

REPORT TO: Planning Committee
MEETING DATE: 1 November 2022
BY: Executive Director – Place
SUBJECT: Application for Planning Permission for Consideration

3

Application No. **22/00681/AMM**

Proposal Approval of matters specified in conditions of planning permission in principle 18/00485/PPM - Erection of primary school and associated works

Location **Land to the North of Old Craighall Village
Old Craighall Road
Musselburgh
East Lothian**

Applicant East Lothian Council

Per JM Architects

RECOMMENDATION Consent Granted

REPORT OF HANDLING

Although this application is for the approval of matters specified in conditions of planning permission in principle 18/00485/PPM 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.

APPLICATION SITE

This planning application relates to some 3.1 hectares of former agricultural land at Old Craighall to the south of Musselburgh. The application site forms part of a larger area of land allocated by Proposal MH1 (Land at Craighall) of the adopted East Lothian Local Development Plan 2018 for a mixed use development including 1,500 homes, around 41 hectares of employment land, a new local centre, a new primary school and community uses as well as infrastructure and associated works.

The application site is located to the north of the village of Old Craighall and is bounded

to the southeast by the B6415 public road (from Monktonhall to Old Craighall), to the northeast by the A1 and to the northwest and southwest by the remainder of land allocated by Proposal MH1. The application site is relatively flat but undulating in parts. It is within the inventory boundary of the Battle of Pinkie, a battlefield included within Historic Environment Scotland's Inventory of Historic Battlefields. It is also part of a larger area that is identified by the Coal Authority as being at low risk from past mining related activity.

PLANNING HISTORY

In October 2019, following the conclusion of a Section 75 Legal Agreement to secure amongst other things education and affordable housing contributions and a land transfer, as well as financial contributions towards allotment provision and transportation interventions, and either provision of, or financial contributions towards, sports pitches, changing room facilities, planning permission in principle 18/00485/PPM was granted for a mixed use development comprising residential development, education, business, industry, storage and distribution, innovation hub (including class 2,3,4,5 and 6), employment uses, community facilities, residential neighbourhood centre (including class 1,2,3 and 10 uses), playing fields, changing facilities, public park(s) and associated works on some 116.5 hectares of land at Craighall to the south of Musselburgh, allocated by Proposal MH1 of the adopted East Lothian Local Development Plan 2018 for mixed use development.

In May 2020, approval of matters specified in conditions of planning permission in principle 18/00485/PPM (Ref: 19/01321/AMM) was granted for the formation of infrastructure associated with proposed new primary school, sports playing fields, sports changing facility and future proposed residential development including ground improvement, earthworks, access roads, foot & cycle paths, services and drainage.

The site to which this application relates comprises part of Area 1 of the MH1 allocation, specifically the site for the proposed new primary school.

PROPOSAL

The approval of matters specified in conditions of planning permission in principle 18/00485/PPM is now sought for the erection of a primary school campus and associated works on land to the north of Old Craighall and thus on part of the larger site to which planning permission in principle 18/00485/PPM and the masterplan docketed to that permission apply.

The proposed school campus would comprise of a new primary school (to cater for 420 pupils and 64 staff), a nursery (to cater for 100 2-5 year olds), associated playgrounds, playing fields, car parking and service access, cycle shelters, sprinkler housing, bin storage, boundary enclosures and play equipment. The proposed primary school would be erected on the south-eastern part of the site to the southwest of the A1. The building would be roughly rectangular in shape. The east elevation of the proposed school would face towards, and would be served by, a new distributor road which is approved to be constructed by the grant of approval of matters specified in conditions 19/01321/AMM. The proposed school building would be predominately two storeys in height with single storey flat roofed components added to part of its east and south elevations. The east end of the south elevation of the proposed school would contain two main entrances; one serving the primary school component of the building and the other serving the nursery component of the building.

The two storey component of the proposed building would comprise a series of

'sawtooth' pitches. Its external walls would be predominately clad in brick with some limited use of rain-screen timber effect cladding. Its north and south facing pitched roof slopes would be clad in aluminium standing seam. It would have aluminium downpipes and gutters. It would also have aluminium framed windows and doors formed within it. Its north facing pitched roof slope would have a number of roof windows formed within it.

