



MINUTES OF THE MEETING OF THE PLANNING COMMITTEE

TUESDAY 3 JUNE 2025
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON
& HYBRID MEETING FACILITY

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Committee Members Present:

Councillor N Hampshire (Convener)
Councillor L Allan
Councillor C Cassini
Councillor D Collins
Councillor N Gilbert
Councillor C McGinn
Councillor S McIntosh
Councillor K McLeod
Councillor J McMillan
Councillor C Yorkston

Other Councillors Present:

None

Council Officials Present:

Mr K Dingwall, Head of Development and Chief Planning Officer
Mr C Grilli, Service Manager – Governance
Ms E Taylor, Team Manager – Planning Delivery
Mr D Taylor, Planner
Ms J McLair, Planner
Ms J Newcombe, Biodiversity Officer
Mr J Canty, Transport Planner
Ms A Stewart, Housing Enabler
Ms M Haddow, Senior Roads Officer
Mr C Wiseman, Projects Officer – Landscape
Ms R Pringle, Team Manager – Housing & Strategy
Mr J Bee, Team Manager – Development & Regeneration
Ms P Gray, Communications Adviser
Ms E Barclay, Democratic Services Assistant

Clerk:

Ms B Crichton

Visitors Present/Addressing the Committee:

Item 2: Ms E Garland and Mr N McLean
Item 3: Ms K Heaney and Mr H Harper
Item 4: Mr N Shepherd

Apologies:

Councillor J Findlay

Councillor A Forrest

Declarations of Interest:

None

The clerk advised that the meeting was being held as a hybrid meeting; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the East Lothian Licensing Board was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for five years from the date of the meeting.

The committee clerk recorded the attendance of Planning Committee members by roll call.

1. MINUTES FOR APPROVAL
Planning Committee, 6 May 2025

Planning Committee members agreed the minutes as an accurate record of the meeting, subject to the correction of two typographical errors and a wording change at Item 2.

2. PLANNING APPLICATION NO. 24/00777/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 1(A) TO (I), 1(L), 1(M), 1(O), 5, 6, 9, AND 27 OF PLANNING PERMISSION 21/01580/PM – ERECTION OF 96 HOUSES, 39 FLATS, AND ASSOCIATED WORKS, BLINDWELLS, TRANENT

A report had been submitted in relation to planning application no. 24/00777/AMM. Julie McLair, Planner, presented the report, highlighting the salient points. The report recommendation was to grant consent.

Morag Haddow, Senior Roads Officer, responded to questions from Councillors McLeod and McIntosh. She advised that a bus shelter on the St. Joseph's School side of the road could only be added after the route to school pack had been provided as part of the masterplan proposal from Hargreaves; a wider area of hardstanding to accommodate a bus shelter would be installed as part of this work. She advised that the route to school path had been approved, but a construction date was awaited. She also advised that a Bus Strategy had been agreed with Hargreaves, but the bus stop for the development site would to be changed in light of the new proposals for the town centre. She reassured Committee members that the Council was keen for buses to serve the site as soon as possible, and said operators were keen to go into the site, but that this was dependent on the completion of roads.

Jon Canty, Transportation Planning Officer, added that no planning conditions had been applied to specific development pods within Blindwells because the pods were coming online at different times; there was a reliance on the core road network being adopted, and still a significant amount of construction traffic to the developments pods on the east of the site. He explained that construction traffic would have to decrease and bus companies would have to be content that they could run buses safely through the site. He made Committee members aware of difficulties applying conditions relating to buses when there were several different development pods, but said Road Services was working with Hargreaves to introduce buses

as soon as possible. The Convener commented that early options for bus services needed to be considered in the future to serve those already living in new developments.

Councillor McMillan highlighted the concerns of Prestonpans Community Council regarding parking and overflow at Prestonpans Railway Station. Ms Haddow advised that a planning condition on one of the masterplan permissions required that the route to school and the route to the station be built; the design had been approved, but a timetable for implementation was still awaited. She advised that the purpose of the route was to make it easier to walk and cycle to the station. She also highlighted that there was a link bus service from Blindwells to Prestonpans on the A198. The Convener added that there was an urgent need for a crossing to be installed on the main road alongside the railway at Prestonpans.

Councillor McGinn asked about the overall connectivity of active travel routes as the various sites came forward. Mr Canty advised of a Path Strategy for the wider Blindwells site, and said that Road Services was ensuring that the paths between sites were convenient and of good quality through planning applications and road construction consents. He also advised that three toucan crossings would be brought forward for the opening of the primary school.

