

APPLICATION FOR PLANNING PERMISSION 13/00752/DPP FOR THE ERECTION OF 63 DWELLINGHOUSES AND THE FORMATION OF ASSOCIATED ACCESS ROADS AND SUSTAINABLE URBAN DRAINAGE (SUDS) AT LAND TO THE SOUTH WEST OF CEMETERY ROAD, ROSEWELL.

Report by Head of Communities and Economy

1 SUMMARY OF APPLICATION AND RECOMMENDED DECISION

- 1.1 The application is for the erection of 63 dwellinghouses and the formation of associated access roads and a sustainable urban drainage system (SUDS) at land to the southwest of Cemetery Road, Rosewell. There has been one letter of representation and consultation responses from the Rosewell & District Community Council, the Scottish Environment Protection Agency (SEPA), Scottish Water, East Lothian Archaeological Service, the Council's Policy and Road Safety Manager and the Head of Education. The relevant development plan policies are RP5, RP20, RP27, RP28, HOUS1, HOUS4, IMP1, IMP2, IMP3 and DP2 of the Midlothian Local Plan. The recommendation is to grant planning permission subject to conditions and securing developer contributions.**

2 LOCATION AND SITE DESCRIPTION

- 2.1 The site comprises an agricultural field allocated for housing in the adopted Midlothian Local Plan as site H11 - Gortonlee, Rosewell with an indicative capacity of 50 units.**
- 2.2 The site is bounded by a brick wall of Hawthornden cemetery to the north; a brick boundary wall of Category B listed St Matthew's Parish Church to the west and Cemetery Road with an agricultural field beyond to the east. Cemetery Road cuts through the landform leaving steep sided roadside embankments which incorporate a small number of self-seeded trees scattered along the development side of the road, while the roadside on the opposite side is delineated by hedgerow planting (50% of which is hawthorn hedge and the other 50% is a mixed beech and hawthorn hedge with trees). The field on the opposite side of the road is identified as part of the preferred strategy for housing in the Midlothian Local Development Plan Main Issues Report (MIR). Carnethie Street bounds the site to the south. The roadside boundary with Carnethie Street is demarcated by a well-established hedge interspersed with trees.**

3 PROPOSAL

- 3.1 The proposed development is for the erection of 55 dwellinghouses and eight flatted dwellings and the formation of associated access roads and sustainable urban drainage system (SUDS). All of the proposed buildings are two-storey. No details of proposed external finishing materials have been submitted.
- 3.2 Thirteen house types and one flat type are proposed. The dwelling mix includes 29 detached houses, 2 semi-detached houses, 24 terraced houses and 8 flats. The eight flatted dwellings comprise two pairs of semi detached blocks. There are to be eight 2 bedroom units, twenty two 3 bedroom units and thirty three 4 bedroom units.
- 3.3 Two vehicular accesses are proposed off Cemetery Road. Two separate pedestrian/cycleways are also proposed through the open space at the southern end of the site connecting to Carnethie Street. One of the pedestrian/cycleways connects to the existing bus stop and bus shelter on Carnethie Street. A further pedestrian/cycleway is proposed from the site to the grassed area of land adjoining the site to the north west of the site.
- 3.4 A landscaped open space is proposed on the southern part of the site which will have a frontage onto Carnethie Street. It would comprise a kick about pitch in its centre. A SUDS pond and an underground filter trench are to be provided on the western end of the open space.

4 BACKGROUND

- 4.1 Pre Application consultation 10/00320/PAC for a residential redevelopment was received in July 2010.

5 CONSULTATIONS

- 5.1 The **Head of Education** advises that a development of 63 dwellings would result in the following number of pupils:

Primary Non Denominational	18
Primary Denominational	2
Secondary Non denominational	13
Secondary Denominational	1

- 5.2 Primary Non-Denominational: Provision will be at Rosewell Primary School. The applicants will be required to make a developer contribution towards the extension of Rosewell Primary School.
- 5.3 Primary Denominational: Provision will be at St Matthew's RC Primary School which currently has sufficient capacity for the development.