The single storey flat roofed components would be predominately clad in facing brick with some parts it clad in horizontal timber cladding. Their flat roofed tops would be clad in a single ply membrane. They would have aluminium framed windows and doors formed within them.

The proposed school building would contain, at ground floor level, two classrooms (including an additional support needs classroom), a multi-purpose hall and dining area, toilets, changing room facilities, store rooms, a kitchen, staff meeting rooms, staff offices, a reception, circulation spaces and playrooms. The first floor level of the building, which would be served by three separate internal staircases and otherwise by a lift access, would contain twelve classrooms, toilets, a staff room, a deputy head teacher office, a nurture room, a shared library and a shared 'movement and dance' room.

The playground areas would be primarily located to the southwest of the proposed school building and would include various play equipment on hard and soft landscaped areas. The 2 grass sports pitches, including a 5 lane 100 metres running track, would be located within the southeast end of the site. There would be tree planting, a woodland trail and other landscaped areas provided within the site.

A detached single storey flat roofed sprinkler tank building would be located within the northeast end of the site. Its external walls would be clad in facing brick and its flat roofed top would be clad in aluminium profiled sheets. A single storey flat roofed bin store, which would be external finished in the same materials as that of the proposed sprinkler building, would abut its southeast end.

The proposed school site and its associated playground and grass pitch areas, would be enclosed by a 1.8 metres high, dark grey coloured, metal security fence. It would also have four gated accesses; one of which would be taken from the staff car parking area at the northern end of the site and one opposite the main entrance plaza within the east boundary of the site. The two other gated accesses, within the south and west boundaries of the site, would provide a pedestrian pathway and would link with future footpaths outwith the site. A lower 1.2 metres high metal fence would enclose two landscaped play areas, the outdoor nursery garden and the addition needs support garden, to the south and west of the school building respectively.

Vehicular access to the proposed school building would be served by a new distributor road that is approved to be constructed through the grant of approval of matters specified in conditions 19/01321/AMM. It is located within the northern end of the site. The car park area would be surfaced in permeable block paving and would provide 36 spaces (8 of which would be EV charging bays) via a one-way system. A mini-bus layby would also be created on the west side of the staff car park area. A hardsurfaced access road, in the form of a hammerhead layout, would be located parallel to the east elevation of the building and would provide 6 car parking spaces (3 visitor bays and 3 disabled bays). Two covered cycle racks would be located adjacent to the main entrance plaza and two covered cycle racks would be located within the southern end of the site.

The submitted drawing titled 'Landscape layout Phase 2' identifies an area to the north side of the proposed building that could be used in the future to accommodate a school extension(s). It also shows where an additional 9 parking spaces could be provided

within the site. This is for indicative purposes only and does not form part of the proposed development the subject of this planning application.

A Drainage Strategy Report, a Flood Risk Assessment, a Transport Statement, an Energy Strategy Summary and a Design and Access Statement has been submitted with this application.

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. The matter of the requirement for an Environmental Impact Assessment (EIA) was considered through the determination of the grant of planning permission in principle 18/00485/PPM, which includes the provision of a school on the site of the current application. An Environmental Statement considering landscape, transportation, air quality, noise and cultural heritage matters was submitted with planning permission in principle 18/00485/PPM. The proposal for the school has not changed significantly from the indicative details provided with planning permission in principle 18/00485/PPM and thus considered in the Environmental Statement submitted with that application. Therefore, there is no requirement for the proposed school development to be the subject of an EIA.

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 policies of the approved South East Scotland Strategic Development Plan (SESplan) relevant to the determination of the application. Proposal MH1 (Land at Craighall) and Policies DP1 (Landscape Character), DP2 (Design), DP4 (Major Development Sites), DP9 (Development Briefs), NH11 (Flood Risk), NH13 (Noise), CH4 (Scheduled Monuments and Archaeological Sites), CH5 (Battlefields), SEH2 (Low and Zero Carbon Generating Technologies), T1 (Development Location and Accessibility), T2 (General Transport Impact) and T31 (Electric Car and Bus Charging Points) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of the application.