Councillor Yorkston asked a number of questions of Niall McLean, representative of Hargreaves. Mr McLean explained that the work on the active travel route was tied to the works for the Bankton Roundabout; a Memorandum of Understanding had now been signed, and the detail and technicalities were being worked out. He advised that planning consent was not yet in place for the town centre, and the developer could not build shops or make commitments until they were certain of the concept. He reported that Hargreaves had been in discussion with the Blindwells Tenants' and Residents' Association (TRA) about provision of a temporary shop. He also reported that there had been interest in retail units, but retailers would not sign up without first having planning consent in place.

Responding to a question from Councillor Gilbert about the number of residents in Blindwells being important to retailers, Mr McLean expected that it would take a couple of years to construct and occupy the units; thus, temporary retail units were being sought. He advised that a supermarket retailer usually looked to serve around 1000 units, and Blindwells was currently approaching 400 occupations. As soon as consent was in place for the town centre, the formal marketing for retailers would be brought forward. He confirmed that there was a commitment from Hargreaves to build the town centre and other components as quickly as possible.

Councillor McMillan asked about initiatives to encourage 20-minute neighbourhoods. Mr McLean highlighted a number of projects, such as housing a tapestry commemorating the Battle of Prestonpans, creating space for community groups, and creating employment units. He also advised that an open day with members of the Midlothian and East Lothian Chamber of Commerce would be hosted to boost awareness of opportunities to establish businesses or community groups in Blindwells. He also reported that a haul road had been established to allow school construction to continue, and to enable the laying of the final surface on the road prior to the school's opening. He reported that the school was slightly behind schedule. He advised that paths would be opened as soon as they were safe, and pointed out that balance had to be found with the safety of construction traffic. He explained Hargreaves was anxious for buses to serve the area once the town centre had come forward and the loop could be completed. He reiterated that progress must be incremental because construction traffic safety could not be compromised, but said the developer aimed to build all components as quickly as possible.

Councillor McIntosh asked whether the direct cycle route to school could be prioritised. Mr McLean advised that the masterplan's Bus and Transport Strategies were being implemented. Only one plot could be brought forward each year, and this sequencing had been agreed as part of the masterplan. He said that the frustration was understood, and reported that

reassurance had been given that the next stage of active travel paths would be opened as soon as it was safe in a recent dialogue with the TRA. He said Hargreaves welcomed dialogue with the TRA and advised that a further meeting had been suggested at the school in August.

Responding to a question from the Convener, Mr McLean said that Hargreaves shared in the frustration over the length of time taken to reach agreement with Transport Scotland regarding the Bankton Roundabout. He advised that final discussions were now taking place to ensure that large events would not be compromised by the works, and much of the construction would be done at night to limit disruption; an update on these works could be provided to the Council shortly.

Councillor Yorkston commented that the school would be central to the community at Blindwells. He was pleased that there were so many one-bed and two-bed properties coming forward, as well as affordable properties. He shared in the frustrations regarding timing of infrastructure coming forward, but recognised the need for safe delivery of projects. He hoped that the work at Bankton and the active travel route would come forward swiftly.

Councillor McMillan commented positively on the future of the new school at Blindwells. He felt concerned about the comments from Prestonpans Community Council, and had taken these into account. He was delighted with Hargreaves' link with the Midlothian and East Lothian Chamber of Commerce and Federation of Small Businesses. He also praised the kirk session at Longniddry for their work towards establishing a community space for all religions, and the Battlefield Trust for their work to promote history and culture. He also highlighted the work undertaken by project officers liaising with Scotrail and the Bus Forum. He urged that modern living, which was not reliant on cars, be encouraged. He said the development would meet a housing need, and thought people would enjoy living in Blindwells with further development of community amenities.

Councillor McGinn said he welcomed many aspects of the application, and the piece of land coming back into community use. He was delighted that a TRA was already in place to keep pressure on developers, and to help form the new community. He was pleased to hear that the Memorandum of Understanding had been signed in relation to work at Bankton Roundabout, and said short-term upheaval would lead to long-term gain. He welcomed the progress being made at Blindwells.

The Convener commented that the application represented another example of the growth being delivered in East Lothian, and felt that the discussion had highlighted how difficult it was to bring such infrastructure together. He commented that the investment in East Lothian was helping the Scottish and UK economies, and said the Council needed governments to recognise and support this growth. He also commented that the units coming forward would be of significant help to the housing emergency.

The Convener moved to a roll call vote, and Committee members unanimously indicated their support for the application.

Decision

Planning Committee agreed that approval of matters in conditions of planning permission 21/01580/PM for the erection of 96 houses and 39 flats and associated works be granted, subject to the following conditions:

- 1 The development hereby approved shall begin before the expiration of 3 years from the date of this permission.

