

**COMMITTEE:** Planning Committee  
**MEETING DATE:** 19 August 2025  
**BY:** Executive Director for Place  
**REPORT TITLE:** Application for Planning Permission for Consideration

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Application No.	<b>24/00200/AMM</b>
Proposal	Approval of matters specified in conditions (1a to j & k, 2(ii), 8, 24, 27 & 29) of planning permission in principle 15/00537/PPM – Erection of 84 houses, 9 flats, and associated works
Location	<b>Land Located to the South and East of Wallyford and at Dolphingstone East Lothian</b>
Applicant	Taylor Wimpey UK Limited
Recommendation	Consent Granted

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## **REPORT OF HANDLING**

Although this application is for the approval of matters specified in conditions of planning permission in principle 15/00537/PPM, it is required to be determined as a major development type application because the area of the application site is greater than 2 hectares and the number of dwellings detailed is greater than 49. 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 application relates to some 2.7 hectares of undeveloped land located to the south and east of Wallyford, situated within the wider Dolphingstone expansion area which is allocated for development by Proposal MH10 of the adopted East Lothian Local Development Plan 2018.

The application site is to the east of the Wallyford expansion area, and is bound by the A199 public road to the north, agricultural land to the east and undeveloped land to the south and west which comprise the wider Dolphingstone expansion area. It slopes gently rising from north to south and has a rough grass finish with no trees or any other landscape features present on it.

## **SITE HISTORY**

On 30 November 2009 planning permission in principle (Ref: 09/00222/OUT) was granted for a mixed use development on some 86 hectares of predominantly agricultural land to the east, south and southwest of Wallyford. The site included Wallyford Community Woodland, the public roads of Salters Road and Inchview Road, and land to the south of Fa'side Avenue South, to the south of the existing village. The land is the allocated housing site of Proposal MH9 of the adopted East Lothian Local Development Plan 2018.

Planning permission in principle (ref: 12/00924/PPM) was subsequently sought for the renewal of planning permission in principle (ref: 09/00222/OUT), as submitted to the Council on 26 November 2012. On 1 April 2014 the Council resolved to approve the application subject to the required Section 75 Agreement and planning permission in principle was duly granted with conditions on 14 November 2014 following the registration of that agreement.

In September 2015 planning permission in principle (ref: 14/00903/PPM) was granted for amendments to planning permission in principle 12/00924/PPM, including an increase in number of residential units from 1050 up to a maximum of 1450, relocation and redesign of open space, development for residential purposes of areas previously proposed as open space and relocation and redesign of the proposed local centre.

The elements of the approved mixed use development include residential development, community buildings including a new school and community facilities, office units, a restaurant, business units, general industrial units, storage and distributions units, trade counter units, a residential institution, a non-residential institution, hot food takeaways, playing fields, open space, allotments, landscaping and associated infrastructure provision.

In December 2020 planning permission in principle (ref: 15/00537/PPM) was granted for residential development with associated educational and community facilities and open space on the land known as Dolphingstone to the immediate south and east of the site the subject of planning permission in principle 14/00903/PPM. Through a condition attached to the grant of planning permission in principle 15/00537/PPM, the number of residential units on the combined sites the subject of planning permission in principle 14/00903/PPM and 15/00537/PPM is limited to no more than 2050. A revised indicative masterplan was submitted and approved as a part of planning permission in principle 15/00537/PPM to show that the positions shown for the distributor

road, SUDS ponds, school campus and local centre would be the same as that approved by planning permission in principle 14/00903/PPM.

The indicative masterplan docketed to planning permission in principle 15/00537/PPM shows an area in the southeast corner of the site as a large area of open space, denoted as a public park incorporating a play area, which public park is to serve future residents of the Dolphingstone site. It is the largest consolidated area of open space shown on the masterplan, the other areas of open space being small areas formed between the housing development sites.

In March 2023 approval of matters specified in conditions (ref: 22/00749/AMM) was granted for infrastructure works including the construction of roads, cycle/footpaths, vehicular access, landscaping, SuDS, the formation of areas of open space and play areas and associated works on land on the northeastern part of the larger site to which planning permission in principle 15/00537/PPM relates. Approval of matters specified in conditions permission 22/00749/AMM has been implemented and work has begun constructing the road through the site.