The Council's approved Development Briefs Supplementary Planning Guidance can be a material consideration in the determination of planning applications. They are a set of guiding principles, and indicative design, to be followed where possible. Policy DP9 of the East Lothian Local Development Plan 2018 requires that development conforms to the relevant brief.

The Development Brief for the MH1 allocation refers to the areas of the site and proposed forms of development within these as set out above. It also includes design guidance for access, internal connections, landscaping and layout and design.

REPRESENTATIONS

No public objection to this application has been received.

COMMUNITY COUNCIL COMMENTS

Musselburgh and Inveresk Community Council have been consulted on this planning application but have not responded with any comments.

PLANNING ASSESSMENT

The application site forms part of a larger area of land covered by Proposal MH1 adopted East Lothian Local Development Plan 2018, which is promoted for a mixed use development including 1,500 homes, around 41 hectares of employment land, a new local centre, a new primary school and community uses as well as infrastructure and associated works. Thus, the principle of the development of the application site for a new primary school building accords with Proposal MH1 (Land at Craighall) of the adopted East Lothian Local Development Plan 2018.

Moreover, by the grant of planning permission in principle 18/00485/PPM, approval has also been given for the principle of the erection of a new primary school on part of the land of that site, which identifies the current application site as being the proposed site for the new primary school. There can therefore be no objection in principle to the erection of a new primary school on the application site.

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 and the landscaping of and means of access to the site. In this regard the detailed proposals have to be considered against relevant development plan policy, the Council's approved Development Brief for the MH1 allocation and the indicative Craighall Masterplan and conditions attached to planning permission in principle 18/00485/PPM.

As is required by Policy DP4 of the adopted East Lothian Local Development Plan 2018 relevant supporting information in the form of detailed drawings and a Design and Access statement have been submitted to support this major development type application. The Design and Access statement provides a contextual analysis of the site, an explanation of the design concepts and the evolution of the design, the historic context, detailed descriptions of the proposals, including the building, the hard and soft landscaping of the site and the approach to materials, environmental design and accessibility.

In that statement it explains that the new Craighall primary school and early years facility aims to address the pre-school and primary education requirements arising from the housing development in the Craighall areas as identified in the adopted East Lothian Local Development Plan 2018. It seeks to create an inspirational, innovative and collaborative learning environment for the young learners of East Lothian and the wider East Lothian Community. The proposed school would, in accordance with East Lothian Council's education brief, provide a 14no. classroom (2 stream) primary school provision for 420 pupils and a 100 pupil early years facility to cater for 2-5 year olds. The statement explains that the primary school site is located within the southeast part of the Craighall Masterplan, occupying a prominent location within the residential quarter, with its east elevation facing towards the community sports pitches (yet to be developed) and located close to the proposed extended village centre of Old Craighall. It states that the overall site strategy, including the building's location within the site, is well integrated with the wider Craighall masterplan. The statement explains that the vehicular access and parking areas have been kept segregated from the school playgrounds and sports pitches and are purposely hidden from the main frontage. It also states that car parking will be reserved for staff use only. It states that the school sports pitches are located

within the southeast end of the site and that a mixture hard and soft play areas are located to the south and west of the school building. In terms of design, it states that the 'sawtooth' roof has been chosen to link with the industrial heritage of the area of Craighall. It also states that, taking into account the context of the site and relating the elevation treatment back to the historic manufacturing of brick in East Lothian, a heritage-aesthetic brick with multiple tones and textures has been chosen for its external wall finish, complemented by some limited use of rain-screen timber effect cladding. It also states that brick offers a high quality, long lasting, durable finish that will reduce life cycle costs and minimise maintenance costs. In conclusion, it states that the design of the school building represents a positive development for the local area, offering a modern, efficient and exciting facility for the future pupils of the school and the wider community groups in and around Craighall.

The proposed school building would be positioned within the south-eastern part of the wider site. In such position, occupying as it would a prominent site adjacent to the new local centre of the indicative masterplan layout, the proposed school building would be readily visible in public views from the A1 to the northeast, from the B6415 public road to the southeast and from the new distributor road to the northeast of the site. The proposed school building would present its main entrance elevation to the southeast and its northeast elevation would face towards the new distributor road that would serve access to it.

