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**APPLICATION FOR PLANNING PERMISSION IN PRINCIPLE  
15/00045/PPP FOR RESIDENTIAL DEVELOPMENT; COMMUNITY  
FACILITIES; PRIMARY SCHOOL; PLAYING FIELDS; OFFICE UNITS  
(CLASS 4); FARM SHOP(CLASS 1); CAFE (CLASS 3) AND RAIL HALT  
WITH ASSOCIATED CAR PARK; PUBLIC OPEN SPACE; ROADS AND  
DRAINAGE INFRASTRUCTURE AT REDHEUGH EAST, GOREBRIDGE**

Report by Head of Communities and Economy

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**1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION**

**1.1 The application is for planning permission in principle for the formation of a new community at Redheugh. The proposed development includes proposals for approximately 700 dwellinghouses, a new single stream primary school (with potential to be extended to a two stream primary school), playing fields and new community facilities. The application also includes the provision of an office development and a farm shop within the listed steading buildings on the site and the reservation of land for a new rail halt and associated car parking. The site is to the west of Gorebridge. There have been no letters of representation and consultation responses have been received from Moorfoot Community Council, the Scottish Environment Protection Agency (SEPA), Network Rail and the Council's Policy and Road Safety Manager, Environmental Health Manager and Archaeology advisor. The relevant development plan policies are policy 5 of the Edinburgh and South East Scotland Strategic Development Plan 2013 (SESplan) and policies RP5, RP8, RP13, RP14, RP15, RP24, RP28, RP31, RP32, HOUS1, HOUS4, TRAN1, SHOP6, SHOP7, SHOP8, COMF1, COMF4, WAST4, UTIL2, IMP1, IMP2, IMP3 DP2 and DP3 of the Midlothian Local Plan (2008). The recommendation is to grant planning permission subject to conditions and the prior signing of a legal agreement to secure developer contributions.**

**2 LOCATION AND SITE DESCRIPTION**

**2.1 The site is located to the west of Gorebridge. It is bounded to the east by the A7 and to the west by farmland, with the River South Esk beyond. The new Gorebridge North Primary School is to be built to the east of the site, on the opposite side of the A7. To the north the site is bounded by the B704 (Cockpen Road) with the Butlerfield Industrial Estate beyond. There is also a cattery and kennels to the north fronting**

Cockpen Road. Gore Glen with the confluence of the Gore Water and the South Esk River lie to the south of the site. The Borders Rail Line passes through the site, north to south, running parallel to the A7.

- 2.2 The site is approximately 37.56 hectares. The land slopes down generally from east to west and from north to south. There are significant changes in levels towards the northern boundary of the site, adjacent to the B704 (Cockpen Road), where the land slopes down to a small watercourse.
- 2.3 Redheugh House and steading buildings are located centrally within the site. Redheugh Farmhouse and steading are listed (category C). Temple and Arniston Conservation area is immediately to the south of the application site and Arniston Designed Landscape bounds the site to the south. Dalhousie Designed Landscape is immediately to the west of the site.
- 2.4 There are two bridges crossing the Borders Rail Line, within the main part of the site, giving access to Redheugh Farm and further south from the A7 carrying Povert Road. Povert Road is a narrow rural road which crosses the site from east to west from the A7 and then runs up the western boundary of the site. Along this western edge Povert Road is a core path and gives access to the farm at Redheugh. It has hedges on both sides. The roundabout on the A7 is within the site boundary, to its eastern extent it currently serves the new Persimmon housing development on the western edge of Gorebridge.
- 2.5 The site is fairly high up in the landscape with open views to the west towards the Pentland Hills. Gorebridge is higher again to the west of the site. As a result the development will be fairly prominent in the landscape but it does not breach the skyline from most viewpoints.
- 2.6 An economic land allocation is identified for the land between the A7 and the Borders Rail line immediately to the east and north of the site. This allocation extends to approximately 7 hectares. Planning permission was granted in November 2012 for this site however the consent is yet to be implemented.

### **3 PROPOSAL**

- 3.1 It is proposed to build a new settlement on the site, comprising approximately 700 new residential dwellinghouses. The Indicative Development Framework plan for this site identifies a new bridge across the Borders Rail Line as well as land being set aside for a new rail halt and associated car parking. The rail halt is proposed fairly centrally on the site and adjacent to the listed Redheugh Farmhouse and steading buildings. The new primary school is located to the west of these buildings with the sports pitches to the south of the school. A green corridor with associated planting and pathways is envisaged running westwards from Arniston Park in Gorebridge to the new school and pitches and incorporating the listed farm and steading.

- 3.2 Further open space is located to the northern extent of the site adjacent to Cockpen Road where there is a significant change in levels. There is also a suds pond proposed to the south of the kennels and cattery on Cockpen Road. Planting is shown on the southern boundary of the site as well as along the A7 corridor.
- 3.3 Land to the west of this site, is included in the proposed Midlothian Local Development Plan as a second phase of the new settlement. Detailed proposals related to design, layout and location of infrastructure are indicative only at this stage. The applicant advises that it is proposed to build the proposed new bridge over the rail line after the 435th dwellinghouse on the site and that this can be secured by condition.
- 3.4 The applicant has submitted a number of documents with the application including the Design and Access Statement and the Pre-Application Consultation Report. The supporting Documentation includes a Transport Assessment (TA), Drainage/Development Impact Assessment and Drainage Strategy, Ecological Assessment, Tree and Woodland Survey and Landscape Appraisal documents, Archaeology Assessment and Survey, Indicative Development Framework (an indicative Masterplan) and levels information including site level information and sections through the site.
- 3.5 The Design and Access Statement includes the Masterplan for the site. The core objectives of this document are to:
- Provide appropriate physical environments to support strong communities;
  - Support a rich and pleasurable quality of life for inhabitants and visitors;
  - Connect people and places by providing ease of movement within, and through developments; and,
  - Create places of distinction and enduring quality.
- 3.6 Access is proposed from the A7, via the new roundabout to the eastern extent of the site and from the B704 Cockpen Road.

## **4 BACKGROUND**

- 4.1 Planning Permission has been granted for the formation of a road (13/00588/DPP) and road bridge (10/00454/DPP) to the north of Povert Road. This connects the A7 roundabout to the land on the west side of the Borders Rail line. This is envisaged as the main access into the site. The planning consent has not been implemented.
- 4.2 Planning permission was granted in outline (07/00556/OUT) for Class 4 and 5 office and industrial development on land to the south of Newtonloan Toll. This consent has not been implemented.

