

REPORT TO: Planning Committee
MEETING DATE: Tuesday 15 March 2022
BY: Executive Director for Place
SUBJECT: Application for Planning Permission for Consideration

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Application No. **21/01322/PM**

Proposal Erection of 43 houses and associated works as changes to the scheme of development the subject of planning permission 13/00519/PM

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

Applicant Mactaggart & Mickel Homes Ltd

Per Fouin+Bell Architects

RECOMMENDATION Consent Granted

REPORT OF HANDLING

Although this application is for the substitution of house types as changes to the scheme of development the subject of planning permission 13/00519/PM, it has to be determined as a major development type application because the area of the application site is greater than 2 hectares. Accordingly, the application cannot be decided through the **Council's Scheme of Delegation**. It is therefore brought before the Planning Committee for a decision.

This planning application relates to some 2.3 hectares of former agricultural land at Letham Mains, on the western side of Haddington. The application site forms part of a larger area of land allocated by Proposal HN1 (Letham Mains) of the adopted East Lothian Local Development Plan 2018 for a mixed use development of circa 800 houses, education and community facilities, a local centre, infrastructure and associated works.

PLANNING HISTORY

In May 2017, planning permission (Ref: 13/00519/PM) was granted for the erection of

385 houses and 48 flats on the western part of that allocated housing site. That land includes part of the site that is the subject of this current planning application.

Also in May 2017, planning permission (Ref: 14/00089/PM) was granted for the erection of 257 houses, 119 flats and associated works, including a sports pitch and two changing room facility on the eastern part of that allocated housing site.

In June 2015, planning permission (Ref: 14/00534/PCL) was granted for the erection of a primary school on the central part of that allocated housing site.

In December 2017, planning permission (Ref: 17/00105/P) was granted for the erection of 33 houses and associated works on part of the site granted planning permission 13/00519/PM, previously, as changes to that scheme of development.

In March 2018, planning permission (Ref: 17/00900/P) was granted for the erection of 34 houses and associated works on part of the site granted planning permission 13/00519/PM, previously, as changes to that scheme of development.

In August 2018, planning permission (Ref: 18/00218/PM) was granted for the erection of 82 residential units with associated roads, infrastructure and open space as changes to the scheme of development approved by the grant of planning permission 18/00218/PM.

In June 2019, planning permission (Ref: 19/00147/PM) was granted for the erection of 43 houses and associated works on part of the site granted planning permission 13/00519/PM, previously, as changes to that scheme of development. Planning permission 19/00147/PM has not been implemented but remains extant until 26th June 2022. That land is the same part of the site that is the subject of this current planning application.

In October 2020, planning permission (Ref: 20/00677/P) was granted for the substitution of 37 houses, re-positioning of plots and associated works as changes to the scheme of development the subject of planning permission 13/00519/PM.

In March 2021, planning permission (Ref: 20/00678/P) was granted for the substitution of 13 houses, 24 flats, re-positioning of plots and associated works as changes to the scheme of development the subject of planning permission 13/00519/PM.

Planning permissions 13/00519/PM and 14/00089/PM were granted following the conclusion of a Section 75 Legal Agreement to secure (i) affordable housing; (ii) a financial contribution towards (a) upgrading the local path network, (b) primary and secondary education provision, and (c) sports provision in Haddington; (iii) transfer to the Council, at no cost, of ownership of the site for the school that is approved by planning permission 14/00534/PCL; and (iv) the provision of the sports pitch and the two changing room facility.

Development of the two housing sites has commenced and works are ongoing.

PROPOSAL

This application site is on the western part of the site the subject of planning permission 13/00519/PM.

Planning permission is sought for the erection of 43 houses on the site, as a change to the approved scheme of development the subject of planning permission 13/00519/PM. The changes to the approved layout would affect 40 of the house plots within the part of

the Mactaggart and Mickel Homes Ltd component of the site defined as plots MM2-01 to MM2-40 and to the layout of some of the parking and landscaping approved by that grant of planning permission. The proposed development would increase the number of houses to be built on this part of the site by 3 - as has already been established through the grant of planning permission 19/00147/PM. It also proposes changes to the positioning of some of those houses.