The proposed school building would be predominately two storeys in height and would measure some 56.3 metres long, some 45.5 metres wide and some 12.6 metres high to the highest point of its series of 'sawtooth' pitches. It would be of a modern contemporary architectural style and would be of a distinctive architectural form and appearance reflective of its functional purpose as a school and community building at the heart of the new local centre for Craighall. It would be confident in its design and would have a distinct physical presence within its immediate surroundings.

Due to its footprint size and its proposed height, the proposed school building would be a large building with a noticeable physical presence. However, in its positional relationship close to the new local centre and the high/medium density housing indicatively shown to be positioned to the south, west and northwest of it in the indicative masterplan of planning permission in principle 18/00485/PPM, the proposed school would be of an acceptable scale and massing for its landscape setting. Due to its height and its positioning relative to neighbouring residential properties the proposed school would not appear harmfully overbearing or dominant when viewed from those neighbouring residential properties.

In such circumstances and by virtue of its height, size, scale, massing and positioning, the proposed school building would sit comfortably in its positional relationship with neighbouring buildings and roads. It would not appear harmfully dominant, intrusive or incongruous within its setting. It would sit comfortably alongside the neighbouring buildings in the locality and would not have a harmfully overbearing effect on those neighbouring properties.

Its palette of external finishes of brick and rain-screen timber effect cladding for its external walls, single ply roofing membrane for its flat roof sections and aluminium standing seam for its north and south facing pitched roof slopes would be appropriate to its modern architectural style and its functional use as a school and civic building. So too would it aluminium framed windows and glazed doors. A condition can be imposed on a grant of planning permission requiring a schedule or samples of the external materials to be submitted and approved by the Planning Authority prior to their use on the building to ensure they are of a finishing quality and colour appropriate to their surroundings.

Seen as they would be in their immediate relationship with the proposed school building, the proposed hard and soft landscaped play areas, 2 grass sports pitches with associated 100m running track, hardstanding areas, cycle shelters, sprinkler housing, refuse storage, boundary fencing and landscaping would not be inappropriate development for a school campus. They would not together with the school building appear harmfully incongruous, exposed or result in an overdevelopment of the land upon which they would be built. They would not be harmful to the character and appearance of the landscape character of the area.

The proposed school building would be positioned on the site such that its windows and glazed doors would be more than 9 and 18 metres away from the gardens or windows of any proposed residential properties within the residential areas shown on the indicative masterplan layout of planning permission in principle 18/00485/PPM, which would be located to the south, west and northwest of the school campus. Such separation distances meet the Council's standard of acceptable privacy distances respectively between facing windows and private amenity space and between facing windows in neighbouring properties.

By its positioning, height, orientation and distance away from proposed housing, the proposed school and its associated works would not give rise to harmful loss of daylight or sunlight of any proposed residential properties within the residential areas shown on the indicative masterplan layout of planning permission in principle 18/00485/PPM.

On all of the foregoing considerations of layout, design and amenity, the proposals are consistent with Proposal MH1 and Policies DP1, DP2, DP4 and DP9 of the adopted East Lothian Local Development Plan 2018 and the Council's approved Development Brief for the MH1 allocation and the indicative Craighall Masterplan attached to planning permission in principle 18/00485/PPM.

Transport Scotland have been consulted on this application and advise that they raise no objection to the proposals nor do they have any comments or recommended conditions to be imposed on a grant of planning permission for the proposed development.

The Scottish Environment Protection Agency (SEPA) do not raise any objection to this application advising that they have no comments to make with regards to flood risk matters and/or water treatment provision.

Scottish Water raise no objection to this application and advise that there is currently sufficient capacity in the Glencorse Water Treatment Works to service the proposed development and that the proposed development would be serviced by Edinburgh PFI Waste Water Treatment Works.

The Council's Flooding Officer confirms that he has reviewed the submitted drainage strategy report and raises no objection to this application. However, he advises that prior to the commencement of works the applicant will need to submit a copy of Scottish Water's Technical Approval for the drainage. This can be controlled by a condition on a grant of planning permission.

The Council's Waste Services raise no objection to this application.

The Council's Education Service Manager raises no objection to this application.

The Council's Access Officer raises no objection to this application.