## 5 CONSULTATIONS

5.1 **The Council's Archaeological Advisor** advises that an initial desk based appraisal of the planning application has been undertaken in order to examine the possible archaeological implications of the proposal. As a result of the study it is recommended that a condition is attached to any consent granted requiring a Programme of Works (Evaluation and Historic Building Recording). The requirement is for a 5% evaluation to be carried out.

5.2 **Moorfoot Community Council (MCC)** makes comments in relation to the planning application as follows:

- There is some concern that comments made in relation to a presentation made to the Community Council were not referred to in the application subsequently submitted, nor is there any indication that these comments have been taken into account in relation to the final submission. Some of the points may be addressed in the submission but MCC were expecting to see a commitment to the general principles set out in their response.
- The TA submitted with the planning application concludes that the new road bridge over the railway is not required until the third and final phase of this development. MCC consider that this is unacceptable and should be a requirement of any consent for development. The existing Povert Road Bridge would have to take traffic for Carrington and the developing new community. If phase 3 does not get built then this may become the permanent situation.
- The TA concludes that the rail halt is not required for the initial development of Redheugh East. The application must therefore provide more specific provision for safe, uninterrupted and segregated walking and cycling routes to Newtongrange and Gorebridge stations.
- The timing of the provision of the farm shop should be clarified. It is not clear what is meant by a farm shop (the land around the existing farm is to be developed). MCC suggest community gardens or allotments should be provided on the site to encourage food production, reduce car use and enhance community identity.
- MCC is concerned about the delay in providing the new primary school at Redheugh until phase 3 of the current proposal. The Community Council does not think it is acceptable to have primary-age children crossing the A7 and it does not aid the new community to create its own identity. If the provision is to be delayed as suggested a footbridge should be provided over the A7.
- Further information should be provided regarding Affordable Housing provision. There is pressure for this type of housing and it should be integrated with other tenure types in the development.
- The TA proposes that phase 1 will be served by buses however there are very few bus services nearby and it is clear to MCC that the majority of transport demands will come from private car travel. The measures highlighted in the application are wholly inadequate. Measures to minimise travel by providing employment, shopping

and education within cycle and walking distance should be made. This includes having shops on the site and high speed broadband to enable working from home. Housing should be linked to the adjacent employment land by means of physical links.

- No provision is made for renewable energy either in the house design or by means of district heating, this is despite a reference being made to this in the Design Statement which accompanies the application. Solar technology or heat pumps could be used. The Council is duty bound to contribute towards the country's greenhouse gas emission targets. Per capita emissions increased between 2011 and 2012 (most recent data available).
- Given the concerns highlighted above and with specific reference to the lack of community facilities, reliance on private cars and contribution towards carbon emissions, Moorfoot Community Council objects to the development unless these matters are satisfactorily addressed.

5.3 **Network Rail** has no objections in principle to the proposal but request a number of matters are taken into account and if necessary appropriate conditions and or advisory notes are put on any consent granted. All surface or foul water should be directed away from the rail line. SUDS features should be located at least 10m from railway infrastructure and must have long-term maintenance plans. Suitable fencing or barriers should be erected if not already in place. Buildings should be at least 2m from the Network Rail boundary and allow for future maintenance outwith the Network Rail boundary. Proximity and type of planting needs to be considered carefully to reduce the likelihood of leaf-fall affecting rail services. Proposals for noise or vibration sensitive properties close to the rail line can give rise to neighbour disputes arising and endeavours need to be undertaken to ensure these do not arise. Any lighting, including vehicle lights must not interfere with the sighting of signalling apparatus and /or train drivers' vision on approaching trains. A condition relating to lighting is suggested. Finally, construction work or engineering in proximity of the line may have to be carried out when the rail line is closed to rail traffic.

5.4 The Council's **Policy and Road Safety Manager** has no objection to the proposal but recommends that conditions are applied. These conditions relate to detailed road improvements identified in the TA which are as follows:

- Provision of a new standalone toucan crossing on the A7 to link with the school on the east side of the A7;
- Reduction in the speed limit to 30mph along the A7 and the B704 Cockpen Road as they pass the site;
- Installation of pedestrian crossing facilities on the Newtonloan Toll signalised junction to support safer pedestrian movement in the vicinity of the site;
- A new signalised pedestrian crossing located to the immediate east of the B704 Cockpen Road/Butlerfield Industrial Estate priority junction. This crossing will provide access to the footway running

along Butlerfield Industrial Estate and on to the Newtongrange Railway Station;

- Contribution to the upgrading of the A7/B703 priority junction (to Newtongrange) to a signalised junction with pedestrian crossing facilities on each arm. The level of contribution will be proportionate to the scale and level of impact of the Redheugh East development and impact associated with surrounding developments at this junction;
- Contributions towards public transport improvements proportionate to the scale and level of the impact of the development and also taking into account contributions towards the Borders Railway; and
- The introduction of a suspensive condition in relation to the delivery of the new road bridge over the Borders Railway Line.

5.5 In relation to the conditions suggested by the developers in the TA and summarised above, the Council's Policy and Road Safety Manager points out that the reduction in speed limits to 30mph will not be achievable and therefore a design should not be based on this speed limit. In addition, the location of the signalised junction (bullet point 4) may be better to the west of the new junction (but this can be considered in detail at a later stage), The proposed financial contribution to the upgrading of the A7/B703 priority junction (bullet point 5) will not be required as the work has been undertaken as part of the Borders Rail project.

5.6 In addition to these measures the following features will be required to ensure the safety of pedestrian, cyclists and other road users:

- The limited width and lack of pedestrian facilities makes the existing Povert Road bridge over the Borders Railway line unsuitable to carry any additional traffic. The bridge should be closed to vehicular traffic (except for access to existing properties) with only access for pedestrian and cycling traffic being permitted. Details of the physical and legal measures required to achieve this should be submitted for approval;
- A new signal controlled pedestrian crossing should be provided in the vicinity of the A7/Povert Road junction. This will provide a pedestrian/cycling link to the existing pedestrian network in Gorebridge.
- Given the increased level of traffic on the A7, the existing A7/Stobhill Road junction should be changed to a traffic signalled controlled junction with a pedestrian crossing phase. This conversion should be achievable within the existing highway boundary. The signals will allow vehicles from Stobhill Road to enter the A7 in a safe manner while also allowing pedestrians to cross safely.