In June 2024 approval of matters specified in conditions (ref: 23/00498/AMM) was granted for the erection of 137 houses and 9 flats on the northern part of the Dolphigstone site to the west of the new spine road approved by the grant of approval of matters specified in conditions 22/00749/AMM. Development of the site has not yet begun.

The drawings docketed to approval of matters specified in conditions 22/00749/AMM approved the detail of the landscaping and open space strategy for the Dolphingstone site to which planning permission in principle 15/00537/PPM relates. This included for the provision of a large, consolidated area of open space in the southeast corner of the site to serve future residents of the allocated Dolphingstone expansion area, in the same position shown for it on the indicative masterplan docketed to planning permission in principle 15/00537/PPM. The approved drawings for 22/00749/AMM also show how 2 play areas would be formed within the site and a condition attached to that approval of matters specified in conditions also requires the provision of an additional toddlers play area.

In March 2024 planning permission in principle (ref: 23/01266/PPM) was refused for a proposed residential development on the land approved for the large, consolidated area of open space to serve future residents of the allocated Dolphingstone expansion area, both by the indicative masterplan docketed to planning permission in principle 15/00537/PPM and the detailed drawings docketed to approval of matters specified in conditions permission 22/00749/AMM.

Subsequently the applicant appealed the Council's refusal of planning permission in principle 23/01266/PPM to the Planning and Environmental Appeals Division (DPEA). On 27 December 2024 the Reporter appointed by the DPEA to determine the appeal overturned the Council's decision and

granted planning permission in principle for a residential development on the land approved for the large, consolidated area of open space.

In his decision letter, the Reporter concluded that he was satisfied that the other open space areas to be provided over the whole Wallyford/Dolphingstone expansion area (Proposals MH9 and MH10 of the adopted East Lothian Local Development Plan 2018) were adequate to serve future residents of the expansion area without the need for the whole of the land of the appeal site to be provided for the large, consolidated area of open space, and granted planning permission in principle for a residential development of it, with a small part of the appeal site accommodating an open space area.

## **PROPOSAL**

Through this application, the approval of matters specified in Conditions 1 parts a to i & k, 2(ii), 8, 24, 27 and 29 of planning permission in principle 15/00537/PPM is sought for the erection of 84 houses, 9 flats and associated works on the application site, which is on the northeastern part of the Dolphingstone site and comprises what is referred to on the drawings as Phase 3. The associated works include the formation of roads, footpaths and parking areas, the formation of small pockets of open space, the erection of boundary enclosures, and hard and soft landscaping.

All of the 84 houses and 9 flats to be erected on the site would be for private sale. The houses would comprise of 15 different house types, with 42 being terraced, 6 being semi-detached and 36 detached.

Of the 84 houses, 44 would have 4 bedrooms, 24 would have 3 bedrooms and 16 would have 2 bedrooms. The 9 flats would all have 2 bedrooms.

Vehicular and pedestrian access to the site would be taken from two points off one of the new distributor roads that would serve the wider Dolphingstone site (once fully constructed), with additional pedestrian accesses taken from the new footway on the west side of the site (once fully constructed) and from a new pedestrian footpath on the north side of the site.

Subsequent to the registration of this application, further drawings have been submitted showing revisions to the site layout and associated updated plans including the incorporation of more landscape planting.

## **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 National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018 (LDP).

In terms of Policies 1 and 2 of NPF4, the contribution this development could make to addressing the climate and nature crises (Policy 1) or to make adjustments or incorporate features that reduce greenhouse gas emissions (Policy 2), is largely predetermined by the grant of planning permission in principle 15/00537/PPM.

Therefore, NPF4 Policies 3 (Biodiversity), 7 (Historic Assets and Places), 12 (Zero Waste), 13 (Sustainable Transport), 14 (Liveable Places), 15 (Local living and 20 min neighbourhoods), 16 (Quality Homes), 18 (Infrastructure First), 21 (Play, recreation and sport) and 22 (Flood Risk and Water Management) are relevant to the determination of this application.