The Council's Sport, Countryside and Leisure department advise that they are supportive of the proposals and that the ongoing maintenance of the landscaping areas will be undertaken by the Council's Amenity Services department.

The Council's Amenity Officer raises no objection to this application but has made some general comments to some of the planting types shown on the submitted drawings. Those comments have been addressed by the applicant's agent via the submission of revised landscape drawings.

Historic Environment Scotland have been consulted on this application and raise no objection to the proposals. However, they advise that archaeological works will be subject to the requirements of East Lothian's Archaeology Service to ensure that suitable mitigation is in place to safeguard against any potential impacts on the Battle of Pinkie battlefield site.

Condition 4 of planning permission in principle 18/00485/PPM requires a Programme of Works (evaluation by archaeological trial trench) be undertaken and reported upon in accordance with a written scheme of investigation, prior to the commencement of development of Areas 1 as identified within the Development Brief of the MH1 allocation, which area forms part of the application site.

On this matter, the Council's Archaeology/Heritage Officer raises no objection to this application noting that, in respect of the Historic Environment, the archaeological work to mitigate impacts from the proposals was successfully carried out and reported upon in 2020. Accordingly, the proposals do not conflict with Policies CH4 and CH5 of the adopted East Lothian Local Development Plan 2018.

Condition 10 of planning permission in principle 18/00485/PPM requires that applications for approval of matters specified in conditions shall include:

- (i) a scheme of treatment for the recorded mine entries;
- (ii) a scheme of remedial works for the shallow coal workings; and
- (iii) timescales for the implementation of those remedial works.

The Coal Authority have been consulted on this application and advise that there is no requirement, through this approval of matters application, to comply with the points set out above in Condition 10 of planning permission in principle 18/00485/AMM. They also advise that the site falls within the defined Development Low Risk Area that Condition 10 of planning permission in principle 18/00485/AMM is only specific to parts of the wider site which are defined within the Development High Risk Area. Accordingly, they raise no objection to this application but advise that the Coal Authority's Standing Advice should be included within the Decision Notice of any consented scheme as an informative note.

The Council's Senior Environmental Health Officer has commented on the application and raises concerns that noise from the A1, which dissects the Northern and Southern areas of the larger site, and noise from the railway loop to the east and south, may impact upon occupiers of the proposed school. He also advises that there may be impacts from any artificial lighting/floodlights associated with the sports pitches on proposed housing. Accordingly, he requests that a noise assessment be carried out to assess impacts of road traffic noise and that a lighting assessment, including an iso-contour plan, be submitted prior to the commencement of development. In particular, he advises that the noise assessment should identify any mitigation measures considered necessary to ensure compliance with design criteria noise levels specified in Table 6 of BS8233:2014 "Guidance on sound insulation and noise reduction in buildings." With regards to any artificial lighting/floodlights, it is recommended that light trespass (onto

windows) of neighbouring residential properties, measured as Vertical Illuminance in Lux, (Ev), shall not exceed 10 between the hours of 0700-2300 and shall not exceed 2 between the hours of 2300-0700.

The Council's Senior Environmental Health Officer also advises that there is the potential for noise from plant and equipment used in association with the proposed school to result in harm to the amenity of proposed nearby housing. In order to mitigate for any such potential noise nuisance, it is recommended that noise associated with the operation of any plant and/or equipment should not exceed Noise Rating curve NR25 at any octave band frequency between the hours of 0700 - 2300 within any neighbouring residential property with all measurements to be made with windows open at least 50mm.

The above matters can be controlled by appropriately worded conditions imposed on the approval of matters specified in conditions for the proposed development. Subject to such control, the proposals do not conflict with Policy NH13 of the adopted East Lothian Local Development Plan 2018.

The Council's landscape department have been consulted on this application but have not responded with any comments. However, it would be prudent to ensure that the proposed planting shown in the submitted planting plan drawing be carried out in the first planting season (between November and February) following the completion of the development. This matter can be controlled by condition on a grant of planning permission.