Reason:

Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 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 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.

- 3 Other than in exceptional circumstances where the layout or particular building type does not permit, the approved residential units shall be orientated to face the street. Notwithstanding that shown on the docketed site plan where a building is located on a corner of more than one street, it shall have enhanced gable(s) to ensure it has an active elevation to each street it faces;

Reason:

In the interests of ensuring active frontages and to enhance character and appearance of the area.

- 4 Notwithstanding that which is stated on the drawings docketed to this planning permission, a detailed specification of all external finishes of the houses and flatted blocks 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 and flatted blocks 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 buildings, 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 flatted blocks 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.

- 5 Notwithstanding that shown on the drawings docketed to this approval of matters, all semi private and defensible spaces in front of or to the side of the residential units hereby approved and to the side of parking courtyards shall be enclosed by walls/hedges/fences/ or railings to define areas of private space from public space.

Details of the form and appearance of all boundary treatments, including 1.8m high fences within the rear gardens of the residential units, shall be submitted to and approved by the Planning Authority prior to the occupation of the first house.

A timetable for the provision of those boundary treatments shall be submitted to and approved in advance by the Planning Authority and 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 appropriate boundary enclosures and in the interest of safeguarding the privacy and amenity of future residents of the development.

- 6 The development shall comply with the following transportation requirements:

(i) all adoptable footpaths shall be 2m wide;

(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;

(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 access to private parking areas shall be via a reinforced footway crossing and have a minimum width of 5.5m over the first 10m to enable adequate two movement of vehicles;

(vi) 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;

(vii) Prior to commencement of development, a Quality Audit to independently assess walking, cycling, access and road safety aspects within and around the development should be submitted and approved by the planning authority. This will be reviewed after construction is substantially complete and the developer required to make good any issues.

(viii) Prior to the commencement of development details of all electric vehicle charging points and required infrastructure, along with a timetable for provision, shall be submitted to and approved in writing by the Planning Authority. One electric vehicle charging point will be required for each residential dwelling.

(ix) a Road User Safety Audit to independently assess walking, cycling, access and road safety aspects within and around the development should 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) submission for approval of a Construction Method Statement prior to commencement of any development to provide details of mitigation measures to be implemented during construction works to control noise, dust, construction traffic (including parking, routes to/from site and delivery times) and hours of construction work. Construction of the site shall thereafter be carried out in accordance with the Construction Method Statement so approved.

The housing development shall thereafter be carried out in accordance with the details so approved unless otherwise agreed in writing with the Planning Authority.

Reason:

In the interests of road and pedestrian safety.

- 7 Prior to the occupation of the last residential unit hereby approved the proposed access roads, parking spaces and footpaths shall have been constructed on site, in accordance with the docketed drawings and 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 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 and bicycle parking in the interests of road safety.

- 8 No development shall be commenced on site unless and until written evidence that a contract has been entered into for the provision as affordable housing of 42 of the residential units hereby approved has been submitted to and agreed by the Planning Authority.

Reason:

In order to ensure that 42 of the residential units hereby approved are operated as affordable housing and that the development is therefore compliant with Policy HOU3 of the adopted East Lothian Local Development Plan 2018.

- 9 All planting, seeding or turfing comprised in the details of landscaping on docketed drawing Landscape Layout no. 2373/01 Rev C shall be carried out in accordance with a timetable that shall be submitted to and approved by the Planning Authority prior to the commencement of development.

Any trees or plants comprised in the details of landscaping 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.

The design of all landscaping must be carried out in conjunction with the design and positioning of all services, and sufficient space must be made available to accommodate the full establishment of all landscaping work without impacting on any services.

All the new planting shall be maintained in accordance with the maintenance and management programme as detailed in the docketed Report no. 5398-OOB-XX-RP-RP-L-0001_P02 titled 'Landscape and Habitat Management Plan' dated September 2022 by OOB Ltd.

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.

- 10 Prior to the commencement of development details of the bin storage facilities for the flatted buildings hereby approved shall be submitted to and approved in advance by the Planning Authority. Prior to the occupation of any of the flats the bin storage facilities shall have been formed in accordance with the approved details and made available for use. Thereafter, the storage facilities shall be retained in use solely as bin storage areas.

Reason:

To ensure the provision of adequate bin storage in the interest of the residential amenity of the future occupants of the flats hereby approved and the visual amenity of the locality.

- 11 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.

Reason

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

- 12 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 routes to/from site) and shall include hours of construction work and routing of traffic. The Construction Method Statement shall also provide details of utility/service drainage connections.

The Construction Method Statement shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

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.