Also relevant to the determination of the application are Proposal MH10 (Land at Dolphinstone) and Policies HOU1 (Established Housing Land), HOU3 (Affordable Housing Quota), DP1 (Landscape Character), DP2 (Design), DP3 (Housing Density), DP4 (Major Development Sites), DP8 (Design Standards for New Housing Areas), CH5 (Battlefields), NH13 (Noise), W3 (Waste Separation and Collection), OS3 (Minimum Open Space Standards for New General Needs Housing), OS4 (Play Space Provision in new General Needs Housing Development), NH10 (Sustainable Drainage Systems), NH11 (Flood Risk), DEL1 (Infrastructure and Facilities Provision), SEH2 (Low and Zero Carbon Generating Technologies), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the LDP.

Also material to the determination of this application is the Scottish Government Policy Statement entitled "Designing Streets". It provides an overview of creating places, with street design as a key consideration. It advises on the detail of how to approach the creation of well-designed streets and describes the processes which should be followed in order to achieve the best outcomes. Planning Advice Note 67 explains how Designing Places should be applied to new housing. In PAN 67 it is stated that the planning process has an essential role to play in ensuring that: (i) the design of new housing reflects a full understanding of its context - in terms of both its physical location and market conditions, (ii) the design of new housing reinforces local and Scottish identity, and (iii) new housing is integrated into the movement and settlement patterns of the wider area. The creation of good places requires careful attention to detailed aspects of layout and movement.

Also material to the determination of the application is the approved masterplan for the site as approved by the grant of planning permission in principle 15/00537/PPM. The masterplan sets out the land uses expected for the allocated site and how the Council requires the site to be developed.

Also material to the determination of the application is the Council's Design Standards for New Housing Areas Supplementary Planning Guidance.

## **REPRESENTATIONS**

No public objection to this application has been received.

## **COMMUNITY COUNCIL**

Wallyford Community Council have been consulted on the application but no response has been received.

## **PLANNING ASSESSMENT**

By the grant of planning permission in principle 14/00903/PPM and 15/00537/PPM approval has been given for the principle of the erection of up to 2050 houses on the combined Wallyford and Dolphingstone sites following technical assessments which demonstrated that local and wider infrastructure, subject to financial contributions and conditions, can accommodate such level of development.

Therefore, there can be no objection in principle to the erection of the 84 houses and 9 flats now proposed on this particular part of the wider Dolphingstone site.

Consequently, in the determination of this application, the Council, as Planning Authority, can only concern itself with the siting, design and external appearance of the development, the landscaping of and means of access to the site and the means of any enclosure of the boundaries of the site. In this regard the detailed proposals have to be considered against relevant development plan policy, the approved masterplan of, and conditions attached to planning permission in principle 15/00537/PPM.

The proposed residential development would be seen in relation to the new housing that is under construction on land at Wallyford and would also, in time, be seen in relation to the new housing on other parts of the wider Dolphingstone site.

The proposed houses and flatted building, due to their positioning on the application site and by virtue of their height, size and scale, architectural design and finishes would satisfactorily integrate into their surroundings and would not appear as prominent or intrusive features. The other components of the proposed development would not be harmful to the character and appearance of the area.

The details submitted for approval are for a scheme of development comprising a mix of detached, semi-detached and terraced houses, with the houses being two stories in height and a 3-storey pitched roofed flatted building. The layout reflects the nearby Wallyford development, which is generally characterised by detached, semi-detached and terraced houses mostly being two-storey, and the housing development approved to the west at Dolphingstone by approval of matters specified in conditions permission 22/00749/AMM. The range of house types proposed would give a variation of architectural form to the development, which coupled with the orientation and layout of the buildings, would give a degree of variety of appearance to the development. The architecture of the proposed houses is of a traditional pitched roof form. Render would be the predominant wall finish of the buildings but it should be ensured more than one render colour is provided and more than one colour of roof tile

to ensure the development is of a satisfactory appearance. A condition can be imposed on a grant of approval of matters specified in conditions for the proposed development to address these matters of wall and roof finishes.