- 5.4 Secondary Non-Denominational: A significant amount of new housing has already been allocated to Lasswade High School and as such an extension to the school would be required as a consequence of the development. A developer contribution would be required towards the cost of this extension.
- 5.5 Secondary Denominational: Currently, for all housing developments within Midlothian, a contribution of £135 per house for St David's High School is required.
- 5.6 The Council's **Policy and Road Safety Manager** has requested further access, parking, footpath, SUDS and public transport infrastructure details and a Green Travel Plan. These details can be covered by condition.
- 5.7 The **Scottish Environment Protection Agency (SEPA)** initially objected to the application on the grounds of lack of information in respect of surface water drainage and potential impact on the water environment. They subsequently removed their objection following the submission of additional information on drainage submitted by the applicant's agent. They highlight that the applicant should ensure that the calculated retention time is taken into account when considering the SUDs basin outfall and the alignment of the swale outfall discharging into the SUDS basin.
- 5.8 **Scottish Water** does not object to the application. Although they advise that they cannot guarantee a connection to their infrastructure they inform that Glencorse Water Treatment Works has limited capacity available for new demand and that the developer should discuss their requirements directly with Scottish Water.
- 5.9 **Rosewell & District Community Council (RDCC)** makes the following comments:
- (i) The development will inevitably affect the setting of the Category B-listed St Matthew's RC Church adjacent to the site, but acknowledge that it is not a statutory requirement for Historic Scotland to be consulted on planning applications for development affecting the setting of Category B listed buildings;
 - (ii) Ground movement during investigative and construction work could affect the fabric of the Church. They acknowledge that this is a legal matter and not a planning matter and therefore not a material consideration in the determination of the planning application;
 - (iii) The RDCC is happy with the design of the development, which conforms to the Designing Streets policy guidelines. However, it requests that the design of the houses fronting Carnethie Street are sympathetic to the existing cottages opposite the development;
 - (iv) The RDCC is pleased that there will be some affordable housing provision;

- (v) To help foster community integration, the RDCC considers that it would be beneficial if the toddlers' play area delineated on an application drawing as being provided in the development could also be enjoyed by existing local children;
- (vi) Residents are naturally concerned that sewerage issues are effectively addressed;
- (vii) There is a risk of subsidence to existing properties arising from ground movement incurred during site investigations, preparation of the site, construction work and routes taken by HGV site traffic. For this reason, HGV site traffic should access the site only from the A6094 Rosewell Bypass entrance on to Carnethie Street (Bonnyrigg direction) and no HGVs should enter the main village streets;
- (viii) The RDCC has concerns about the future increase in traffic emanating from other consented and proposed development in the vicinity of the site. In addition, there is a concern that increased use of the Roslin Glen Road could lead to further subsidence – the RDCC says that cracks have already appeared on this road following expensive repair work;
- (viii). Rosewell has a limited bus service and no night bus service, and residents incur expensive taxi fares if they do not wish to rely on private transport outwith scheduled bus times;
- (ix) Broadband speeds are extremely slow and will not be an inducement to new residents considering purchasing properties in Rosewell;
- (x) The development raises questions over how and when developer contributions will be utilised;
- (xi) The village has no community centre and this has made it very difficult to encourage integration between new and existing residents. This problem will only worsen as new developments are built. It is important that Rosewell retains its village atmosphere, albeit that significant new development is proposed. A community hub will go a long way to addressing this important issue. Therefore a developer contribution should be sought towards this community facility.

5.10 East Lothian Archaeological Service informs that the site is within an area which contains a number of known prehistoric remains including two scheduled monuments. Although there has been no archaeological work carried out on the proposed site, the archaeological remains throughout the area suggest that archaeological remains may be encountered during groundbreaking operations. Consequently any archaeological remains that may survive *in situ* could provide important information about the known prehistoric remains in the area. Any groundbreaking works carried out as part of the development process are considered as having a potential archaeological impact and require a suitable mitigated response. It is therefore recommend that a Programme of Archaeological Works (Archive Assessment and Evaluation) should be carried out at the site by professional archaeologists. The area to be investigated should be

no less than 5% of the total site area. This can be secured by a condition imposed on a grant of planning permission.

6 REPRESENTATION

6.1 One representation has been received in relation to the application. The issues raised are as follows:

- Potential damage to neighbouring buildings resulting from ground movement/vibrations associated with the movements of heavy construction vehicles during periods of construction;
- Existing problems of subsidence within the village;
- Harm to the rural setting of the village;
- Will diminish the market value of houses in the northern part of the village;
- Construction vehicles should only be permitted to enter and egress the site from Cemetery Road, via the Rosewell A6094 and not through the village or from an access formed off Carnethie Street; and
- The impact of the development on broadband speeds.