The proposed development would comprise of a mix of 3, 4 and 5 bedroomed houses together with internal access roads, parking and landscaping. Of the 43 houses, 33 would be detached and 10 would be semi-detached. All of the houses would be marketed for private sale with 10 of the houses having 3 bedrooms, 23 houses having 4 bedrooms and 10 houses having 5 bedrooms.

The proposed housing would be accessed from the junction of Kerr Loan and William Crescent to the north of the application site. That existing road network was part of the Taylor Wimpey first phase of development and is accessed via the main spine road of Davids Way, approved by planning permission 13/00519/PM, adjacent to the eastern side of the application site.

Subsequent to the registration of this application the applicant's agent has provided revised drawings to address a number of points raised by the **Council's Road Services** department.

The applicant's agent has informed that the change to the house types will increase the number of 4 bedroomed houses. This is to address the market demand for family living with home working accommodation. This is now at the forefront of decision making for house purchasers looking to move to Haddington and the outer areas of East Lothian.

DEVELOPMENT PLAN

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 Development Plan 2018.

There are no relevant policies of the approved South East Scotland Strategic Development Plan (SESplan). Proposal HN1, and Policies DP2 (Design), DP4 (Major Development Sites), RCA1 (Residential Character and Amenity), NH8 (Trees and Development), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the East Lothian Local Development Plan 2018 are relevant to the determination of this application.

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.

A further material consideration to the determination of the application is the approved development framework for Letham Mains. The framework sets out the land uses expected for the allocated site and how the Council requires the site to be developed.

Also material to the determination of this planning application is the planning history of the site.

REPRESENTATIONS

Eighteen objections and three representations have been received to this application. One of the objections includes a petition signed by 34 of the local residents of Kerr Loan. The objections are made on the grounds that:

- (i) the proposed change to the road layout will significantly increase traffic using Kerr Loan as there would no longer be a second access onto Davids Way to the east of the site (as was approved through planning permissions 13/00519/PM and 19/00147/PM);
- (ii) the volume of traffic using Kerr Loan as a primary route, rather than Davids Way, will have a detrimental impact on the children who play outside and gravitate towards Kerr Loan (as that road is generally quieter than Davids Way and has clearly defined pavements);
- (iii) any increase in vehicles using Kerr Loan will compromise child and pedestrian safety due to the ambiguity between the pavement and the road as they are both at the same level and road space is very narrow;
- (iv) Kerr Loan is not designed for two way traffic - if two cars have to pass each other they have to drive on the pavement;
- (v) the removal of the vehicular access point onto Davids Way will divert traffic from all 43 houses, including delivery vehicles, onto William Crescent. This has the potential to create a bottleneck at the junction of William Crescent and Davids Way - which will encourage vehicles entering/existing M&M phase 2 to use Kerr Loan as a rat run;
- (vi) moving the vehicular access point into M&M phase 2 so that it runs directly across from Kerr Loan (rather than from the first visitor parking bay on William Crescent as per planning permission 19/00147/PM) will exacerbate the situation detailed in point (v) above;
- (vii) the TW phase 1 part of the site also has approx. 43 dwellings. At one point during construction there was only one vehicular access point onto Davids Way. During this time the volume of traffic on Kerr Loan was noticeably more busy;
- (viii) the future occupiers of the proposed new houses will only have one entrance, via the north access road, serving this part of the site resulting in there being no direct route onto the main spine road (i.e. Davids Way);
- (ix) concerns are also raised that there would be increased noise levels, as a result of additional vehicles and delivery vans using the proposed site entrance, which would be exacerbated by the mono-block road surface finish;
- (x) it appears as though the developer wishes to maximise the land for properties at the expense of the residents already present and also providing a poorer road network for the future residents of the proposed new houses;
- (xi) the M&M phase 2 development will erode the privacy of neighbouring residential properties and will increase concerns relating to light pollution and noise;
- (xii) there are less trees shown to be planted within the application site relative to planning permissions 13/00519/PM and 19/00147/PM;
- (xiii) the planning application has not been accompanied by a Design and Access Statement;
- (vx) length of some driveways which are not sufficient to prevent vehicles overhanging the footway.