The proposed development would provide an attractive residential environment for future residents of it. The residential units are shown to be laid out in such a way that adheres to the normally accepted privacy and amenity criteria on overlooking and overshadowing, whilst affording the future occupants of the houses and flats an appropriate level of privacy and residential amenity. The proposed new houses would be so sited, oriented and screened such as not to harm the privacy and amenity of existing or future neighbouring or nearby residential properties through overlooking or overshadowing.

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

Footpath links to the wider residential site and the A199 are proposed, and they would allow for pedestrian and cycle access to the wider area and will allow for good connectivity with the remainder of the Dolphingstone site.

A scheme for the landscaping of the site has been submitted with the application. The proposed scheme would provide a suitable landscaping setting for the proposed development which would serve to soften the impact of the buildings and associated works. The **Council's Landscape Officer** has been consulted on the application and he raises no objection to the proposed scheme of landscaping.

The proposed scheme of landscaping would also serve to encourage habitat creation and strengthen nature, enhancing the biodiversity of the site.

The **Council's Biodiversity Officer** has been consulted on the application and advises that the site in its present condition is of low biodiversity value and that the proposed scheme of landscaping would serve to enhance the biodiversity value of the site.

The **Council's Environmental Health Officer** has appraised the submitted noise report and advises that houses and gardens next to the A199 will require mitigation in the form of closed window attenuation on the facades of houses and 2m high acoustic walls/fencing to garden boundaries. Drawings have been provided showing such mitigation on properties and garden boundaries where required, which the Environmental Health Officer is content with. Subject to these mitigation measures being implemented, which can be secured by conditions imposed on a grant of approval of matters specified in conditions, there would be no loss of amenity to future occupiers of the proposed houses.

On these considerations of design, layout, amenity, landscape, nature and biodiversity, the proposals are consistent with Policies 3, 14, 15 and 16 of NPF4 and with Policies DP1, DP2, DP3, DP4 and NH13 of the LDP, the Scottish Government Policy Statement entitled "Designing Streets", the Masterplan

approved by planning permission 15/00537/PPM and the Council's Supplementary Planning Guidance on 'Design Standards for New Housing Areas'.

The **Council's Waste Services** raise no objection to the proposed development, being satisfied that waste servicing vehicles could satisfactorily negotiate the proposed development providing convenient access for the collection of waste. The proposed development does not conflict with Policy 12 of NPF4 or with Policy W3 of the adopted East Lothian Local Development Plan 2018.

The masterplan docketed to planning permission in principle 15/00537/PPM indicates how areas of formal and informal open space could be located throughout the allocated site. Also, the masterplan docketed to planning permission in principle 14/00903/PPM indicates how areas of formal and informal open space, including two community sports pitches, could be located throughout that separate allocated site.

However, it must now be recognised that the DPEA Reporter's approval of planning permission in principle 23/01266/PPM granted permission for the principle of a residential development on the land approved for the large, consolidated area of open space at the southeast corner of the wider Dolphingstone site.

The development now proposed does not have any dedicated open space areas included within it. However, there would be areas of open space formed across the wider Dolphingstone site and there would be further areas of open space and sports pitches on the neighbouring Wallyford expansion area which could be accessed.

Consequently, although the proposed development does not include dedicated open space provision, there would be accessible open space provided elsewhere, which the DPEA Reporter in his decision on application 23/01266/PPM determined was adequate to serve future residents of the wider Dolphingstone site.

The proposed development would not provide a play area, however one is not required on this particular site as others are to be formed elsewhere in the wider Dolphingstone site. An equipped toddlers play area is approved to be located on the site the subject of approval of matters specified in conditions permission 22/00749/AMM, which is to the west of this site.

On the matters of open space and play, the **Council's Strategy, Policy & Development Manager** raises no objection to the application, acknowledging the conclusions of the DPEA Reporter in his decision on application 23/01266/PPM that such facilities can be accessed elsewhere on the wider Dolphingstone and Wallyford sites.

Consequently, although the proposed development does not include dedicated open space or play provision, the proposed development is not contrary to Policy 21 of NPF4 or with Policies OS3 and OS4 of the LDP.