The Council's Road Services state that they are satisfied with the proposals for site access, parking provision (including the number of parking spaces to be provided), servicing and emergency access and manoeuvrability, electric charging and pedestrian and cyclist provision. They also advise that the submitted swept path assessments, quality audit and transport statement are acceptable. They note that the submitted transport statement sets out eight recommendations in Section 6.2 which advise that the following be provided:

- 1) a Toucan Crossing on the northern development frontage road;
- 2) a Puffin Crossing on the eastern development frontage road;
- 3) a 'Copenhagen' style Crossing on the site's vehicular access;
- 4) bus stops and associated bus shelters on the eastern development frontage road;
- 5) Traffic Regulation Orders and 'School Keep Clear' markings on both sides of the northern development frontage road;
- 6) the erection of 'School Ahead' warning signage on the eastern development frontage road;
- 7) Adoption of the northern development frontage road; and
- 8) Once the primary school building is operational, it enrolls in Transport Scotland's 'Junior Roads Safety Officer Scheme'.

The northern development frontage road, positioned to the northeast of the site, is currently under construction. This road will serve access to the primary school site. The Council's Road Services Officer advises that this road is to be adopted by the Council which complies with recommendation 7 set out above. He also advises that the Toucan crossing and the 'Copenhagen' style Crossing require to be installed on the northern development frontage road prior to any use being made of the primary school building (in accordance with the locations shown for them in Figure 6-1 of the transport statement). He also advises that details and the location of 'School Ahead' signage can be controlled by a condition on a grant of planning permission. He also advises that the Traffic Regulation Orders and 'School Keep Clear' markings on both sides of the northern development frontage road should be made a condition on a grant of planning

permission. However, he also advises that it would be for the Council's Road Services department to ensure that these are in place on behalf of the applicant. In addition, he also advises that until the eastern development frontage road has been constructed, bus stops and associated bus shelters will need to be located on the B6415 public road with details of them to be provide in advance. Accordingly, these recommendations can be controlled, as necessary, by an appropriately worded condition imposed on a grant of planning permission.

The eastern development frontage road, which is to be positioned to the southeast of the primary school site, has yet to be constructed. Both the northern and eastern development frontage roads were granted through the determination of approval of matters specified in conditions of planning permission in principle 18/00485/PPM (Ref: 19/01321/AMM). Moreover, there is no clear timescale as to when the eastern development frontage road will be constructed and available for use. The transport statement recommendations that a puffin crossing, bus stops (and associated bus shelters) and 'School Ahead' warning signage be located on the eastern development frontage road. The Council's Road Services advises that these measures will be required once the eastern development frontage road has been constructed. Accordingly, these recommendations can be controlled by an appropriately worded condition imposed on a grant of planning permission.

The Council's Road Services Officer also advises that the following recommendations be controlled by conditions on a grant of planning permission:

(i) prior to the commencement of use of the primary school building a School Travel Plan shall be submitted to and approved in writing by the Planning Authority. The School Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site, including the identification of appropriate Safer Routes to School, and will identify the measures to be provided, the system of management, monitoring, review, reporting and duration of the plan;

(ii) prior to the commencement of development, a Construction Method Statement which sets out how the impact of construction activity on the safety and amenity of the area will be mitigated shall be submitted to and approved by the Planning Authority. The Construction Method Statement shall include details of mitigation measures to control noise, dust, construction traffic (including routes to/from site and delivery times), hours of construction work, routes for construction traffic and wheel washing facilities or alternative facilities to prevent deleterious materials being carried onto the public road on vehicle tyres;

(iii) prior to the commencement of the development hereby approved, a Stage 1 Road Safety Audit shall be undertaken for the preliminary design of all roadworks, footways and cycle paths to be formed. This process shall be completed through Stages 2, 3 & 4 which are Completion of Detailed Design, Completion of Construction & Post Opening Monitoring using 12 months of validated post scheme opening road traffic collision data - all in accordance with GG119 Road Safety Audit Rev1. The Road Safety Audit shall include; the proposed roads, junctions, footways, cycle paths and pedestrian crossings where provided. The findings of the Road Safety Audit shall be submitted for the approval of the Planning Authority prior to the implementation of any outcomes arising from them.

Subject to these recommended controls being imposed on a grant of planning permission, the proposals do not conflict with Policies T1 and 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.