Reason:

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

- 13 To ensure that the site is clear of contamination, the following requirements shall be complied with:

Part 1

Prior to any works beginning on site an updated Gas Risk Assessment should be submitted to the Planning Authority for approval.

Following this (and where risks have been identified), a detailed Remediation Statement should be produced that shows the site is to be brought to a condition suitable for the intended use by the removal of unacceptable risks to all relevant and statutory receptors. The Statement should detail all works to be undertaken, proposed remediation objectives and remediation criteria as well as details of the procedures to be followed for the verification of the remedial works. It should also ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development. The Statement must be submitted to the Planning Authority for approval.

Part 2

The approved Remediation Statement must be carried out in accordance with its terms prior to the commencement of development other than that required to carry out the agreed remediation. Following completion of the measures identified in the approved Remediation Statement, a Validation Report should be submitted that demonstrates the effectiveness of the remediation carried out. It must be approved by the Planning Authority prior to the occupation of the new builds.

Part 3

In the event that 'unexpected' ground conditions (contamination) are encountered at any time when carrying out the permitted development, work on site shall cease and the issue shall be reported to the Planning Authority immediately. At this stage a further Site Investigation and subsequent Risk Assessment may have to be carried out, if requested by the Planning Authority. It may also be necessary to modify the Remediation Strategy should the reporting determine that additional measures are required. It should also be noted that a Verification Report would also need to be submitted confirming the satisfactory completion of all these remedial works.

If no 'unexpected' ground conditions are encountered during the development works, then this should be confirmed to the Planning Authority prior to occupation of the new builds

Reason

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

- 14 Prior to the commencement of development details shall be submitted to and approved by the Planning Authority of overlying subsoil/topsoil to be provided to the front and back gardens of the houses hereby approved on a plot by plot basis and on all soft landscaping areas to ensure the provision of a layer of subsoil/topsoil of at least 600 mm in thickness. Thereafter the subsoil/topsoil shall be provided in accordance with the details so approved unless otherwise agreed in writing by the Planning Authority.

Confirmatory testing for both subsoil and topsoil materials is to be included within the Remediation Strategies being produced for the development site, with validation of these results being included within subsequent Verification Reports.

Reason

To ensure the provision of a suitable growing medium for garden areas and other areas of soft landscaping.

- 15 Unless otherwise approved in writing by the Planning Authority:

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

Year 2021/22	-	120 residential units
Year 2022/23	-	130 residential units
Year 2023/24	-	110 residential units
Year 2024/25	-	120 residential units
Year 2025/26	-	120 residential units
Year 2026/27	-	120 residential units
Year 2027/28	-	120 residential units
Year 2028/29	-	120 residential units
Year 2029/30	-	120 residential units
Year 2030/31	-	150 residential units
Year 2031/32	-	150 residential units
Year 2032/33	-	150 residential units
Year 2033/34	-	70 residential units

(b) If fewer than the specified number of residential units is completed in any one year then those shall be completed instead at Year 2036 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.

- 16 Unless otherwise agreed with the Planning Authority, after consultation with Transport Scotland, no part of the proposed development shall be occupied prior to the implementation and completion of the works to upgrade the Bankton Interchange to the satisfaction of the Planning Authority and Transport Scotland.

Reason:

To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network.

- 17 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.

- 18 Unless otherwise agreed by the Planning Authority, no residential unit shall be occupied unless and until measures within the docketed Waterman 'Blindwells Plot 4A Drainage Strategy and Flood Risk Assessment' July 2024 have been implemented to the satisfaction of the Planning Authority following consultations with SEPA, to accord with the Drainage Strategy approved within planning permission in principle (Ref: 21/01580/PPM) and any variations to that consent.

Reason:

To ensure the built development within the application site is not at risk from flooding, there is no increase in flood risk elsewhere and appropriate long-term maintenance arrangements are in place.

- 19 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, and new car charging points and infrastructure for them, 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.

- 20 Prior to commencement of development, details of measures to protect and enhance biodiversity on the application site shall be submitted to and approved by the Planning Authority. The measures as so approved shall be implemented prior to any use being made of the agricultural building hereby approved and shall thereafter be retained, unless otherwise approved in writing by the Planning Authority.

Reason:

In the interests of protecting and enhancing biodiversity on the site and within the surrounding area.

Sederunt: *Councillor McLeod left the meeting.*

3. PLANNING APPLICATION NO. 24/00931/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 1(A) TO (I), 1(L), 1(M), 5, AND 27 OF PLANNING PERMISSION 21/01580/PM – ERECTION OF 197 HOUSES, 20 FLATS, AND ASSOCIATED WORKS, BLINDWELLS PLOTS 6A AND 6B

A report had been submitted in relation to planning application no. 24/00931/AMM. David Taylor, Planner, presented the report, highlighting the salient points. The report recommendation was to grant consent.