5.7 In addition the Council's Policy and Road Safety Manager advises that the developer should enter into a legal agreement with the Council to contribute towards the A7 environmental improvement scheme identified in the proposed Midlothian Local Development Plan.

- 5.8 In relation to the reduction in speed limit on the B704 and the new junction design, the developers have done further design work which has been assessed through a road safety audit and therefore a junction design has been agreed at this location with a speed reduction to 40mph, with appropriate signing and street lighting.
- 5.9 Once the site of the new primary school within the development has been established a School Green Travel Plan (SGTP) should be produced by the developer and submitted for approval. The SGTP should ensure that the new school has good walking and cycling links from the proposed housing.
- 5.10 To ensure that good vehicle and pedestrian links are available between the proposed Phase 1 (erection of 135 houses between the A7 and the railway line, accessed off the A7) and Phase 2 (erection of 300 houses accessed off Cockpen Road), the new road bridge over the Borders Railway line should be operational prior to the occupation of the first new dwellings in the phase 2 development.
- 5.11 Prior to the commencement of the Phase 2 development, details of the proposed traffic signals at the new access on the B704 should be submitted for approval. Land will require to be safeguarded to allow the construction of a new railway station and parking area within the site. The indicative development framework drawing indicates two areas of land on each side of the railway which would appear to be suitable; however no details of the dimensions and levels of these areas are given. To ensure that the areas shown are suitable an indicative layout showing a standard railway station layout with parking area and access road should be submitted for consideration.
- 5.12 Finally the Council's Policy and Road Safety Manager requires that details of the SUDs features should be submitted for approval.
- 5.13 The Council's **Environmental Health Manager** has no objection to the development in principal. It is noted that there are potential noise and vibration sources nearby (including Butlerfield Industrial Estate, Lady Victoria Business Park, the dog boarding kennels fronting Cockpen Road and the development on the economic development land between the A7 and the Borders Rail line). In addition the new Borders Rail line is a potential source of noise and vibration. The Council's Environmental Health Manager state that conditions relating to noise, vibration, construction hours of working and contamination and/or previous ground conditions should be applied.
- 5.14 The Council's **Head of Education** advises that the site for this development lies within the following school catchment areas:  
Non-denominational primary Gorebridge Primary School  
Denominational primary St Andrew's RC Primary School  
Non-denominational secondary Newbattle High School  
Denominational secondary St David's RC High School

- 5.15 Non-denominational Primary School provision will be in the new Redheugh Primary School once delivered. Prior to the construction of this school children will attend school in Gorebridge (North Gorebridge School once constructed). The proposed development will fund the delivery of the new Redheugh Primary School.
- 5.16 St Andrew's RC Primary School is at or near capacity from committed developments in the Gorebridge area. An extension will be required and a developer contribution would be required towards it.
- 5.17 A developer contribution is required to meet the non-denominational secondary school requirements arising from the proposed development. The provision will be delivered within the catchment area and is currently programmed to be via an extension at the proposed replacement Newbattle High School.
- 5.18 Currently, for all housing developments within Midlothian, a developer contribution towards St David's High School is secured by legal agreement.
- 5.19 The **Scottish Environment Protection Agency** advise that subject to conditions relating to flooding and the submission of topographical information and Sustainable Urban Drainage Systems, there is no objection to the planning application. It is further advised that if the requisite conditions are not attached then SEPA object to this planning application.
- 5.20 The **Council's Biodiversity advisors** have confirmed that given the scale of the development an Ecology Report should be submitted comprising both a desktop and fieldwork study. This would ensure that no protected species/sites/habitat will be impacted on and, if there is an impact, that appropriate mitigation is in place to address any concerns.

## **6 REPRESENTATIONS**

- 6.1 No representations have been received in connection with this application.

## **7 PLANNING POLICY**

- 7.1 The development plan is comprised of the Edinburgh and South East Scotland Strategic Development Plan (June 2013) (SESplan) and the Midlothian Local Plan (MLP), adopted in December 2008. The following policies are relevant to the proposal:

South East Scotland Strategic Development Plan 2013 (SESPlan)

- 7.2 Policy **5: Housing Land** requires Local Development Plans to allocate sufficient land for housing which is capable of becoming effective in delivering the scale of the housing requirements for each period.



Midlothian Local Plan (MLP)

- 7.3 Policy **RP5: Woodland Trees and Hedges** does not permit development that would lead to the direct or indirect loss of woodland, trees or hedges which have a particular value in terms of amenity, nature conservation, recreation, landscape character or shelter;
- 7.4 Policy **RP8: Water Environment** aims to prevent damage to water environment, including groundwater and requires compliance with SEPA's guidance on SUDs;
- 7.5 Policy **RP13: Species Protection** requires that any development that would affect a species protected by law will require an appropriate level of environmental and biodiversity assessment. Where development is permitted, proposals will require: A. measures for mitigation; and B. measures for enhancement or sustainable habitat replacement, where appropriate;
- 7.6 Policy **RP14: Habitat Protection Outwith Formally Designated Areas** requires that where a development affects sites which contain habitat of some significance, effects on the habitat as well as mitigation measures will be taken into account;
- 7.7 Policy **RP15: Biodiversity Action Plan** requires that development proposals shall demonstrate compatibility with the aims and objectives of the Midlothian Local Biodiversity Action Plan and related plans, by identifying appropriate measures to protect, enhance and promote existing habitats and/or the creation of new habitats, and provide for the effective management of these habitats;
- 7.8 Policy **RP24: Listed Buildings** states that development will not be permitted where it would adversely affect the setting of a Listed Building;
- 7.9 Policy **RP28: Site Assessment, Evaluation and Recording** states that where any development proposal could affect an identified site of archaeological importance, the applicant will be required to provide an assessment of the archaeological value of the site and of the impact of the proposal on the archaeological resource;
- 7.10 Policy **RP31: Open Space Standards** advises that the Council proposes to bring forward supplementary planning guidance based on the open space strategy outlining the minimum open space standards in respect of all new development, and until that is available the requirements for open space provision are as set out in policy DP2;
- 7.11 Policy **RP32: Public Rights Of Way and Other Access Routes**, protects established routes against development which could lead to the loss of a right of way, cycle path, bridleway, or other access route;