This planning application is supported by an Energy Statement Report which outlines the design approach, and the measures to be taken, in order to minimise the carbon footprint and the carbon emissions from the build. The Report sets out how the development proposals shall achieve compliance with 'Section 6' of the Scottish Technical Standards and will also satisfy the technical requirements of Policy SEH2 of the East Lothian Local Development Plan 2018. In addition to the measures detailed in the Energy Statement Report, provision is to be made for Electric Vehicle Charging within the car parking areas of the site and the Council's Road Services have advised they are satisfied with such proposals. Subject to a condition being imposed on a grant of planning permission for this proposed development to ensure that the proposed actions to be taken to reduce the carbon emissions from the building and from the completed development, including the proposals for Electric Vehicle Charging Provision are implemented on site, the proposals are consistent with Policies SEH2 and T31 of the East Lothian Local Development Plan 2018.

In conclusion, the proposals are considered to be in accordance with the provisions of the stated relevant Development Plan policies and there are no material considerations which outweigh the proposals accordance with the Development Plan.

RECOMMENDATION:

That approval of matters specified in conditions for the proposed primary school and its associated works 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 A schedule of materials and finishes, including their colours, to be used on the exterior of the primary school building hereby approved shall be submitted to and approved in advance by the Planning Authority prior to their use in the development. The colour of the materials and finishes used shall accord with the schedule and samples of them so

approved.

Reason:

To enable the Planning Authority to control the materials, finishes and colour to be used to achieve a development of good quality and appearance in the interest of the visual amenity of the area.

- 3 Prior to commencement of development hereby approved, confirmation of Scottish Water's technical approval of the surface water drainage proposals for the development shall be submitted to and approved in advance by the Planning Authority.

Reason:

To ensure that the drainage design can be vested by Scottish Water in the interest of flood prevention.

- 4 Prior to the commencement of the development hereby approved a noise assessment shall be submitted to and approved in writing by the Planning Authority. The Assessment shall identify any mitigation measures, including a timetable for their implementation, to ensure compliance with design criteria noise levels specified in Table 6 of BS8233:2014 "Guidance on sound insulation and noise reduction in buildings."

Thereafter, any mitigation measures shall be fully implemented prior to occupation of the school building hereby approved and thereafter retained.

Reason:

To ensure that noise levels are acceptable to the future users of the primary school building.

- 5 Prior to the installation of any artificial lighting or floodlights being erected to serve the two sports pitches hereby approved, a lighting assessment shall be submitted to and approved in writing by the Planning Authority. The design and construction of any proposed floodlighting shall take account of the Guidance contained within Annex 1 to Appendix 2 of Scottish Government Guidance to Accompany the Statutory Nuisance Provisions of the Public Health etc (Scotland) Act 2008 to ensure that the following criteria be met prior to any external lighting becoming operational:

(i) Light Trespass (onto windows) of neighbouring residential properties, measured as Vertical Illuminance in Lux, (Ev), shall not exceed 10 between the hours of 0700-2300 and shall not exceed 2 between the hours of 2300-0700.

A Light Spill iso-contour plan shall be provided to ensure the above requirement can be met.

The lighting shall thereafter be maintained as approved unless the Planning Authority given written consent to any variation.

Reason:

To prevent lighting from spilling onto neighbouring land, in the interests of safeguarding the amenity of future occupants of neighbouring residential properties.

- 6 Noise associated with the operation of any plant and/or equipment associated with the operation of the school building hereby approved shall not exceed Noise Rating Curve NR25 at any octave band frequency between the hours of 0700 and 2300 within any neighbouring residential property, with all measurements to be made with windows open at least 50mm.

Reason:

In the interests of safeguarding the amenity of future occupants of neighbouring residential properties.