Responding to a question from Councillor Yorkston, Rebecca Pringle, Team Manager – Housing Strategy, advised that funding around affordable housing continued to be tight. She explained that this specific site had not been allocated within the funding for the following year, as there was only one year's funding in advance from the Scottish Government. She advised that this was an East Lothian Council development, which would be likely to be front funded through the Housing Revenue Account (HRA), and would come into the programme in future years. She advised that resource had just been provided on planning assumptions for future years, and this would continue to be monitored throughout the programme.

The Convener asked how the Council could ensure that residents would not be impacted by areas on site which still had to be developed. Mr Taylor advised that areas under development would still be subject to site safety rules, and a Construction Management Plan was in place to monitor the movement of construction traffic to and from the site.

Referring to another Bellway site located in Elphinstone, Councillor McGinn sought reassurance that such issues would not be experienced on this site. Henry Harper, representing Bellway, gave reassurance that the necessary infrastructure would be built as the site was developed, so there should be no similar issues.

Councillor Yorkston, local member, looked forward to the development being delivered, and was pleased to see the number of smaller properties coming forward. He thought that the overall masterplan was an exciting development, and would support the application. Councillor Gilbert, also a local member, echoed these comments.

Councillor McGinn expressed that he was happy to support the application, and reiterated his previous comments about the Bankton Roundabout and overall connectivity of the site. He also thought that representation in the area of Preston Seton Gosford must be considered in light of the significant population growth. He commented that the development would support

the housing emergency. He also made comment on the removal of the requirement for local connection, as this had caused real issue for the number of people from outwith the area presenting as homeless in East Lothian; he wanted Scottish ministers to look at this issue. He would support the development.

The Convener echoed the comments of his colleagues. He commented that people currently living in East Lothian must be supported to find a home. He was supportive of growth, but highlighted the need to carefully manage growth to be able to deliver appropriate infrastructure in a timely manner. He noted that there was still more to be done in the restoration of the site, and he hoped that developers would keep disruption to existing residents to a minimum.

The Convener moved to a roll call vote, and Committee members unanimously indicated their support for the application.

Decision

Planning Committee agreed that approval of matters specified in conditions 1(a) to (i), 1(l), 1(m), 5 and 27 of planning permission 21/01580/PM for the erection of 197 houses, 20 flats and associated works be granted subject to the following conditions:

- 1 The development hereby approved shall begin before the expiration of 3 years from the date of this permission.

Reason:

Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 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 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.

- 3 Notwithstanding that which is stated on the drawings docketed to this planning permission, a detailed specification of all external finishes of the houses and flatted block 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 and flatted block 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. 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.

- 4 Other than in exceptional circumstances where the layout or particular building type does not permit, the approved residential units shall be orientated to face the street. Notwithstanding that shown on the docketed site plan where a building is located on a corner of more than one street, it shall have enhanced gable(s) to ensure it has an active elevation to each street it faces;

Reason:

In the interests of ensuring active frontages and to enhance character and appearance of the area.

- 5 Notwithstanding that shown on the drawings docketed to this approval of matters, all semi private and defensible spaces in front of or to the side of the residential units hereby approved and to the side of parking courtyards shall be enclosed by walls/hedges/fences/ or railings to define areas of private space from public space.

Details of the form and appearance of all boundary treatments, including the 1.8m high fences within the rear gardens of the houses, shall be submitted to and approved by the Planning Authority prior to the occupation of the first house.

A timetable for the provision of those boundary treatments shall be submitted to and approved in advance by the Planning Authority and 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 appropriate boundary enclosures and in the interest of safeguarding the privacy and amenity of future residents of the development.

- 6 Prior to the commencement of development details of the bin storage facilities for the flatted building hereby approved shall be submitted to and approved in advance by the Planning Authority. Prior to the occupation of any of the flats the bin storage facilities shall have been formed in accordance with the approved details and made available for use. Thereafter, the storage facilities shall be retained in use solely as bin storage areas.

Reason:

To ensure the provision of adequate bin storage in the interest of the residential amenity of the future occupants of the flats hereby approved and the visual amenity of the locality.