The means of accessing the larger development comprising the Dolphingstone expansion is already decided by the grant of approval of matters specified in conditions permission 22/00749/AMM. These include vehicular access to the proposed housing plots being taken from the new distributor road through the Dolphingstone site.

The **Council's Road Services** raise no objection to the submitted details, being satisfied that the proposed development would not result in unacceptable traffic congestion on the local road network and that it would not result in a road or pedestrian safety hazard. Road Services advise that the location and amount of parking within the site is acceptable and that the site is in close proximity of public transport provision and access to alternative active travel modes.

The Council's Road Services recommend a number of transportation requirements which can be met through the imposition of conditions on a grant of approval of matters specified in conditions for the proposed development. These include the submission of a Quality Audit, Road Safety Audit and a Construction Method Statement.

With the imposition of conditions to cover these recommendations of Roads Services, the proposed development does not conflict with Policy 13 of NPF4 or with Policies T1 or T2 of the adopted East Lothian Local Development Plan 2018.

The indicative masterplan docketed to planning permission in principle 15/00537/PPM indicates how SuDS could be formed within the site to attenuate the flow of surface water run-off. Condition 29 of planning permission in principle 15/00537/PPM states that a SUDS scheme should be submitted for the written approval of the Planning Authority, in consultation with the Scottish Environment Protection Agency. The position and detail for the SuDS to serve the wider Dolphingstone site has already been approved by approval of matters specified in conditions permission 22/00749/AMM.

The applicant's agent has confirmed that onsite drainage will be served by the SuDS scheme previously consented by approval of matters specified in conditions permission 22/00749/AMM, and that the SuDS will be implemented and operational in July 2025.

The **Council's Flooding and Structures Officer** advises that the drainage details for the site are satisfactory and he therefore raises no objection to the application.

The Scottish Environment Protection Agency (SEPA) have been consulted on the application and advise that they have reviewed the drainage proposals and are satisfied with them. Accordingly, SEPA raise no objection to the application.

Scottish Water as a consultee on the application advise that they have no objection to the proposal.

On the foregoing drainage considerations the proposed details are consistent with Policy 22 of NPF4 and with Policies NH10 and NH11 of the LDP.

Historic Environment Scotland (HES) have been consulted on this application and they have raised no objection to the proposed development nor do they have any comments to make in terms of impact of the proposals on the Battle of Pinkie Battlefield Site. On this consideration the proposed details are consistent with Policy 7 of NPF4 and Policy CH5 of the LDP.

The Coal Authority advises that it has been demonstrated that previously identified shallow coal mine workings have been stabilised and that further investigations did not encounter any further evidence of workings, and that confirmation has been provided that the numerous recorded mine entries within the site have been investigated and remediated, where located. Therefore, the Coal Authority advise that they have no objection to the application.

The mechanism of a financial contribution towards additional educational provision has already been secured through the grant of planning permission in principle 15/00537/PPM, as has the phasing of completions of the residential units to ensure sufficient education capacity can be provided for the pupil product of the development. Financial contribution towards road and rail improvements have also already been secured through the grant of planning permission in principle 15/00537/PPM. The **Council's Planning Obligations Officer** has confirmed that, as an approval of matters specified in conditions of planning permission in principle 15/00537/PPM, there are no requirements for additional developer contributions associated with this application.

The mechanism of the provision within the residential development of the wider Dolphingstone site of 25% affordable housing units is already secured through the grant of planning permission in principle 15/00537/PPM. There is no affordable housing proposed to be provided within this site. The applicant has provided a masterplan layout for the wider Dolphingstone site which indicates where affordable housing would be provided on later phases.

The **Council's Housing Enabler (Strategy and Development)** raises no objection to the application, satisfied that affordable housing units will be delivered on other phases of the Dolphingstone site in accordance with that secured through the grant of planning permission in principle 15/00537/PPM, and that there is no requirement to deliver affordable housing on this phase. In this regard the proposal is not inconsistent with Policy 18 of NPF4 or Policy HOU3 of the LDP.