- 7 All new planting, seeding and turfing as detailed on drawing numbers 1953-RAF-XX-XX-D-L-01003-PLANTING PLAN-2131 Rev P06 titled 'Planting Plan' and 1953-RAF-XX-XX-D-L-01001-LANDSCAPE LAYOUT P1-2131 Rev P11 titled 'Landscape Layout Phase 1' docketed to this planning permission shall be carried out in the first planting season (between November and February) following the completion of the development hereby approved. Any new trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

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

- 8 Prior to the commencement of development, a Construction Method Statement which sets out how the impact of construction activity on the safety and amenity of the area will be mitigated shall be submitted to and approved by the Planning Authority. The Construction Method Statement shall include details of:

- (i) mitigation measures to control noise, dust, construction traffic (including routes to/from site and delivery times);
- (ii) hours of construction work;
- (iii) routes for construction traffic;
- (iv) how building materials and waste will be safely stored and managed on site; and
- (v) wheel washing facilities or alternative facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

Thereafter, the Construction Method Statement shall be implemented and complied with in accordance with the approved details for the period of construction of the development hereby approved and the wheel washing facilities or any alternative facility so approved shall be provided and maintained in working order during the period of construction operations at the site.

Reason:

To minimise the impact of construction traffic in the interests of road and pedestrian safety in the locality and relative to school generated vehicle and pedestrian movements.

- 9 Prior to any use being made of the primary school building hereby approved, the proposed access roads, parking spaces, cycle parking 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 use of the primary school building 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 parking in the interests of road safety.

- 10 Prior to any use being made of the primary school building hereby approved, details, including a timetable for their implementation, showing compliance with the following off-site transportation requirements shall be submitted to and approved in writing in advance by the Planning Authority.

- (i) a Toucan Crossing on the northern development frontage road;
- (ii) a 'Copenhagen' style Crossing on the site's vehicular access;
- (iii) bus stops and associated bus shelters on the B6145 public road; and
- (iv) 'School Ahead' warning signage on the northern development frontage road.

These transportation requirements shall thereafter be carried out in accordance with the details and timetable so approved.

Reason:

In the interests of road and pedestrian safety.

- 11 Prior to the commencement of development hereby approved, details for the provision of a puffin crossing, bus stops/bus shelters and 'School Ahead' signage on the re-aligned distributor road to the east of the application site (which was approved by the grant of approval of matters specified in conditions permission 19/01321/AMM) shall be submitted to and approved in advance by the Planning Authority. The details shall include a timetable for the installation of the puffin crossing, bus stops/bus shelters and 'School Ahead' signage. The puffin crossing, bus stops/shelters and 'School Ahead' signage shall thereafter be installed in accordance with the details so approved and shall thereafter remain in place, unless otherwise agreed in writing by the Planning Authority.

Reason:

In the interests of road and pedestrian safety.

- 12 Prior to the commencement of the development hereby approved a Stage 1 Road Safety Audit shall be undertaken for the preliminary design of all roadworks, footways and cycle paths to be formed. This process shall be completed through Stages 2, 3 & 4 which are Completion of Detailed Design, Completion of Construction & Post Opening Monitoring using 12 months of validated post scheme opening road traffic collision data - all in accordance with GG119 Road Safety Audit Rev1. The Road Safety Audit shall include; the proposed roads, junctions, footways, cycle paths and pedestrian crossings where provided. The findings of the Road Safety Audit shall be submitted for the approval of the Planning Authority prior to the implementation of any outcomes arising from them.

The outcomes of the initial Quality and Safety Audits shall be implemented (including the designers response) through the detailed design stages and the full audit processes (i.e. Safety Audit and Quality Audit) completed through the design and implementation stages - including post construction/opening in accordance with a timetable to be agreed with the Planning Authority in advance of the opening of the primary school building.

Reason:

In the interests of road and pedestrian safety.

- 13 Prior to the commencement of use of the primary school building hereby approved, a School Travel Plan shall be submitted to and approved in writing by the Planning Authority. The School Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site, including the identification of appropriate Safer Routes to School, and will identify the measures to be provided, the system of management, monitoring, review, reporting and duration of the plan.

The approved School Travel Plan shall be implemented prior to the use of the primary school building.

Reasons:

In the interest of road safety.

- 14 The actions to be taken to reduce the carbon emissions from the building as detailed in the Energy Statement Summary docketed to this planning permission and the proposals for Electric Vehicle Charging provision as detailed on drawing number 1953-JMA-ZZ-ZZ-D-A-PL102 Rev P03 titled 'Proposed Site Plan' docketed to this planning permission shall be fully implemented on site prior to any use being made of the primary school building and thereafter shall be retained unless otherwise approved in writing by the Planning Authority.

Reason:

To minimise the environmental impact of the development.