- 7 To ensure that the site is clear of contamination, the following requirements shall be complied with:

*Prior to any works beginning on site (and where risks have been identified), a detailed Remediation Statement shall be produced and submitted for the prior approval of the Planning Authority. The Statement shall show how the site is to be brought to a condition suitable for the intended use by the removal of unacceptable risks to all relevant and statutory receptors. The Statement shall detail all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. It shall also ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land following development. The Statement must be submitted to the Planning Authority for approval;

*Prior to the commencement of any of the new uses hereby approved, and following completion of the measures identified in the approved Remediation Statement, a Validation Report demonstrating the effectiveness of the remediation carried out shall be submitted to and approved by the Planning Authority.

*In the event that 'unexpected' ground conditions (contamination) are encountered at any time when carrying out the permitted development, work on site shall cease and the issue shall be reported to the Planning Authority immediately. At this stage a Site Investigation and subsequent Risk Assessment may have to be carried out, if requested by the Planning Authority. It may also be necessary to submit a Remediation Strategy should the reporting determine that remedial measures are required. It should also be noted that a Verification

Report would also need to be submitted confirming the satisfactory completion of these remedial works.

Reason

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

- 8 Prior to the commencement of development details shall be submitted to and approved by the Planning Authority of overlying subsoil/topsoil to be provided to the front and back gardens of the houses hereby approved on a plot by plot basis and on all soft landscaping areas to ensure the provision of a layer of subsoil/topsoil of at least 600 mm in thickness. Thereafter the subsoil/topsoil shall be provided in accordance with the details so approved unless otherwise agreed in writing by the Planning Authority.

Confirmatory testing for both subsoil and topsoil materials is to be included within the Remediation Strategies being produced for the development site, with validation of these results being included within subsequent Verification Reports.

Reason

To ensure the provision of a suitable growing medium for garden areas and other areas of soft landscaping.

- 9 Prior to the commencement of development hereby approved, the details of the measures to be taken to enhance biodiversity within the application site shall be submitted to and approved by the Planning Authority which shall include a timetable for their implementation. Thereafter those measures identified to enhance biodiversity shall be carried out within the timescales stated, unless otherwise agreed in writing by the Planning Authority.

Reason:

To enhance biodiversity in accordance with Policy 3 of NPF4.

- 10 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, and new car charging points and infrastructure for them, 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.

- 11 Prior to the commencement of development confirmation from Scottish Water shall be provided that demonstrates that there is an available connection to the public sewer and that Scottish Water will accept waste from this development. If Scottish Water cannot accept foul drainage from this site, proposals for alternative arrangements should be provided, prior to the commencement of development and SEPA should be re-consulted.

Reason:

In the interests of ensuring that foul drainage from the site can be accommodated.

- 12 Prior to the occupation of the last residential unit hereby approved, the proposed access roads, parking spaces, and footpaths to serve them 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 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 and pedestrian safety.

- 13 No development shall be commenced on site unless and until written evidence that a contract has been entered into for the provision as affordable housing of 65 of the residential units hereby approved has been submitted to and agreed by the Planning Authority.

Reason:

In order to ensure that 65 of the residential units hereby approved are operated as affordable housing and that the development is therefore compliant with Policy HOU3 of the adopted East Lothian Local Development Plan 2018.

- 14 Unless otherwise approved in writing by the Planning Authority:

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

Year 2021/22	-	120 residential units
Year 2022/23	-	130 residential units
Year 2023/24	-	110 residential units
Year 2024/25	-	120 residential units
Year 2025/26	-	120 residential units
Year 2026/27	-	120 residential units
Year 2027/28	-	120 residential units
Year 2028/29	-	120 residential units
Year 2029/30	-	120 residential units
Year 2030/31	-	150 residential units
Year 2031/32	-	150 residential units
Year 2032/33	-	150 residential units
Year 2033/34	-	70 residential units

(b) If fewer than the specified number of residential units is completed in any one year then those shall be completed instead at Year 2036 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.

- 15 Private driveways for the houses hereby approved shall have minimum dimensions of 6 metres by 3.3 metres. Double driveways shall have minimum dimensions of 6 metres width by 6 metres length or 3.3 metres width by 11 m length. All driveways shall be fully hard formed with a gradient no greater than 10%.

Reason

In the interests of road and pedestrian safety.

- 16 Prior to the occupation of any of the residential units hereby approved, the electric vehicle car charging units and infrastructure for them, as shown on docketed drawing no. BLINDWELLS-6/DL/001 rev F titled 'PROPOSED DEVELOPMENT LAYOUT', shall be installed and made operational for use, and thereafter shall be retained and maintained and be available for use.

Reason:

To minimise the environmental impact of the development.

- 17 Prior to the occupation of any of the residential units hereby approved a Residents Travel 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. The Residents Travel 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.

Reason:

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

- 18 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; and
- * Routes for construction traffic

The Construction Method Statement shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

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.

- 19 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 interest of road safety.