One of the objectors also raises concerns relating to the location of the existing MacTaggart and Mikel site office building stating that there is daily noise and pollution affecting the occupiers of a neighbouring residential property on a daily basis. It states that, at present, the junction from William Crescent to David's Way is closed due to the site office location and that the only access is via Kerr Loan. It is therefore suggested

that the site office be relocated to the southern end of the Phase 2 site.

Notwithstanding the concern raised by the objector relating to the location of the site office building as outlined above, the site office building is not the subject of this planning application and thus it does not form part of this planning application.

The three representations received to this application state that the original plans showed a sensible layout with two entrances into this part of the new estate, one to north and one to the east which, in turn, will minimise the traffic through existing residential roads and provide options for the occupiers of the proposed new houses within this part of the site. It is also stated that this would be far safer for the younger residents who enjoy playing in the quiet street of Kerr Loan. In addition, one of the representors states that there are currently no speed bumps or speed signs within the estate and that a child was hit by a car on Kerr Loan due to the main spine road of Davids Way being unavailable for use at that time.

The applicant's agent advises that there would be minimal intensification of traffic use and movements to local and wider streets within the housing development as a result of the 43 substitute houses proposed within this part of the application site. He states that the net increase of the traffic movements will be minimal and that there are three constructed access points on the west side of Davids Way which already serve 77 houses within the Taylor Wimpey first phase part of the site and the proposed 43 houses the subject of this planning application.

With regards driveway dimensions a condition can be imposed on any grant of planning permission requiring that driveways are of a specified dimension to ensure that they can accommodate vehicles without overhanging the pavement.

COMMUNITY COUNCIL COMMENTS

None.

PLANNING ASSESSMENT

By the grant of planning permission 13/00519/PM, approval has been given for the erection of 433 residential units on the western part of the land of Letham Mains. However, as a change to the scheme of development approved by that grant of planning permission the number of houses the applicant, Macktaggart and Mickel, built on the northern part of the site was reduced from 45 units to 33 through planning permission 17/00105/P and therefore there has been a reduction in the number of residential units to be built on the larger site by 12. Consequently the increase in the number of houses to be built through this current application by 3 would not result in the number of houses being built on the larger site exceeding the overall number of houses being built on the larger site. Furthermore, through the grant of planning permission 19/00147/PM, the applicant has already been granted planning permission to the increase in the number of houses being built on this part of the site by 3, to 43 houses. What is now proposed is the erection of 43 houses, with some of those houses being positioned differently to those approved by planning permission 19/00147/PM. Consequently, and as there would be no net increase to the 433 residential units already approved there can be no objection in principle to the erection of 43 houses on this part of the application site, as is proposed.

The details now submitted for approval show a layout of development that is different to the layouts already approved by planning permissions 13/00519/PM and 19/00147/PM, but not significantly so. The main difference is that there will now only be one vehicular

access (known as Williams Crescent) into this part of the site instead of two as approved by planning permission 19/00147/PM. However, the second vehicular access approved by that application was itself a change to the approved layout of the original grant of planning permission 13/00519/PM, which had proposed one access road (Williams Crescent) which would link to Kerr Loan, one pending access into a parking court associated with a group of houses fronting onto the main road now known as David's Way and a pedestrian connection at the eastern end of the private shared surface driveway (factored) to the south of plot 30. The applicant's agent has advised that the pedestrian link to the front of plot 30 has been removed as there is a footpath connection to that part of the site through the open space to the south. Otherwise full regard has been had to the terms of the approved Master Plan that relates to the wider site and therefore the layout now proposed conforms with and generally accords with the overall provisions of the Master Plan.