At its meeting on 27 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, including applications for the approval of matters specified in conditions of a planning permission in principle. Such a condition can be imposed on an approval of matters consent for this proposal

In respect of electric vehicle (EV) charging provision, the layout has been designed to incorporate EV charging infrastructure in parking courtyards and on driveways. The **Council's Road Services** advise that some of the proposed electric vehicle charging points appear remote from the properties they are to serve, and recommend that a revised electric vehicle charging layout is submitted. A condition can be imposed on an approval of matters consent to secure a revised electric vehicle charging layout.

Subject to a condition being imposed 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 revised proposals for electric vehicle charging provision to be implemented on site, the proposals are consistent with Policy SEH2 of the LDP.

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 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 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 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 flats shall be in accordance with a co-ordinated scheme of materials and colours that shall in detail promote render as the predominant finish to the walls of the houses and flats, with a use of more than one render colour

and with a strongly contrasting difference in the colours such that they will not each be of a light colour, and shall show the roofs being clad in more than one colour of roof tile. 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.

- 3 Prior to their occupation, mitigation in the form of glazing units that comply with daytime and night-time internal noise levels specified in Table 4 of BS8233:2014 "Guidance on sound insulation and noise reduction in buildings" shall be installed in the elevations of the houses as shown in purple and as detailed on docketed drawing no. 23349/11/01 Rev C.

Thereafter such form of attenuation shall be retained in place unless otherwise approved by the Planning Authority.

Reason:

In the interest of safeguarding the residential amenity of future occupiers of the proposed residential development.

- 4 Mitigation in the form of acoustic barriers comprising both a 2 metre high type V screen wall with close boarded timber fence as shown on docketed drawing no. DET/22 and a 2 metre high type W close boarded timber fence as shown on docketed drawing no. DET/23 shall be erected in the positions for them as shown and detailed on docketed drawing no. 23349/11/01 Rev C prior to the occupation of the houses on the plots where such acoustic barriers are required.

Thereafter the acoustic barriers as so erected shall be retained in place unless otherwise approved by the Planning Authority.

Reason:

In the interest of safeguarding the residential amenity of future occupiers of the proposed residential development.

- 5 With the exception of the acoustic barriers as required by Condition 4 above, notwithstanding that shown on the drawings docketed to this approval of matters specified in conditions permission, the boundary enclosures shown on those drawings are not hereby approved. Instead, and prior to the commencement of development, revised details of all boundary enclosures to be erected on the application site, and the timescales for their provision, shall be submitted to and approved in advance by the Planning Authority. Those details shall show 1.8 metre high solid enclosures around and between rear gardens of the houses hereby approved except where those boundaries are adjacent to a road or pathway where they shall be feature boundaries in either render, stone or stone with timber panel infills and not full height close boarded fencing to heights and finishes to be approved in advance by the Planning Authority. The details shall also show all semi private and defensible spaces in front of or to the side of the houses hereby approved and to the side of parking courtyards to be enclosed by walls/hedges/fences/ or railings to define areas of private space from public space.

Thereafter the boundary treatments erected shall accord with the details so approved unless otherwise agreed 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 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.

- 7 The development shall comply with the following transportation requirements, unless otherwise approved in writing by the Planning Authority:

(i) All roads and paths shall conform to East Lothian Council's Transport Infrastructure in New Developments;

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

(iii) Cycle parking for dwellings without a private back garden with a gate (e.g. flats/mid-terraces), shall be included at a rate of 1 space per dwelling. This shall be in the form of a lockable room or shed;

(iv) A visibility splay of 2.4 metres by 30 metres in both directions shall be provided and maintained on each side of the internal junctions serving the development such that there shall be no obstruction to visibility above a height of 1.05 metres measured from the adjacent carriageway surface;

(v) A visibility splay of 2.5 metres by 40 metres in both directions shall be provided and maintained on each side of the vehicular access into the site from the distributor road such that there shall be no obstruction to visibility above a height of 1.05 metres measured from the adjacent carriageway surface;

(vi) Where a private access joins a main distributor road, a visibility splay of 2.5 metres by 40 metres in both directions shall be provided and maintained on each side of the vehicular access such that there shall be no obstruction to visibility above a height of 1.05 metres measured from the adjacent carriageway surface.