- 7.12 The Midlothian Local Plan allocates the site for residential development in terms of Policy **HOUS1: Strategic Housing Land Allocations** (Proposal). The site is identified as H8 Redheugh/Prestonholm new community and the indicative capacity is 700 units. Policy HOUS1 states:
- 7.13 HOUS1 Housing development to meet the Structure Plan strategic housing land requirements will be permitted on the sites identified in the table below and on the Local Plan Proposals Map, provided it accords with Local Plan policies IMP1, IMP2, IMP3 and DP2. Reference should be made to policy HOUS4 with respect to the proportion of affordable housing to be provided on these allocated sites.
- 7.14 Midlothian Local Plan Policy **HOUS4: Affordable Housing** requires that on residential sites allocated in this Local Plan and on windfall sites identified during the plan period, provision shall be required for affordable housing units equal to or exceeding 25% of the total site capacity, as follows:
- for sites of less than 15 units (or less than 0.5 hectares in size) no provision will be sought;
  - for sites of between 15 and 49 units (or 0.5 to 1.6 hectares in size) there will be no provision for the first 14 units thereafter 25% of the remaining units will be for affordable housing
  - there will be a requirement for 25% of the total units to be for affordable housing.
- 7.15 Lower levels of provision, or a commuted sum, may be acceptable where this has been fully justified. Supplementary planning guidance for the affordable housing provision shall provide advice on: the acceptable tenure split between social and low cost housing; possible delivery mechanisms; the scope for commuted sums; and other relevant matters as necessary;
- 7.16 Policy **TRAN1: Sustainable Modes of Transport** states that major travel-generating uses will only be permitted where they are well located in relation to existing or proposed public transport services, are accessible by safe and direct routes for pedestrians and cyclists, and accord with the Council's Local Transport Strategy. All major travel-generating developments shall be accompanied by a Transport Assessment and a Green Travel Plan, setting out what provisions or measures shall be taken to provide for, and encourage the use of, alternative forms of travel to the private car;
- 7.17 Policy **SHOP6: Minor Retail Facilities** supports the provision of minor retail facilities within town and neighbourhood shopping centres.

- 7.18 Policy **SHOP7: New Neighbourhood Shopping Facilities** permits new neighbourhood shopping facilities within the built-up area including where new housing developments are to take place, provided they do not undermine the vitality and viability of any of Midlothian's town centres and they accord with all relevant Local Plan policies and proposals. The explanatory text to this Policy states that given the significant number of new houses planned in Midlothian over the next 10 years, policy SHOP7 reflects support for new retail facilities in centres which are well located in relation to residential development. In general it is not envisaged that there would be a need for retail developments in excess of 1000 square metres gross floor space in neighbourhood centres unless in areas of significant residential development at some distance from existing centres;
- 7.19 Midlothian Local Plan Policy **SHOP8: Open Air Markets** states that proposals for open air markets will be permitted provided that:
- a) They are located within a town centre;
  - b) They contribute to the viability and vitality of the centre;
  - c) The amenity of any property, especially dwellings, is not adversely affected to a significant degree; and
- The site can be easily accessed by both vehicles and pedestrians, and parking provision for traders and customers is adequate;
- 7.20 Policy **COMF1: Education Facilities** supports the early implementation of new education facilities to serve new housing development including at Redheugh/Prestonholm, where it is indicated that a new single stream primary school is to be provided.
- 7.21 With respect to providing sufficient capacity in the non-denominational secondary schools, additional accommodation will be required at Dalkeith, Lasswade and Newbattle High Schools to meet demand, in association with a strategic review of secondary school catchment area boundaries. Additional capacity at St David's RC High School will also be required.
- 7.22 Policy **COMF4: Leisure and Community Facilities** supports the development of recreational and community facilities identified through application of the SportsScotland Facilities Planning Model, to meet deficiencies which will be exacerbated by the additional housing proposed in proposals HOUS1 and HOUS2. A new community/leisure facility is envisaged at Redheugh/Prestonholm. COMF4 indicates that new facilities will be permitted subject to specific criteria, which relate to the character and scale of the facility, nuisance levels introduced by the proposal, access acceptability, accessibility by means other than private car, preference given to derelict or vacant land within settlement boundaries, ancillary development is acceptable and pollution of water courses is prevented.

- 7.23 Policy **WAST4: Waste Minimisation** seeks facilities for the separation and collection of waste for all new developments which generate waste;
- 7.24 Policy **UTIL2: Telecommunications** sets out that proposals for telecommunications developments should be sited and designed to minimise environmental impact taking into account any local plan policies and proposals.
- 7.25 Policy **IMP1: New Development**, this policy ensures that appropriate provision is made for a need which arises from new development. Of relevance in this case are transport infrastructure, landscaping, public transport connections, including bus stops and shelters, parking in accordance with approved standards, cycling access and facilities, pedestrian access, acceptable alternative access routes, access for people with mobility issues, traffic and environmental management issues, protection/management/compensation for natural and conservation interests affected, archaeological provision and 'percent for art' provision;
- 7.26 Policy **IMP2: Essential Infrastructure Required to enable New Development to Take Place**, states that new development will not take place until provision has been made for essential infrastructure, in particular education provision, and environmental requirements, related to the scale and impact of the proposal. This includes essential roads infrastructure, protecting valuable environmental assets within or adjacent to the site and compensation for any losses including alternative provision where appropriate. In this case the need to upgrade junctions and access arrangements will come through a Traffic Assessment and specific requirements may arise from water and drainage and flood risk assessments;
- 7.27 Policy **IMP3: Developer Contributions Towards Facility Deficiencies** identifies the need for developer contributions from allocated housing sites towards a community/leisure facility for the Redheugh/Prestonholm new community.
- 7.28 Policy **DP2: Development Guidelines** relates all proposals for development within the local plan area. The main topic areas relate to Design, Sustainability, Landscaping, Open Space, Housing (including detailed planning, layout and appearance of new housing developments), Areas of Improved Quality, Accessibility and Parking Provision.
- 7.29 Policy **DP3: Protection of the Water Environment** sets out development guidelines regarding flooding, treatment of water courses, drainage and Sustainable Urban Drainage Systems (SUDS);

### National Policy

- 7.30 **Designing Places, A Policy Statement for Scotland** sets out the six key qualities which are at the heart of good design namely identity, safe and pleasant environment, ease of movement, a sense of welcome, adaptability and good use of resources;
- 7.31 **The Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design;

### Proposed Midlothian Local Development Plan (MLDP)

- 7.32 The proposed Midlothian Local Development Plan does not form part of the development plan for the Council's area however it is a material consideration in relation to a planning application which carries more weight the closer it gets to being adopted. This proposed development plan identifies the land to the immediate west of the site allocated for the new settlement of Redheugh as being suitable for phase two of the new settlement, a further 200 houses. Land further to the west again is also safeguarded in the proposed MLDP for longer term development, completing the new settlement at Redheugh.