The proposed house types in their proposed groupings, orientations and layout, would generally be consistent with the site layout as previously approved by planning permission 13/00519/PM. The houses now proposed would not cause any incongruous change to the architectural harmony, integrity and character of the scheme of housing development approved for the Letham Mains housing site, provided there is compliance with the scheme of external finishes approved for the development as a whole by the grant of planning permission 13/00519/PM. In this regard, the predominant external wall finish should be render. However, to ensure consistency with the housing development to the north, a limited number of units should be finished in reconstituted stone. This matter can be controlled by a condition imposed on a grant of planning permission for the proposed houses. Subject to the control over their finishes the proposed substitute houses would, by virtue of their size, scale, height, design, finishes and layout, integrate and sit comfortably with the built architectural form and layout of the existing housing of the area and with the scheme of housing development already approved for this part of the Letham Mains housing site.

The application site is capable of accommodating all of the proposed development, including vehicular and pedestrian access, without being an overdevelopment of the site and without being incompatible with the density of existing housing development in the area.

The proposed positioning of the 43 houses and other components of the development would not prejudice the remainder of the housing development already approved in detail by planning permissions 13/00519/PM and 14/00089/PM.

In assessing whether or not a proposed new development would result in harmful overlooking and therefore loss of privacy to existing neighbouring residential properties it is the practice of the Council, as Planning Authority to apply the general rule of a 9 metres separating distance between the windows of a proposed new building and the garden boundaries of neighbouring residential properties and an 18 metres separating distance between directly facing windows of the proposed new building and the windows of existing neighbouring residential properties.

The proposed houses, on the south side of Williams Crescent would be located sufficiently far away from the existing housing to the north so as not to adversely affect the privacy or amenity of their occupants and would not have windows directly facing glazed openings in the south side of those neighbouring houses. The proposed houses would also be sufficiently far away from future housing to the east. Therefore the proposed houses would largely be so sited, orientated and screened such as not to harm the privacy and amenity of any neighbouring residential property.

The proposed houses would also be laid out in such a way that adheres to the normally accepted standards on overshadowing. Therefore there would be no loss of amenity through overshadowing or loss of daylight to the occupants neighbouring properties.

Moreover, the houses would be laid out in such a way to ensure that the future occupants of the proposed houses were afforded an appropriate level of privacy and residential amenity.

The proposals do not impact on the size or locations of areas of open space approved within the wider site. Similarly no changes are proposed to the equipped play areas already approved by planning permission 13/00519/PM.

On the considerations of design, layout and amenity, the proposals are consistent with Proposal HN1, and Policies DP2, DP4 and RCA1 of the adopted East Lothian Local Development Plan 2018, the Scottish Government Policy Statement entitled "Designing Streets" and the approved development framework for Letham Mains.

The **Council's Senior Environmental Health Officer** raises no objection to this planning application.

The Council's **Team Manager for Structures, Flooding and Street Lighting** states that he has reviewed the relevant plans and, as the proposals are for the substitution of house types, raises no objection to this planning application.

The Council's Planning Obligation Officer confirms that there are no additional developer contributions required as the proposals do not exceed more than 215 M&M units (including affordable) being delivered on Letham Mains housing site.

The **Council's Landscape Projects Officer** advises that there is no change in the location of the rear boundary fences for the proposed houses on the western side of the application site and, as such, there will be no greater impact on the existing trees to the west of the site. Accordingly, she raises no objection to this application but recommends that temporary protective fencing be installed to the west of the rear boundaries of plots 2-4 and plots 9-16 in order to retain the existing tree belt to the west of the site and to avoid incursion into the root protection areas of those existing trees. In addition, she recommends that there should be hedge planting along the front gardens of all plots, where possible, and otherwise along the inner side of the low wall to the east of plots 31 and 40. She also recommends that trees be planted to the front gardens of plots 9, 14, 21 and 22 and otherwise within the communal grass areas to the east of plots 6, 14, 15 and 16. Subject to appropriately worded conditions, the proposals do not conflict with Policy NH8 of the adopted East Lothian Local Development Plan 2018.