Reason:

In the interests of road safety.

- 8 A Construction Method Statement to minimise the impact of construction activity on the amenity of the area, including from the effects of noise and dust, 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 construction traffic, shall include hours of construction work and routes of construction traffic to/from the site. It shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

The Construction Method Statement shall also include details of wheel washing facilities to be provided, and that these facilities shall be maintained in working order during the period of operation of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

The Construction Method Statement shall also provide details of utility/service drainage connections, including what temporary measures shall be put in place to control surface water drainage during the construction of any drainage system.

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.

- 9 A Travel Information Pack shall be submitted to and approved by the Planning Authority prior to the occupation of any of the residential units hereby approved. The Travel Information Pack shall have particular regard to provision for walking, cycling and public transport access to and within the site, shall 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. It shall also include a timetable for its implementation, details of the measures to be provided, the system of management, monitoring, review, reporting and duration of the Pack.

Reason:

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

- 10 Prior to the commencement of development a Stage 2 Quality Audit shall be submitted to and approved by the Planning Authority. The Quality Audit shall provide details on accessibility and connectivity from the wider transport network and between different elements of the application site and consider all different modes of transport including walking and the need of users who are mobility impaired.

The approved Quality Audit shall thereafter be implemented through the detailed design stages and the full audit process completed through to construction/occupation.

Reason:

In the interests of road and pedestrian safety.

- 11 Prior to the commencement of development a Stage 2 Road Safety Audit shall be submitted to and approved by the Planning Authority, which shall be undertaken for the detailed design of all roadworks, footways and cycle paths within the development hereby approved, and shall include an implementation programme describing when measures identified in the audit will be provided in relation to construction of the proposed development.

The Road Safety Audit shall be carried out in accordance with the most recent revision of GG119 Road Safety Audit.

Reason:

In the interests of road and pedestrian safety.

- 12 Immediately following completion of the development, the date of which shall be provided in writing to the Planning Authority, a Stage 3 Road Safety Audit - Post Opening shall be submitted to and approved by the Planning Authority.

The Road Safety Audit shall be carried out in accordance with the most recent revision of GG119 Road Safety Audit.

Reason:

In the interests of road and pedestrian safety.

- 13 12 months following approval of the Stage 3 Road Safety Audit as required by Condition 12 above, a Stage 4 Road Safety Audit shall be submitted to and approved by the Planning Authority.

The Road Safety Audit shall be carried out in accordance with the most recent revision of GG119 Road Safety Audit.

Reason:

In the interests of road and pedestrian safety.

- 14 All planting, seeding or turfing comprised in the details of landscaping on docketed drawing nos. 2297/40 Rev E, 2297/41 Rev E, 2297/42 Rev E, 2297/43 Rev E, 2297/50, 2297/51, 2297/53, 2297/54, 2297/55 and 2297/56 shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

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 'Dolphingstone Pod 3 Planting Notes & Landscape Maintenance and Management Proposals' document by Brindley Associates dated February 2024.

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.

- 15 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 in advance by the Planning Authority. This report shall include, but not exclusively, the provision of renewable technology for all new buildings, where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report so approved.

Reason:

To minimise the environmental impact of the development.

- 16 Notwithstanding that which is shown on the drawings docketed to this approval of matters specified in conditions permission and prior to the commencement of development, a revised scheme for the provision of electric car charging points to serve all of the residential units, and associated infrastructure for them, where feasible and appropriate in design terms, shall be submitted to and approved in writing by the Planning Authority. The scheme shall show 1:1 ratio provision with the installation of one 7kW Type 2 charger per dwelling, either socketed or tethered. Where it is not possible to connect to the household's own electrical supply then a factored arrangement shall be provided.

The scheme shall include a timetable for implementation and details of factoring and maintenance arrangements for any charging units which are to be installed outwith the curtilages of residential units. Development shall thereafter be carried out in accordance with the details so approved and charge points shall be maintained in

accordance with the details so approved and shall remain in place unless otherwise approved by the Planning Authority.

Reason:

To minimise the environmental impact of the development.