## **8 PLANNING ISSUES**

- 8.1 The main planning issue to be considered in determining this application is whether the proposal complies with development plan policies unless material planning considerations indicate otherwise. The consultation responses received are material considerations.

### The Principle of Development

- 8.2 The principle of development of a new settlement is established by its allocation for housing and associated uses within the adopted Midlothian Local Plan. The site has an indicative capacity of 700 dwellings. The current proposal is in principle.

### The Indicative Development Framework

- 8.3 The site comprises in the main open agricultural fields. The proposed development is to build a new settlement, separate from Gorebridge but adjacent to the western boundary. The proposed indicative framework envisages a central hub area adjacent to the existing farm and steading, comprising, in the longer term, a new school with community facilities, small workshop/office units, a 'farm shop', car parking and pitches. Initial stages of the development are envisaged to utilise the new North Gorebridge Primary School, with the new school being built in Redheugh as the capacity in the North Gorebridge School is used up by both this development and other new developments in Gorebridge. This is estimated to be at between 300 and 400 dwellings, but as the development progresses, the position will be kept under review.

- 8.4 The Indicative Development Framework submitted with the application shows a green corridor or linear park running west to east through the development from Arniston Park in Gorebridge to the western extent of the new settlement. It is envisaged that new pedestrian and cycle paths would run through this park to create a well used green link through the new community and linking to the countryside beyond the boundaries of the built form of the new settlement and also linking to Gorebridge. Footpath and cycleways will also link the new community to Newtongrange to the north.
- 8.5 The Indicative Framework states that the principles of the design concept aims to:
- Provide a positive elevation to the A7, including building frontage, footpaths and open space;
  - Reinforce the woodland planting along the southern edge of the site;
  - Retain the existing pedestrian access along Povert Road and associated hedgerows;
  - Reinforce the landscape structure along the Borders Railway corridor;
  - Create new local hub around existing farm buildings in the heart of the new neighbourhood;
  - Provide a new primary school for both the new area and existing settlement;
  - Provide central open space within the new neighbourhood located next to the local hub/school;
  - Maximise the connections and permeability through the new area and into the existing settlement of Gorebridge;
  - Maximise the potential for connection into the surrounding woodland, countryside and core path network;
  - Create a legible network of streets and lanes which provide a sense of character and identity within the new neighbourhood;
  - Provide opportunity for future connections to possible development site at Redheugh West;
  - Create distinct character areas which reflect the positive elements of the site and the existing landscape; and
  - Provide much needed, high quality family housing within Midlothian
- 8.6 The Indicative Framework considers the context of the new development and considers design principles in relation to national and local design guidance and community engagement. The design response examines various design aspects of the development as well as looking at five character areas in more detail. Whilst the general principles of the Masterplan are a sound basis to move forward, there is some concern about more detailed aspects of the document. As such it would be appropriate for the applicant to revise their masterplan to consider the design and form of buildings, the appropriate use of materials, Areas of Improved Quality, the scale of open space

provision, details of pedestrian and cycle links and the issues raised by Network Rail in relation to development in proximity to the rail line. A revised masterplan will provide certainty for future developers/housebuilders, saving time at the detailed planning application stages.

### Access and Transportation Issues

- 8.7 The planning application includes the submission of a Transport Assessment. The TA identifies two main access points into the site. One of which is via Cockpen Road. This road has a speed limit of 60mph, however this would have to be reduced to 40mph to secure a safe access point. This change in speed limit will have to take place in conjunction with localised junction and road improvements.
- 8.9 The developers have argued in their TA that the new road bridge over the Borders Rail line and connecting the first phase of development to the rest of the settlement is not required until the third and final stage of development (at between approximately 435 and 710 new houses). The Council's Policy and Road Safety Manager does not consider that Povert Road, which is the only other road which crosses the railway line and connects residential development in the third phase of the development to that in the first phase, is acceptable for the amount of development proposed. Phasing of the development as proposed in the TA would have a pocket of development between the A7 and the Borders Rail line and a second remote area of development at the northern end of the site and adjacent to Cockpen Road. The community hub and primary school as well as playing fields would be accessible by vehicles only via Povert Road which is considered to be inadequate in terms of width and is only suitable for pedestrians. There would also be a risk that the road bridge would be delayed beyond phase 3 and this new settlement would have inadequate vehicular access from the east to the west of the site. It is therefore appropriate to ensure the new road bridge across the railway is constructed and open after the construction of 135 dwellinghouses (unless an alternative number is agreed with the local planning authority).
- 8.10 Moorfoot Community Council is of the view that the new road bridge should be provided before any development commences on the site. The Council's view is that whilst this is the ideal scenario, in order to allow some development to commence at the site, the development on phase 1 should be allowed prior to the bridge being constructed.
- 8.11 Povert Road is to be closed to vehicular traffic (other than local access) once the new road bridge and road are built. In addition the access track to Redheugh Farm should be closed to vehicular traffic once an alternative access to the farm can be provided from the new road and associated bridge. The junction at Newtonloan Toll is to be improved to introduce a pedestrian phase to the lights. New pedestrian crossings are to be provided across the A7 (to the east of Redheugh Farm and adjacent to the A7/Povert Road junction) and across Cockpen Road.

Public Transport Infrastructure is to be provided in relation to bus stops on the A7. A School Green Travel Plan will be required in association with the proposed new primary school and this will ensure the school has good walking and cycling links. Land is to be safeguarded to allow construction of a new railway station (if required); this can be secured in the section 75 legal agreement.

- 8.12 With regard the junction of the Stobhill Road and the A7, the TA has not identified this junction as being a problem and as such it is not considered appropriate to seek a developer contribution to signalise the junction. If the next phase of the Redheugh development identifies in the TA that the Stobhill Road/A7 junction needs signalising it may be appropriate to take a contribution at this point. It is also not appropriate to ask for developer contributions towards the A7 Environmental Improvement works referred to in the consultation response from The Policy and Road Safety Manager, as these works are not required as part of the 2008 MLP (which allocated the Redheugh site).