The **Council's Road Services Officer** states that it is noted that concerns are raised by neighbouring residents regarding additional traffic onto Kerr Loan. However, she does not consider that the removal of the second access onto Davids Way (as was shown in the approved road layout relating to planning permission 19/00147/PM) will generate a significant amount of additional traffic onto Kerr Loan. She advises that the proposed development is generally well laid-out in a manner which will discourage high vehicle speeds. Accordingly, she raises no objection to this planning application but recommends that:

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

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

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

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

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

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

(vii) a raised table shall be installed on the road outside plots 24 and 25 with details of the raised table, including a timetable for its installation, to be submitted for approval prior to the raised table being installed;

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

(ix) a Quality Audit to independently assess walking, cycling, access and road safety aspects within and around the development shall be submitted and approved by the Planning Authority prior to construction commencing. This will be reviewed after construction is substantially complete and the developer required to make good any issues;

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

(xi) a swept path, or vehicle track assessment, of the road layout must be submitted for prior approval to demonstrate how the site can accommodate a large vehicle. The Design Vehicle to be used is the "Large Rigid Vehicle" as outlined in the Freight Transport Association's document "Designing for Deliveries" - the vehicle being 2.5 metres wide with a 6.1 metres wheelbase and an overall vehicle length of 10 metres;

(xii) a Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area shall be submitted to and approved by the Planning Authority prior to the commencement of development. The Construction Method

Statement shall recommend mitigation measures to control noise, dust, construction traffic (including parking, routes to/from site and delivery times) and shall include hours of construction work;

(xiii) a Wheel washing facility be provided and maintained in working order during the period of operation of the site; and

(xiv) prior to the commencement of development, details of the provision of new electric vehicle charging points, including any infrastructure that may be required for them, shall be submitted to and approved in writing by the Planning Authority. At least one dedicated EV charging point shall be provided per dwelling. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the details so approved.

Subject to appropriately worded conditions, the proposals do not conflict with Policies T1 or T2 of the adopted East Lothian Local Development Plan 2018.

At its meeting on Tuesday 27th August 2019 the Council approved a motion declaring a Climate Emergency. Thereafter, at its meeting on Tuesday 3rd September 2019 the Council's Planning Committee decided that a condition requiring a developer to submit for the approval of the Planning Authority a report on the actions to be taken to reduce the carbon emissions from the building and from the completed development should be imposed on relevant applications for planning permission. The effective measures required to reduce carbon emissions will be secured through the subsequent building warrant process. Such a condition should be imposed on a grant of planning permission for this proposed development.

The **Council's Legal and Procurement Services** has advised that the modification to the Legal Agreement approved by the Council in March 2018 (Ref: 18/00001/OBL) will ensure that the Section 75 Legal Agreement applies in respect of the now proposed development of 43 houses. On this basis planning permission could now be granted subject to the undernoted conditions.

CONDITIONS:

- 1 The levels at which this site shall be built out shall be kept to the minimum required for development and without compromising the visual amenity of the area.

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 including the proposed new spine road and its associated Letham Burn Crossing;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s) including the new spine road and its Letham Burn Crossing. 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 buildings 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 Notwithstanding that which is stated on the drawings docketed to this planning permission, a detailed specification of all external finishes of the houses of the proposed development shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. The external finishes of the houses shall be in accordance with a co-ordinated scheme of materials and colours that shall be submitted to and approved in advance by the Planning Authority. This co-ordinated scheme shall in detail promote render as the predominant finish to the walls of the houses, with a use of more than one render colour and with a strongly contrasting difference in the colours such that they will not each be of a light colour. The render colours shall have due regard to the finishes of other residential properties in Haddington. However, to ensure consistency with the housing development to the north a limited number of units shall be finished in reconstituted stone. All such materials used in the construction of the houses 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.

3 A timetable for the provision of the erection of the boundary enclosures for the rear gardens of the houses hereby approved shall be submitted to and approved in advance by the Planning Authority and development shall thereafter be carried out in full accordance with the timetable so approved, unless otherwise approved in writing by the Planning Authority.

Reason:

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

4 Housing completions on the application site and otherwise on the site of planning permissions 13/00519/PM in any one year (with a year being defined as being from 1st April to 31st March the following year) shall not cumulatively exceed the following completion rates, unless otherwise approved in writing by the Planning Authority:

Year 1 (2017/18) - 0 houses
Year 2 (2018/19) - 52 houses
Year 3 (2019/20) - 98 houses
Year 4 (2020/21) - 107 houses
Year 5 (2021/22) - 84 houses
Year 6 (2022/23) - 82 houses
Year 7 (2023/24) - 10 houses

If less than the specified number of residential units are completed in any one year then those shall be completed instead at Year 8 or beyond and not added to the subsequent Year.