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:

Midlothian Local Plan

- 7.2 Policy **RP5: Woodland Trees and Hedges** does not permit development that would lead to the direct or indirect loss of woodland which has a particular value in terms of amenity, nature conservation, recreation, landscape character or shelter.
- 7.3 Policy **RP20: Development within the Built-up Area** states that development will not be permitted within the built-up area where it is likely to detract materially from the existing character or amenity of the area.
- 7.4 **Policy RP27: Other Important Archaeological or Historic Sites** states that development will not be permitted where it could adversely affect an identified regionally or locally important archaeological or historic site or its setting unless the applicant can show that: (A) there is a public interest to be gained from the proposed development which outweighs the archaeological importance of the site; (B) there is no alternative location for the proposal; and, (c) the proposal has been sited and designed to minimise damage to the archaeological interest.

- 7.5 **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.
- 7.6 **Policy HOUS1: Strategic Housing Land Allocations (Proposal)** states that housing development to meet strategic housing land requirements will be permitted on sites identified in the Local Plan provided they accord 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.
- 7.7 **Policy HOUS4: Affordable Housing** requires that on residential sites allocated in the 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, for sites of 50 units or over.
- 7.8 **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.
- 7.9 **Policy IMP2: Essential Infrastructure required enabling New Development to Take Place**, states that new development will not take place until provision has been made for essential infrastructure 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.
- 7.10 **Policy IMP3: Developer Contributions Towards Facility Deficiencies** states that in addition to the essential infrastructure requirements set out in policy IMP1, contributions will be required for proposal HOUS1 and HOUS2 developers to remedy any deficiencies in local facilities and amenities identified within the community which result from the additional housing, including leisure, local shops (subject to favourable assessments of prospects for community viability) and open space. Legal agreements will be used to secure the appropriate developer contributions. For allocated housing sites in Rosewell, contributions will be sought towards a community facility.

- 7.11 Policy **DP2: Development Guidelines** sets out Development Guidelines for residential developments. The policy states the standards that should be applied when considering applications for dwellings.

National Policy

- 7.12 **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.
- 7.13 **The Scottish Government's Policy on Architecture for Scotland** sets out a commitment to raising the quality of architecture and design.

8 PLANNING ISSUES

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

The Principle of Development

- 8.2 The principle of residential development on this site is established by its allocation for housing within the adopted 2008 Midlothian Local Plan (MLP), with an indicative capacity of 50 units. This indicative figure reflects an aspiration to retain views of the listed church buildings from Carnethie Street, which requires careful attention in the layout and landscaping treatment of the development.

Layout and Form of the Development

- 8.3 The site consists of a field which has been allocated for housing in the local plan. The landform of the site is domed shaped which makes it sit prominently in the landscape. The proposed development is for 63 dwellings with an average density of 20 dwellings per hectare. This equates to a density appropriate to an edge of a village location.
- 8.4 The distances between properties and the size of the rear gardens of the houses are in general compliance with the spatial standards set by MLP policy DP2. The arrangement of buildings, disposition of open space and scale and massing of the proposed development is acceptable. The development has been designed to include a series of cul-de-sacs and loops, some of which are laid out with 5.5 metre wide shared surfaces in block paving with 2 metre wide grassed service strips/verges on both sides. Shared surfaces encourage reduced vehicle speeds as motorists perceive that they do not have priority over any other users of the road space.

- 8.5 With a few exceptions the distances between properties are in compliance with Policy DP2. The exceptions are: (i) the rear to gable distance of the houses on plot 02 and plot 03, which is 1 metre short of the 16 metre separation distance set down by policy DP2; (ii) the rear to gable distance of the houses on plots 25 and 27 which is 12 metres and thus some 4 metres short of that set down by policy DP2; and, (iii) the rear to rear distance of the houses on plots 19, 20 and 21 is 1 metre short of the 25 metre separation distance set down by policy DP2. These distances are not significantly below the policy standard and would not result in significant harm to the amenity of the future occupants of the houses. Twenty five houses on the site have rear gardens smaller than the policy standard. The majority of these houses are terraced houses and fall only marginally below the minimum size. 10 of these units front onto the open space, which provides adequate compensation for the reduction in private garden space. The small size of the gardens in these plots has to be balanced with the much larger gardens provided elsewhere on the site, a factor adding to the divergence of character between different parts of the site required to create an interesting place.