- 20 The areas of open space amenity land detailed on drawings docketed to this approval shall be laid out and available for use within a period of 12 months following the first occupation of any of the residential units hereby approved.

Thereafter those areas of land shall be retained for such purposes and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Reason:

To ensure the satisfactory laying out of all areas of open space in the interest of visual and residential amenity.

- 21 All planting, seeding, or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation or completion of any part of the development hereby approved, whichever is the sooner. All planting shall be established and maintained in accordance with the details on the above drawings. Any trees, hedges or plants which die, are removed, or become seriously damaged or diseased within a period of ten years from the completion of the development 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 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. All landscape shall be retained and maintained to accord with the details of the approved details of landscaping.

Reason:

To ensure establishment of a landscape scheme that improves the amenity of the area

- 22 The maintenance of all communal landscape areas, and hedges to private front gardens, as defined on the approved plans shall be adopted and maintained by a Factor or a Residents Association in accordance with details to be submitted to and approved by the Planning Authority prior to the occupation of any residential units hereby approved.

Reason:

To ensure the retention and maintenance of landscaping on the site in the interest of amenity.

- 23 Unless otherwise agreed with the Planning Authority, after consultation with Transport Scotland, no part of the proposed development shall be occupied prior to the implementation and completion of the works to upgrade the Bankton Interchange to the satisfaction of the Planning Authority and Transport Scotland.

Reason:

To mitigate the adverse impact of the development on the safe and efficient operation of the trunk road network.

4. PLANNING APPLICATION NO. 23/01052/AMM: APPROVAL OF MATTERS SPECIFIED IN CONDITIONS 1A, 1B, 1D, 1E, 1F, 1I, 1J, 1O, 2III, 3, 4, 5A, 7, AND 27 OF PLANNING PERMISSION IN PRINCIPLE 14/00903/PPM – ERECTION OF 29 HOUSES, 46 FLATS, CHILDREN'S HOME, AND ASSOCIATED WORKS, SITE WEST OF MASONS WAY, WALLYFORD

A report had been submitted in relation to planning application no. 23/01052/AMM. Keith Dingwall, Head of Development and Chief Planning Officer, presented the report, highlighting the salient points. The report recommendation was to grant consent.

Councillor McGinn, local member, welcomed the application, and particularly the opportunity to bring forward housing for local people. He hoped that developers would engage with officers and young people in the development of the children's home, and welcomed the small nature of that particular project.

Councillor McIntosh commented positively on the small size of the proposed children's home. She thought the site had great potential because it was well connected and was close to playing fields. She hoped that opportunities for co-design with young people would be explored.

Councillor McMillan commented that the high level of detail behind the officer's recommendation made consideration of this application, and the others heard at the meeting, relatively easy. He welcomed the application and the benefits to the community.

The Convener discussed the complexity of the overall site, including 1450 new houses and primary and secondary schools, and the significant amount of work required of all services of the Council. He welcomed the application and thanked the officers for their work towards bringing the development forward. He also highlighted the significant cost of growth to the Council, and pointed out that the level of growth could not be sustained without more support from the Scottish and UK Governments.

The Convener moved to a roll call vote, and Committee members unanimously indicated their support for the application.

Decision

Planning Committee agreed that Approval of Matters Consent be granted subject to the following conditions:

- 1 The development hereby approved shall begin before the expiration of 3 years from the date of this permission.

Reason:

Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997 as amended.

- 2 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.

- 3 Prior to the occupation of any of the residential units hereby approved a Residents Travel 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. The Residents Travel 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.

Reason:

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

- 4 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
- * Wheel washing facilities or alternative facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

The Construction Method Statement shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

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.

- 5 Prior to the occupation of the last residential unit 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/children's home use of the site 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.

- 6 All the open space recreation areas detailed on the docketed drawings, including all of the benches proposed to be installed in them, shall be available for use prior to the occupation of the last residential unit on the site. The open space recreation areas and benches, when provided, shall be used and retained 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.

- 7 Prior to the commencement of development, to ensure that the site is clear of contamination, a Geo-Environmental Assessment shall be carried out and the following information shall be submitted to and approved by the Planning Authority:

- o Phase I - A preliminary investigation incorporating a desk study, site reconnaissance, development of a conceptual model and an initial risk assessment.
- o Phase II - Incorporating a site survey (ground investigation and sample analysis) and risk evaluation. It is required if the Phase I investigation has indicated that the site is potentially contaminated and the degree and nature of the contamination warrants further investigation.
- o Phase III - Where risks are identified, a Remediation Strategy should be produced detailing and quantifying any works which must be undertaken in order to reduce the risks to acceptable levels.