### Landscape

- 8.13 The main landscape concerns relating to this development concern the impact of the new development on the landscape and its existing features. The new development needs to be an attractive place to live, with attractive, well located and linked green spaces for new residents. In addition the settlement needs to be permeable with new footways and cycle paths. The existing hedging along Povert Road will be retained, maintained and enhanced. Planting needs to be carried out in an appropriate manner and as early as possible to allow the trees to become established as a quickly as possible.
- 8.14 It is proposed to provide one central well equipped play area, rather than a number of smaller dispersed play areas. This will help to create a sense of community and integration. There should be kick-about areas close to the play area and this provision should be made close to the playing fields and the primary school and community facilities.
- 8.15 The SUDs proposals on this site are shown in the Indicative Development Framework, with SUDs ponds/basins shown close to housing. There is concern that the levels adjacent to the SUDs ponds are too steep with the housing too close to allow the 'extensive areas of marginal planting' referred to in the Landscape and Visual Assessment. This matter will need to be addressed with the SUDs for the whole site being approved before any development commences on the new settlement.
- 8.16 The linear park/green corridor linking Arniston Park, the new Gorebridge North Primary School, the listed Buildings at Redheugh and the Community hub, playing fields and Redheugh Primary School is an important feature of the site. This linear park/green corridor will contain within it footpath and cycleway links across the new development from west to east.



- 8.17 There is some concern about the level of the unnamed watercourse to the north of the site. The information submitted with the application included levels information however the legibility of this information is limited. SEPA have asked for clarification on this issue before development goes ahead. This is to ensure that the development will not be at flood risk and will not increase the flood risk elsewhere.
- 8.18 Details of the SUDs proposals for the whole site require to be submitted prior to development commencing. This will require the contours and details of planting for the SUDs ponds, as described above.

#### Developer Contributions

- 8.19 In accordance with policy HOUS4 the provision of 25% affordable housing is required to be provided on the site. The definition of affordable is set out in the Council's Supplementary Planning Guidance on Affordable Housing. The supplementary guidance provides information on the types of affordable housing that the Council will support in principle and the mechanisms for delivery of the homes. The nature and delivery of the affordable housing requirement would be secured through a Section 75 Legal Agreement.
- 8.20 There is a requirement to provide play facilities for children. An equipped children's play area would need to be provided on site. This would be secured by condition and its maintenance secured by a Section 75 Legal Agreement.
- 8.21 There is a requirement for the provision of Community facilities within the development and it is considered that the school would be the best location for these facilities. This provision can be secured by the legal agreement.
- 8.22 Developer contributions towards and/or the provision of transport infrastructure (including for traffic regulation orders), education provision, affordable housing, land for the rail halt/station, Borders Rail provision, town centre improvements, play provision and a kick about area, maintenance of open space and play equipment and community facilities shall be secured by a Section 75 Legal Agreement.

#### Archaeology

- 8.23 An initial desk based appraisal of the planning application site has been undertaken in order to examine the possible archaeological implications of the proposed development. The proposed development should be the subject of a planning condition requiring a programme of archaeological works.

#### Biodiversity

- 8.24 If the Council is minded to grant planning permission in principle, and given the extensive nature of the proposal, it should be subject to a

condition requiring further detailed survey work is carried out prior to construction work commencing.

### Noise and Vibration

- 8.25 There are a number of uses around the site or proposed on the site including industrial or economic development land, kennels and the rail line, which have the potential to generate noise and vibration which could affect noise sensitive properties (dwellings and the primary school) which are proposed on this site. It is appropriate that conditions are attached to control such potential impacts in the longer term. It is also appropriate that the hours of construction are controlled given the long term and extensive nature of this development.

## **9 RECOMMENDATION**

- 9.1 That planning permission be granted for the following reason:

*The proposed development is in accordance in principle with the adopted Midlothian Local Plan which allocates this site for a new settlement. An appropriate Masterplan for the new settlement can be secured by condition.*

Subject to:

- (i) the prior signing of a legal agreement to secure the provision of affordable housing, education provision, children's play provision, new community facilities, Borders Rail Line contributions and road improvements, as well as works to secure safe routes to schools; and,
- (ii) Subject to the following conditions:

- 1. The development hereby permitted shall be begun within ten years from the date of this permission, or within two years from the date of approval by the planning authority of the last application for matters specified in conditions to be approved. Application for approval of matters specified in conditions shall be made to the planning authority within eight years from the date of this permission. Prior to the development commencing the planning authority shall be notified in writing of the expected commencement of work date and once development on site has been completed the planning authority shall be notified of the completion of works date in writing.

**Reason:** *To accord with Section 59 and 27A of the Town and Country Planning (Scotland) Act 1997 (as amended by Planning etc (Scotland) Act 2006). The statutory three years has been extended because of the long-term nature of the development.*

2. The masterplan submitted with the application is not approved. The details of the development delineated on the Indicative Development Framework Plan (Ref no 13023(PL)001B REV B), dated 18 September 2014 and the Masterplan – Redheugh East Design and Access Statement and dated August 2014 and submitted with the application, are not approved.

**Reason:** *The application is for planning permission in principle only and the details delineated within the masterplan are for illustrative purposes only.*

3. Development shall not begin until an application for approval of matters specified in conditions for a masterplan for the site has been submitted to and approved in writing by the planning authority. The masterplan shall identify how the development addresses the following:
  - i. links between Redheugh East (the application site), Redheugh West and the the long-term safeguarded land to the west of Redheugh West;
  - ii. the form, densities and scale of the built environment;
  - iii. percent for art;
  - iv. areas of improved quality;
  - v. a schedule of anticipated materials
  - vi. site levels;
  - vii. landscaping;
  - viii. areas of open space, the linear park/green corridor and play areas (equipped, informal kick about areas, pitches and informal open space) and their location; and
  - ix. the installation of high speed broadband to the new housing, business and other uses on the site.