Residential amenity and Open Space

- 8.6 The development incorporates a landscaped open space and SUDS basin on the southern end of the site, providing a key useable focal point in the development and retaining important views of the church. The size of the open spaces meets the minimum size required by policy DP2. Front elevations of properties overlook the open space and SUDS basin thus providing passive surveillance of it.
- 8.8 In terms of their size, height and positions on the site the proposed buildings; all of which are two-storey in height, would not unduly impose themselves or appear obtrusive within the street scene. In respect of the relationship of the proposed development with existing surrounding properties, the proposed buildings are so removed from existing neighbouring houses so as not to give rise to any demonstrable harm to their residential amenity.
- 8.9 The SUDs proposals as delineated on the application drawings are acceptable and comprise an underground attenuation storage area under the open space.

Design and Materials

- 8.10 MLP policy DP2 requires that there be an added emphasis on the quality in design of a minimum of 20% of the dwellings on the site. This applies to individual buildings and the use of materials both in building finishes and also in walls and ground surfaces. The expectation is that such treatment is focused on prominent landmark groups or key individual buildings. The terraced and detached houses fronting onto the open space (plots 32-40 and 42-47) are prominently positioned on

the site and should comprise the area of improved quality in terms of both design and materials. The style and appearance of the buildings on these plots are relatively traditional, which is in keeping with the established character and amenity of the area. Materials in the Area of Improved Quality (AIQ) should be slate or clay tiles, wet dash render, and stone detailing for quoins, window and door surrounds, lintels and sills. Stone or smooth/high quality reconstituted stone shall be used for any underbuilding and window frames shall be timber or UPVC.

- 8.11 Elsewhere within the development, out with the aforesaid plots the relatively traditional architectural style of the proposed houses is sympathetic to the neighbouring buildings in Rosewell. Accordingly, in terms of architectural style the proposed houses would not harm the character or visual amenity of the area. In order that the external finishes of the buildings are appropriate to the development and its location it should be made a condition of a grant of planning permission that samples are submitted for the prior approval of the Planning Authority.
- 8.12 The proposed electricity substation is prominently positioned on the southern end of the open space. No details of its appearance have been submitted with the application. To safeguard the character and amenity of the area it can be made a condition of a grant of planning permission that it be housed in a building finished in materials to be approved in advance by the Planning Authority.
- 8.13 No details of 'percent for art' for the development have been submitted with the application. It can be made a condition of a grant of planning permission that details of artwork be submitted for the prior approval of the Planning Authority.

Transportation Issues

- 8.14 The development will have the capacity to be safely and conveniently accessed by private modes of transport and service vehicles. The existing road network is of a sufficient standard to cope with the increase in use resulting from the proposed development. Parking provision meets the Council's standard of 150%. Suitable access and turning has been provided for service vehicles.
- 8.15 Adequate cycle and pedestrian links have been provided through the site. Cycle parking is required to be provided for the proposed flats with cycle lockers being located in rear garden areas.
- 8.16 Rosewell is presently served by the No.49 Lothian Region Transport bus service. It is a frequent service running every 15 minutes during peak times and during the day, and every 30 minutes off-peak and in the evenings.

Developer Contributions

- 8.17 In accordance with policy HOUS4 the provision of 25% affordable housing is required to be provided on the site. The housing tenure and the delivery of the affordable housing requirement will be secured through a Section 75 legal agreement.
- 8.18 The development cannot be accommodated without increased primary and secondary educational capacity and, if approved, the applicant will be required to contribute towards the consequential cost of any additional school accommodation as part of the Section 75 legal agreement.
- 8.19 Through an amendment made to the current application and through negotiations with the applicant, the originally proposed toddlers play area on the site has been deleted from the scheme. In lieu of on-site children's play equipment a developer contribution will be sought for improving the play provision within the nearby Rosewell Park. Improving the equipment within the nearby Rosewell Park in lieu of an on-site provision adheres to the Council's Play Strategy and will allow more room to accommodate an informal kick about area on the open space. The delivery of the children's play provision can be secured as part of the Section 75 legal agreement.
- 8.20 A developer contribution is also required towards a community facility/community space. There are options for the delivery of this facility including improvements to the existing pavilion in Rosewell or the provision of a community hub in Rosewell.
- 8.21 Policy IMP2 also identifies the requirement for developer contributions from new housing allocations towards the reopening of the Borders Rail Line.