Should remedial works be required then, prior to any residential units being occupied, a Validation Report shall be submitted to and be approved by the Planning Authority confirming that the works have been carried out in accordance with the Remediation Strategy.

The presence of any previously unsuspected or unforeseen contamination that becomes evident during the development of the site shall be brought to the attention of the Planning Authority. At this stage, further investigations may have to be carried out to determine if any additional remedial measures are required.

Reason:

To ensure that the site is clear of contamination and that remediation works are acceptable prior to the occupation of any of the residential units.

- 8 Prior to the commencement of the development hereby approved, a report, based on an on-site assessment, of the floodlighting on the adjoining sports pitches at Wallyford Learning Campus, shall be submitted to and approved by the Planning Authority. The details to be submitted in the report shall demonstrate compliance with the following requirement:

(i) Light Trespass (onto windows) of the residential properties to be formed at plots 40 and 41 of the development hereby approved, 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 plot based on the results of the on-site assessment shall be provided to ensure the above requirement can be met.

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

Reason:

In the interests of the amenity of the future occupants of plots 40 and 41 of the site.

- 9 Prior to the commencement of the development hereby approved, a Noise Impact Assessment Report assessing impacts associated with the Air Source Heat Pumps (ASHP's) and the Exhaust Air Heat Pumps Noise (EAHP's) hereby approved, including cumulative impacts of a number of Heat Pumps operating simultaneously, shall be submitted to and approved by the Planning Authority. The details to be submitted in the report shall demonstrate compliance with the following requirement:
- (i) Noise associated with the operation of the ASHP's and ESHP's, including cumulative impacts, shall not exceed Noise Rating curve NR25 at any octave band frequency within any residential property. All measurements to be made with windows open at least 50mm.
- Reason:
To safeguard the amenity of the occupants of residential properties.
- 10 Details of measures to protect and enhance biodiversity on the site shall be submitted to and approved by the Planning Authority. The measures as so approved shall be implemented prior to any use being made of the development hereby approved, and shall thereafter be retained unless otherwise approved in writing by the Planning Authority.
- Reason:
In the interests of protecting and enhancing biodiversity within the site.
- 11 The actions to be taken to reduce the carbon emissions from the building and the provisions for electric vehicle charging all as detailed in the 'Energy Compliance Report', the 'Energy Strategy' Report and in the proposed site plan docketed to this approval of matters consent shall be fully implemented on site prior to the occupation of the last residential unit hereby approved and thereafter shall be retained unless otherwise approved in writing by the Planning Authority. Unless otherwise approved by the Planning Authority Type 2 electric vehicle chargers will be provided.
- Reason:
To minimise the environmental impact of the development.
- 12 Notwithstanding that which is stated on the drawings docketed to this approval of matters specified in conditions permission a detailed specification of all external finishes of the houses and flats hereby approved including a sample(s) of the brick(s) to be used in the flatted buildings shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. All 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.
- 13 Prior to the occupation of any of the houses, flats and children's home hereby approved, a timetable for the provision of all boundary treatments, including 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 and residential properties nearby.
- 14 No development shall take place until there has been submitted to and approved in writing by the Planning Authority a detailed planting plan and schedule based on the 'Proposed Landscape Masterplan Layout' drawing numbered 1669-HLA-XX-XX-DR-L-90-001-F, 'Landscape Maintenance and Specification' drawing numbered 1669-HLA-XX-XX-DR-L-90-002, 'Proposed Landscape Softworks Layout 1/2' drawing numbered 1669-HLA-XX-XX-DR-L-

90-003, and 'Proposed Landscape Softworks Layout 2/2' drawing numbered 1669-HLA-XX-XX-DR-L-90-004.

The scheme shall provide details of: tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting. Non-thorn shrub species should be located adjacent to pedestrian areas. In addition to that shown, the scheme shall include hedge / shrub planting to all front gardens; scrub planting to the roadside of the woodland to the north and east boundaries; hedge planting to the eastern boundary of the children's home.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the details so approved, including the timetable for implementation. All planting shall be established and maintained in accordance with the details on the approved drawings. Unless otherwise approved in writing by the Planning Authority, hedge planting to the rear garden boundaries shall generally be maintained at a height between 1.5 and 1.8m and front garden hedges shall be maintained at a minimum of 900mm in height. Any trees or plants which die, are removed or become seriously damaged or diseased within a period of ten years from the completion of the development 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. All existing and new planting comprised in the scheme of landscaping shall be retained and maintained to accord with the details of the approved details of landscaping 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.

Signed

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Councillor Norman Hampshire
Convener of the Planning Committee