**Reason:** *To ensure the development is designed and planned to deliver a coherent community for the benefit of the future occupants.*

4. Development shall not begin until an application for approval of matters specified in conditions regarding the phasing of the development has been submitted to and approved in writing by the planning authority. The phasing schedule shall include the construction of each residential phase of the development, the provision of affordable housing, community facilities, the central hub (retail unit/s and business units) the provision of open space, structural landscaping, SUDS provision and transportation infrastructure, in particular the provision of the road and bridge across the Borders Rail line. The phasing shall show the land between the A7 and the Borders Rail line as phase 1 of the development. Development shall thereafter be carried out in accordance with the approved phasing unless agreed in writing with the planning authority.

**Reason:** *To ensure the development is implemented in a manner which mitigates the impact of the development process on existing land users and the future occupants of the development.*

5. Development shall not begin until an application for approval of matters specified in conditions for a scheme of effective drainage and flood management for the site has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i. a scheme for the Sustainable Urban Drainage for the whole of the site. The scheme shall be developed in accordance with the technical guidance contained in The SUDS Manual (C697) and shall incorporate source control; and
  - ii. levels both existing and proposed for the whole site showing 1m contours and cross sections through the site. This topographic information shall clearly demonstrate that there is a sufficient height difference between the small watercourses (identified in the Kaya Consulting Flood Risk Assessment, dated 2015) and the proposed development. This shall include existing and proposed ground levels, watercourse bank and bed levels, and finished floor levels.

**Reason:** *The planning application is in principle and the details required are to ensure the surface water from the whole site can be appropriately treated and to ensure that levels on the site are appropriate in relation to flood risk.*

6. Development shall not begin on any individual phase of development (identified in compliance with conditions 3 and 4) until an application for approval of matters specified in conditions for a scheme of hard and soft landscaping works for the corresponding phase of development has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i. existing and finished ground levels and floor levels for all buildings, open space, SUDs features and roads in relation to a fixed datum;
  - ii. existing trees, landscaping features and vegetation to be retained; removed, protected during development and in the case of damage, restored. This shall include the retention, protection during construction and inter-planting of the hedging on both sides of Povert Road;
  - iii. proposed new planting in communal areas and open space, including trees, shrubs, hedging, wildflowers and grassed areas, including the details of the means of planting to ensure sufficient soil volumes are allowed to enable new planting particularly in areas of hardstanding to become established;

- iv. location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures, and any acoustic fencing required to comply with noise requirements;
- v. schedule of plants to comprise species, plant sizes and proposed numbers/density, having cognisance to the requirements of Network Rail in relation to planting in proximity to the rail line and the species to be planted ;
- vi. programme for completion and subsequent maintenance of all soft and hard landscaping. The landscaping in the open spaces shall be completed prior to the buildings on adjoining plots being occupied. Any tree felling or vegetation removal proposed as part of the landscaping scheme shall take place out with the bird breeding season (March-August);
- vii. drainage details, watercourse diversions, flood prevention measures and sustainable urban drainage systems to manage water runoff;
- viii. proposed car park configuration and surfacing;
- ix. proposed footpaths and cycle paths (designed to be unsuitable for motor bike use);
- x. proposed cycle parking facilities;
- xi. proposed woodland management plan for any existing, to be retained, and proposed woodland; and,
- xii. details of existing and proposed services; water, gas, electric and telephone.

All hard and soft landscaping shall be carried out in accordance with the scheme approved in writing by the planning authority as the programme for completion and subsequent maintenance (part vi). Thereafter any trees or shrubs removed, dying, becoming seriously diseased or damaged within five years of planting shall be replaced in the following planting season by trees/shrubs of a similar species to those originally required.

**Reason:** The application is in principle and the hard and soft landscaping scheme will ensure the development is acceptable for future residents.

- 7. Development shall not begin on an individual phase of development (identified in compliance with conditions 3 and 4) until an application for approval of matters specified in conditions for the siting, design and external appearance of all buildings and other structures, including electricity substations, for the corresponding phase of development has been submitted to and approved in writing by the planning authority. The application shall include samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures. Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

**Reason:** *To ensure the quality of the development is enhanced by the use of quality materials to reflect its setting in accordance with policies RP20 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

8. Development shall not begin on an individual phase of development (identified in compliance with conditions 3 and 4) until an application for approval of matters specified in conditions for site access, roads, footpaths, cycle ways and transportation movements for the corresponding phase of development has been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i. existing and finished ground levels for all roads and cycle ways in relation to a fixed datum;
  - ii. proposed roads (including turning facilities), footpaths and cycle ways;
  - iii. proposed visibility splays, traffic calming measures, lighting and signage;
  - iv. proposed construction traffic access and haulage routes;
  - v. a green transport plan designed to minimise the use of private transport and to promote walking, cycling and the use of public transport;
  - vi. proposed car parking arrangements;
  - vii. an internal road layout which facilitates buses entering and leaving the site in a forward facing direction;
  - viii. details of 3 metre wide pedestrian/cycling link to be provided to all boundaries of the phase of development and to tie in to the pedestrian cycle links approved in the Masterplan for the whole settlement; and,
  - ix. a programme for completion for the construction of access, roads, footpaths and cycle paths.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

**Reason:** *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

9. Development shall not begin until an application for approval of matters specified in conditions for works to the A7 and the B704 Cockpen Road have been submitted to and approved in writing by the planning authority. Details of the scheme shall include:
  - i. Provision of a new standalone toucan crossing on the A7 to link with the school on the east side of the A7;

- ii. Reduction in the speed limit to 30mph along the A7 and the B704 Cockpen Road as they pass the site or to such other lower speed limit is agreed by the Planning Authority;
- iii. Installation of pedestrian crossing facilities on the Newtonloan Toll signalised junction;
- iv. A new signalised pedestrian crossing located to the immediate east of the B704 Cockpen Road/Butlerfield Industrial Estate priority junction;
- v. A new signal controlled pedestrian crossing in the vicinity of the A7/Povert Road junction;
- vi. Two new vehicular access points on the A7 and onto Cockpen Road, including signage and lighting;
- vii. Details of the closure of the access road to Redheugh Farm and the bridge carrying Povert Road to all but pedestrian and cycle traffic and for local access for vehicles only; and ,
- viii. A programme for completion for the construction of access, roads, footpaths, cycle paths and crossings and for road closures and for the works to the signalised junction at Newtonloan Toll.

Development shall thereafter be carried out in accordance with the approved details or such alternatives as may be agreed in writing with the planning authority.