Other Matters raised by Representors and Consultees

- 8.22 Issues raised by the representors have been largely addressed above. With regards to the matters raised in the letter of objection and not addressed above:
- 8.23 Damage to neighbouring buildings as a result of ground movement/vibrations associated with the movements of heavy construction vehicles, subsidence within the village, the market value of existing residences in the village and broadband speeds are not planning matters and therefore not material considerations in the determination of the planning application.

9 RECOMMENDATION

9.1 That planning permission be granted for the following reason:

The site is allocated for housing in the adopted Midlothian Local Plan (2008). The proposed scheme of development by means of its siting, form and design also accords with the provisions of the adopted Midlothian Local Plan. The presumption for development is not outweighed by any other material consideration

Subject to the prior signing of a legal agreement to secure the provision of affordable housing and securing developer contributions towards education provision, the Borders Rail Line, children's play provision and community/leisure facilities.

Subject to the following conditions:

1. 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, the provision of open space, the SUDS provision and transportation infrastructure. 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.*

2. Development shall not begin until details of a scheme of hard and soft landscaping 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 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;
 - iii proposed new planting in communal areas and open space, including trees, shrubs, hedging, wildflowers and grassed areas;
 - iv location and design of any proposed walls, fences and gates, including those surrounding bin stores or any other ancillary structures;
 - v schedule of plants to comprise species, plant sizes and proposed numbers/density;

- 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 houses/buildings on adjoining plots are 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; and
- xi proposed area of improved quality.

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

3. Development shall not begin until temporary protective fencing is erected around all trees on the site to be retained. The fencing shall be positioned in circumference to the trunk at a distance from it which correlates to the trees canopy unless otherwise agreed in writing with the local planning authority. No excavation, soil removal or storage shall take place within the enclosed area.

Reason: *To ensure the development does not result in the loss or damage of a tree which merits retention in accordance with policies RP5 and RP20 of the Midlothian Local Plan and national planning guidance and advice.*

4. Development shall not begin until samples of materials to be used on external surfaces of the buildings; hard ground cover surfaces; means of enclosure and ancillary structures have been submitted to and approved in writing by the planning authority. An enhanced quality of materials shall be used in the area of improved quality. Development shall thereafter be carried out using the approved materials 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.*

5. Development shall not begin until 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.*

6. Development shall not begin until details of the site access, roads, footpaths, cycle ways and transportation movements 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 vehicular, cycle and pedestrian access;
- iii proposed roads (including turning facilities), footpaths and cycle ways;
- iv proposed visibility splays, traffic calming measures, lighting and signage;
- v a green transport plan designed to minimise the use of private transport and to promote walking, cycling, safe routes to school 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; and
- viii 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.*

7. Development shall not begin until a scheme to deal with any contamination of the site and/or previous mineral workings has been submitted to and approved 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 for residential purposes, 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.*

8. Development shall not begin until a scheme of archaeological investigation has been undertaken in accordance with details submitted to and approved in writing by the planning authority. The investigation shall include an archive assessment and an evaluation of no less than 5% of the total site area.

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

9. No house shall have an under-building that exceeds 0.5 metres in height above ground level unless otherwise agreed in writing by the planning authority.

Reason: *Under-building exceeding this height is likely to have a materially adverse effect on the appearance of a house.*

10. All construction, HGV and delivery vehicles associated with the development or visiting the site shall only access and egress the site from the new accesses, to be formed off Cemetery Road, hereby approved, via the A6094 Rosewell Bypass entrance onto Carnethie Street (northern junction travelling towards Bonnyrigg). No construction, HGV and delivery vehicles associated with the development or visiting the site shall travel south through the village along Carnethie Street.

Reason: *in the interests of road safety and the amenity of the existing residents of Rosewell.*

Ian Johnson
Head of Communities and Economy

Date: 15 April 2014

Application No: 13/00752/DPP (Available online)
Applicant: Banks Property Development Limited and
Miller Homes Limited
Validation Date: 11 November 2013
Contact Person: Adam Thomson, Senior Planning Officer
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Background Papers: File 10/00320/PAC can be viewed online.