Council's Team Manager for Structures, Flooding & Street Lighting has also appraised the drainage detail for the site and raises no objection to the application, satisfied that the proposed methodology for dealing with surface water drainage at the site is satisfactory.

The proposed development has been amended in light of comments received from the Council's Landscape Project Officer. The revised proposals have:

- * Amended details on the siting of tree planting throughout the site;
- * Provided a detailed method statement for the proposed seeding and maintenance of landscaped areas; and
- * Provided a tree survey and arboricultural constraints plan to address the treatment of trees growing in the southwest corner of the site.

The Landscape Project Officer does not object to the details of the development now proposed, but she does require that conditions be imposed on a grant of planning permission to ensure that tree maintenance, landscaping, tree protection measures and arboricultural monitoring are carried out in accordance with that shown on the application submissions. Such measures can be secured by the imposition of conditions on the approval of matters specified in conditions for the proposed housing development.

The Landscape Projects Officer confirms that the trees to be planted on the site boundary with the houses on the east side of Garleton Court are medium species trees and therefore they would not grow to such a size that would cause such a degree of overshadowing to the rear gardens of those houses that would be harmful to the amenity of occupiers of them.

The Councils Environment Health Manager raises no objection to the proposed development.

On all of these foregoing findings on matters of design, layout, landscaping and amenity, and subject to the imposition of conditions, the proposed development is consistent with Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies H1, DP1, DP2, DP14 and DP24 of the adopted East Lothian Local Plan 2008, the Council's Design Standards for New Housing Areas and the Scottish Government Policy Statement entitled "Designing Streets".

Condition 9 of planning permission in principle application 15/00760/PPM requires the submission of a bat survey of the buildings on the site. A Preliminary Roost Assessment & Bat Activity Survey Report has been submitted with the application. The Council's

Biodiversity Officer has appraised the submitted report and is content with its findings on bat activity in the area and he therefore raises no objection to the application.

As previously detailed, the proposed site layout includes a large area of open space to be formed centrally within the site and a smaller area of open space to be formed on the southeast part of the site. The Council's Principle Amenity Officer advises that the size and locations of the areas of open space proposed are satisfactory to provide for informal recreation for the proposed development. It is therefore consistent with Policy C1 of the adopted East Lothian Local Plan 2008.

The principles of the means of accessing of the proposed residential development are already decided by the grant of planning permission in principle 15/00760/PPM. The submitted details for accessing the proposed residential units are in accordance with these principles established by the grant of planning permission in principle 15/00760/PPM.

The Council's Road Services raise no objection to the submitted details, being satisfied that the proposed development can be safely accessed by both cars, pedestrians and cyclists, that the development would not result in unacceptable traffic congestion on the local road network, including on Muirfield Drive, and that it would not result in a road or pedestrian safety hazard. They advise that the location and amount of parking within the site is acceptable.

They recommend that:

- * the parking spaces to be provided within car ports should not at any future point be converted into garages as garages are not accepted as dedicated off street parking;
- * details of cycle parking for future residents of Henderson House be submitted for approval;
- * the footpath link from the site to Garleton Court be extended over the Council owned grass area to connect into the existing footway network.

In terms of the provision of the footpath linking the application to Garleton Court discussions have been held between Officers of the Council and the applicant. Due to the build phasing of the site and health and safety requirements it has been agreed that the footpath link be provided prior to the occupation of the any of the residential units on plots 57 to 62 as shown on the application drawings. Road Services confirm this is acceptable.

All of the above requirements can reasonably be made conditions of the approval of matters specified in conditions for the proposed housing development.

Condition 5 of planning permission in principle 15/00760/PPM requires a Construction Method Statement be submitted to minimise the impact of construction activity on the amenity of the area prior to the commencement of development. A Construction Method Statement has been submitted with this application. The Construction Method Statement shows that HGV traffic would access and egress the site from the east via the A198 and B1345 roads such that they would not use Muirfield Drive or Main Street. It further shows that only cars, vans and light vehicles would access and egress the site from the west via Main Street and Muirfield Drive. A site compound would be formed within the site itself which would be used for construction works and parking. Road Services advise that the control and route of construction traffic and the provision of on-site parking during development of the site as detailed in the Construction Method

Statement drawings is acceptable. The Construction Method Statement details that during construction the surrounding streets will be cleaned by way of a road brush as an alternative to a wheel washing facility. Road Services confirm this is acceptable.

Condition 6 of planning permission in principle 15/00760/PPM requires that, (i) an uncontrolled pedestrian crossing point be formed on Muirfield Drive to provide a suitable safe pedestrian link to provide connectivity and access to Gullane Primary School from the proposed development, (ii) a continuous 2 metre wide footway be provided on the east side of Muirfield Drive along the entire length of the site frontage, (iii) a continuous 2 metre wide footway provided on the west side of the C111 public road from its junction with the A198 (Main Street) to the pedestrian access link into West Fenton Gait; and (iv) raised table junctions be formed at the vehicular access junctions from the site with Muirfield Drive. The application drawings show only one raised table junction would be formed at the southern vehicular access junction from the site with Muirfield Drive. Road Services confirm a second is not necessary and are content that the provision of one raised table junction, which also acts as the uncontrolled pedestrian crossing point, would not compromise road or pedestrian safety. Otherwise the application drawings show the provision of all the requirements of Condition 6 of planning permission in principle 15/00760/PPM and Road Services confirm they are acceptable.