***Reason:*** *To ensure the future users of the buildings, existing local residents and those visiting the development site during the construction process have safe and convenient access to and from the site.*

- 10. Development shall not begin until an application for approval of matters specified in conditions for a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved in writing by the planning authority. The scheme shall contain details of the proposals to deal with any contamination and/or previous mineral workings and include:
  - i. the nature, extent and types of contamination and/or previous mineral workings on the site;
  - ii. measures to treat or remove contamination and/or previous mineral workings to ensure that the site is fit for the uses hereby approved, and that there is no risk to the wider environment from contamination and/or previous mineral workings originating within the site;
  - iii. measures to deal with contamination and/or previous mineral workings encountered during construction work; and,
  - iv. the condition of the site on completion of the specified decontamination measures.

Before any part of the site is occupied, the measures to decontaminate the site shall be fully implemented as approved by the planning authority.

**Reason:** *To ensure that any contamination on the site is adequately identified and that appropriate decontamination measures are undertaken to mitigate the identified risk to site users and construction workers, built development on the site, landscaped areas, and the wider environment.*

11. Development shall not begin until an application for approval of matters specified in conditions for details, including a timetable of implementation, of 'Percent for Art' have been submitted to and approved in writing by the planning authority. The 'Percent for Art' shall be implemented as per the approved details.

**Reason:** *To ensure the quality of the development is enhanced by the use of art to reflect its setting in accordance with policies IMP1 and DP2 of the Midlothian Local Plan and national planning guidance and advice.*

12. Development shall not begin until an application for approval of matters specified in conditions for a programme of archaeological works (Metal Detector Survey and Evaluation) and scheme of investigation has been submitted to and approved in writing in by the planning authority. The approved programme of works shall be carried out by a professional archaeologist prior to any construction works, demolition or pre commencement ground works take place unless otherwise agreed in writing by the planning authority.

**Reason:** *To ensure this development does not result in the unnecessary loss of buried archaeological material in accordance with Policy RP28 of the Adopted Midlothian Local Plan.*

13. Development shall not begin until an application for approval of matters specified in conditions for Ecology including bat and badger mitigation measures has been submitted to and approved in writing in by the planning authority. The application shall include separate bat and badger surveys undertaken by a suitably qualified ecologist. The bat and badger surveys shall cover the site and land bounding the site application and shall include recommended mitigation measures.

**Reason** *In the interests of safeguarding bats and badgers*

14. No development shall commence on any phase of development beyond phase 1, prior to the construction of the new road and road bridge over the Borders Rail line connecting the A7 with the residential development to the west of the Borders Rail line.



Phase 1 comprises the housing development hereby approved in principle and located between the A7 and the Borders Rail line. The maximum number of dwellinghouses on the first phase of development is 135, unless another maximum number of dwellinghouses on this first phase is agreed by a grant of planning permission or matters specified in conditions application.

**Reason:** To ensure the new community is developed in a logical and cohesive manner that allows for vehicular access between housing to the east and north of the new settlement and between residential development and the school and community facilities. Povert road is unsuitable to serve any more than the initial phase of development and in the longer term is to be used for pedestrian and local access only.

15. No overhead wires, cables or telecommunication masts shall be introduced onto the site without the prior written approval of the planning authority.

**Reason:** To ensure that the appearance of the development is not spoiled by over-head power lines, wires and telecommunication masts in accordance with Policy UTIL2 of the Midlothian Local Plan.

16. No construction, engineering or other works shall take place out with the hours of 8.00am to 7.00pm on Mondays to Fridays and 8.00am to 1.00pm on Saturdays unless otherwise agreed in writing by the planning authority.

**Reason:** To minimise disturbance to nearby residential properties from noise, construction traffic and other pollution.

17. All fixed plant / machinery noise shall comply with the following:-

Night time (22:00 – 07:00 hrs) NR25 (internal, open window)  
Day time (07:00 - 22:00 hrs) - NR30 (internal, open window)

18. For commercial, industrial, leisure noise affecting residential use (existing or proposed), noise levels shall comply with BS 4142 - rating level less than +5dB above an agreed representative  $L_{A90}$ . External measurement set up shall be as per BS 4142.

Representative  $L_{A90}$  value and measurement locations shall be agreed in writing by the Planning Authority.

19. In relation to all environmental, commercial, leisure sources the internal noise level shall comply with the World Health Organisation Night Noise Guidelines for Europe 2009 - 42 dB  $L_{Amax}$  (fast) (internal) for the avoidance of sleep disturbance.

18. Midlothian Council design standards for residential use, in relation to anonymous noise sources are as follows and they shall be complied with on this site:
  - 50 dB  $L_{Aeq(1hr)}$  for daytime external garden amenity
  - 35 dB  $L_{Aeq(1hr)}$  for daytime internal living apartment
  - 30 dB  $L_{Aeq(5 mins)}$  for night time internal living apartment (excluding fixed plant controlled by NR25 or NR20 if tonal).
19. In terms of vibration from train movements, the vibration dose value in terms of BS 6472-1:2008 Guide to Evaluation of Human Exposure to Vibration in Buildings shall not exceed the low probability of adverse comment day and night-time values of 0.2 to 0.4  $m.s^{-1.75}$  and 0.1 to 0.2  $m.s^{-1.75}$  respectively. Measurement locations shall be submitted to and approved in writing by the planning authority.
20. Noise levels in relation to the new proposed primary school shall comply with Building Bulletin 93: Acoustic Design of Schools.
21. With regard to construction site operations the following noise levels shall be met 70 dB  $L_{Aeq(12hr)}$  (façade), with BPM at all times in accordance with BS5228 guidance. During construction Best Practicable Means shall be utilised at all times in accordance with BS5228 guidance.
22. In relation to piling operations during construction, the following noise levels shall be met:
  - 75 dB  $L_{Aeq(1hr)}$  (façade)
  - 80 dB  $LA_{01}(1hr)$  (façade)

During Construction Best Practicable Means shall be utilised at all times in accordance with BS5228 guidance.

***Reason for conditions 16 to 22:*** To prevent noise or vibration levels from adversely affecting the occupants of noise sensitive properties at the site.

**Ian Johnson**  
**Head of Communities and Economy**

**Date: 10 November 2015**

**Application No:** 15/00045/PPP (Available online)  
**Applicant:** Old Road Securities plc  
**Agent:** EMA Architecture and Design Limited  
**Validation Date:** 19 January 2015  
**Contact Person:** Ms Joyce Learmonth  
**Tel No:** 0131 271 3311  
**Background Papers:** 15/00045/PPP