Reason:

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

5 No more than 300 residential units shall be occupied within the allocated Letham Mains site unless and until the school approved by the grant of planning permission 14/00534/PCL has been completed and is made available for use.

Reason:

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

6 No development shall take place on site until temporary protective Heras or similar type fencing has been erected to the west of the rear boundaries of plots 2-4 and plots 9-16, at a distance of no closer than 5 metres to the west site boundary as indicated on drawing number (PL)203, titled 'Fencing Plan', in accordance with figure 2 of British Standard 5837_2012 'Trees in relation to design, demolition and construction'. A site plan showing the position, type and height of the temporary protective fencing shall be submitted to and approved in writing by the Planning Authority prior to it being erected in place. The temporary protective fencing shall be fixed into the ground to withstand accidental impact from machinery and positioned outwith the root protection area of the existing trees to the west of the site. Thereafter the temporary protective fencing shall be erected in accordance with the site plan so approved and shall remain on site and intact through to completion of the proposed development.

All weather notices shall be erected on said fencing with words such as "Construction Exclusion Zone - Keep Out" and the fencing shall remain on site and intact through to completion of the development.

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 construction exclusion zone.

Fires should not be lit in a position where their flames can extend to within 5m of tree foliage, branches or trunks, and due cognisance must be taken of wind speed and direction prior to and during such operations.

Details of any trenches or services in the fenced off areas shall require the prior consent of the Planning Authority and all trenches shall be dug and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

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 previous written consent of the Planning Authority.

Reason:

- 7 In order to ensure the retention of, and health of, the existing retained trees to the west of the site. No development shall take place on site until a scheme of landscaping has been submitted to and approved in writing by the Planning Authority. The scheme of landscaping shall include a programme of planting and details of tree sizes, species, habitat, siting and planting distances. It shall include hedging to all front gardens, where possible, and otherwise along the inner side of the low wall to the east of plots 31 and 40 and fastigiate small species trees to the front gardens of plots 9, 14, 21 and 22 and otherwise within the communal grass areas to the east of plots 6, 14, 15 and 16.

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 completion of the development or occupation of any house hereby approved, whichever is the sooner. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species and final size, unless the Planning Authority gives written consent to any variation. No trees or shrubs, detailed in the approved landscaping plans to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority.

Reason:

- 8 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.

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

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

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

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

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

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

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

(vii) a raised table shall be installed on the road outside plots 24 and 25 with details of the raised table, including a timetable for its installation, to be submitted for approval prior to the raised table being installed;

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

(ix) a Quality Audit to independently assess walking, cycling, access and road safety aspects within and around the development shall be submitted and approved by the Planning Authority prior to construction commencing. This will be reviewed after construction is substantially complete and the developer required to make good any issues;

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

(xi) a swept path, or vehicle track assessment, of the road layout must be submitted for prior approval to demonstrate how the site can accommodate a large vehicle. The Design Vehicle to be used is the "Large Rigid Vehicle" as outlined in the Freight Transport Association's document "Designing for Deliveries" - the vehicle being 2.5 metres wide with a 6.1 metres wheelbase and an overall vehicle length of 10 metres.

Reason:

In the interests of pedestrian and road safety.

- 9 Prior to the commencement of development a Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area shall be submitted to and approved by the Planning Authority. The Construction Method Statement shall recommend mitigation measures to control noise, dust, construction traffic (including parking, routes to/from site and delivery times) and shall include hours of construction work.

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

Reason:

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

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

Reason

In the interests of road safety.

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

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

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

Reason:

To minimise the environmental impact of the development.

- 12 Prior to the commencement of development, a report on the actions to be taken to reduce the Carbon Emissions from the build and from the completed development shall be submitted to and

approved in writing by the Planning Authority. This shall include the provision of renewable technology for all new buildings where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report so approved.

Reason:

To minimise the environmental impact of the development.