The other recommendations of Road Services are covered by conditions imposed on the grant of planning permission in principle 15/00760/PPM and therefore remain in force and thus there is no requirement to also attach them to this approval of matters specified in conditions application.

On these foregoing transportation and other access considerations the proposed residential development is consistent with Policies T2, DP20 and DP22 of the adopted East Lothian Local Plan 2008.

The mechanism of a financial contribution towards the provision of additional play equipment and/or for some other enhancement of the play area at Recreation Park, Muirfield Terrace, Gullane is already secured through the grant of planning permission in principle 15/00760/PPM.

The mechanism of a financial contribution towards additional educational provision at Gullane Pre-School, Gullane Primary School and North Berwick High School for a housing development of 125 residential units has already been secured through the grant of planning permission in principle 15/00760/PPM.

The mechanism of the provision within the residential development of 25% affordable housing units (i.e. 31 units of the proposed 125 units) is already secured through the grant of planning permission in principle 15/00760/PPM.

The Council's Economic Development and Strategic Investment service raise no objection to the details of the 31 affordable housing units now proposed.

RECOMMENDATION

That approval of matters specified in conditions for the proposed housing development 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.

Notwithstanding that which is stated on the drawings docketed to this approval of matters specified in conditions, 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 promote render as the predominant finish to the walls of the houses and flats, 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. 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.

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 drawings.

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 All of the car ports as hereby approved to be used for parking spaces for the houses and flats shall at all times remain open fronted, without any doors or any other form of enclosure on their front elevations to ensure that they are capable of use for the parking of a car and not as an secure storage area.

Reason:

To ensure a satisfactory standard of car parking provision to serve the development hereby approved and in the interests of road safety.

Prior to the occupation of any of the flats to be formed within Henderson House, details of cycle parking for future residents of them shall be submitted to and approved in advance by the Planning Authority. The cycle parking shall be in the form of 1 locker per flat or communal provisions in the form of a lockable room or shed. The cycle parking shall thereafter be provided in accordance with the details as so approved and shall be retained in place for that purpose.

Prior to the occupation of any of the other flats as hereby approved, the cycle parking for future residents of them shall be provided as shown on the docketed drawings and shall thereafter be retained in place for that purpose.

Reason:

To promote the use of a sustainable form of transport to the development.

6 Prior to the occupation of any of the residential units on plots 57-62 as shown on the docketed drawings the footpath link from the application to Garleton Court shall be formed and made available for use.

Also prior to the occupation of any of the residential units on plots 57-62 as shown on the docketed drawings the footpath link from the application site to Garleton Court shall be extended over the Council owned grass area within Garleton Court to connect into the existing footway network, the detail of which shall be submitted to and approved in advance by the Planning Authority. The detail shall show the construction method of the footpath to be in accordance with section 7 of BS5837: 2012 "Trees in relation to design, demolition and construction ~ Recommendations" where the path lies within any tree Root Protection Area.

The footpath link and the extended footpath link as so approved shall thereafter remain in place unless otherwise approved by the Planning Authority.

Reason

To ensure that adequate and satisfactory provision is made for pedestrian access in the interests of pedestrian safety and to ensure the retention and protection of trees which are an important feature of the area.

A timetable for the provision of the erection of the 1.8 metre high 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.

All the open space recreation areas indicated on the docketed drawings shall be available for use prior to the occupation of the last house or flat on the site.

The open space recreation areas, when provided, shall be used for such purposes at all times thereafter unless agreed in writing by the Planning Authority.

Reason:

To ensure the satisfactory laying out of all areas of open space in the interest of the amenity of the future occupants of the dwellings hereby approved

9 No trees or shrubs, which are to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the prior written consent of the Planning Authority.

Reason:

To ensure the retention and maintenance of the trees which are an important landscape feature of the area.

No development shall commence until temporary protective fencing has been erected to the specification detailed in the docketed 'Arboricultural Assessment and Tree Protection Measures for Belt of trees to rear of plots 57 to 64' document and in the position shown for it on docketed drawing no. 17474/3 titled 'Tree Protection (detail south)'.

All weather notices shall be erected on said fencing with words such as "Construction exclusion zone - Keep out". Within the fenced off areas the existing ground level shall neither be raised nor lowered, no materials, temporary buildings, plant, machinery or surface soil shall be placed or stored and no herbicides shall be used. Planning of site operations should take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees. Any materials whose accidental spillage would cause damage to a tree shall be stored and handled well away from the outer edge of its RPA. Fires on sites should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of a fire and the wind direction should be taken into account when determining its location and it should be attended at all times until safe enough to leave.

Reason

To ensure the retention and maintenance of trees which are an important feature of the area.

All new planting as shown on docketed drawings nos. 12-01e, 12-02c, 12-03e and as specified in the docketed documents titled 'Cala Management Limited, Fire College, Gullane, Landscape Works, Grassed and Planted Areas, Planting Schedule' and 'Cala Management Limited, Fire College, Gullane, Landscape Works, Grassed and Planted Areas, Planting Key' 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 ten 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.

All the new planting shall be maintained in accordance with the maintenance programme as detailed in the docketed document titled 'Cala Management Limited, Fire College, Gullane, Landscape Works, Grassed and Planted Areas, Maintenance Specification'.

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 improve the biodiversity value of the area.