



**MINUTES OF THE MEETING OF THE
PLANNING COMMITTEE**

**TUESDAY 10 JANUARY 2017
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor N Hampshire (Convener)
Councillor D Berry
Provost L Broun-Lindsay
Councillor S Brown
Councillor J Caldwell
Councillor S Currie
Councillor T Day
Councillor A Forrest
Councillor J Gillies
Councillor J Goodfellow
Councillor D Grant
Councillor P MacKenzie
Councillor K McLeod
Councillor J McMillan
Councillor J McNeil
Councillor T Trotter
Councillor J Williamson

Other Councillors Present:

Councillor M Veitch

Council Officials Present:

Ms M Ferguson, Service Manager – Legal and Procurement
Mr I McFarlane, Service Manager – Planning
Mr E Bean, Planner

Clerk:

Ms F Currie

Visitors Present:

Item 2 – Ms K Davison, Mr M Lloyd

Apologies:

Councillor W Innes

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – PLANNING COMMITTEE 6 DECEMBER 2016

The minutes of the meeting of the Planning Committee of 6 December 2016 were approved.

2. PLANNING APPLICATION NO. 16/00794/P: ALTERATIONS TO HOUSE AND ERECTION OF WALL AT 5 STANLEY PLACE, DUNBAR

A report was submitted in relation to Planning Application No.16/00794/P. Edward Bean, Planner, presented the report, summarising the key points. The proposed decision set out in the report was to grant consent.

In response to a question from Councillor Day, Ms Ferguson confirmed that matters relating to rights of access were not material to the Committee's consideration of the planning application.

Karen Davison, the applicant, outlined her case. She stated that her application was seeking to reinstate a boundary wall which had existed up to 2008 or later, and that the position of the wall to the rear of properties would not be readily visible from any public area. She added that the proposed construction would not be harmful to the character and appearance of the house or the conservation area and would be in keeping with the walls that already existed at other properties within Stanley Place and Rosebery Place.

Responding to a question from Councillor Goodfellow Mr McFarlane clarified the position regarding permitted development rights and how these related to applications within a conservation area.

Mike Lloyd spoke against the application. He stated that, in his view, the wall would change the character of the conservation area. It would be higher than any other wall in the surrounding gardens, would be readily visible from public areas and would transform the nature of the boundary blocking light from his garden and causing damp. He concluded that, if there must be a wall, he would prefer it to be of a lower height and topped with a trellis.

Mr Lloyd responded to a question from Councillor Day advising that the old boundary fence had blown down during a storm. He added that, following discussion and agreement with the previous owner of No. 5, the fence had been replaced with a beech hedge.

Local Member Councillor Veitch said that he had called in the application in response to local concerns about proposals for the wall. While he supported the majority of the application, he considered the proposed wall to be inappropriate and potentially detrimental to the amenity of the conservation area. He urged Members not to refuse the application but to seek, by conditions, a reduction in the wall height and a change to the building materials.

Councillor Day agreed that, in planning terms, the key issue was the impact on the conservation area. However, he considered the proposals for the wall to be acceptable and would be supporting the report recommendation.

Provost Broun-Lindsay commented that the existing beech hedge was already two metres high and, in his opinion, when fully mature would be no less pervious than a wall. For this reason he would be supporting the application.

Councillor Currie was satisfied that the planning officer had addressed all of the relevant planning considerations within his report and had concluded, on balance, that the application should be granted. He could find no reason to go against this advice and would be supporting the report recommendation.

Councillor McNeil noted that the key point of debate appeared to be the wall rather than the other aspects of the application. He thanked both parties for their presentations and said he would be supporting the report recommendation.

The Convener brought the discussion to a close. He reminded Members that issues around rights of access were not relevant to the Committee’s decision and, in his opinion; there were no planning grounds for refusal of the application. He would be supporting the recommendation to grant planning permission as set out in the report.

The Convener moved to the vote on the report recommendation to grant consent:

For: 16
Against: 1
Abstentions: 0

Decision

The Committee agreed to grant planning permission subject to the following conditions:

- 1 The roof windows to be installed in the west facing roof slope elevation, the east facing roof slope elevation, and the north facing roof slope elevation of the rear projecting component of the building shall be installed in a manner that ensures that their upper surface is as near flush as possible with the upper surface of the roof into which they will be installed and with minimum flashing.

Reason:
To reduce the visual impact of the roof windows in the interest of safeguarding the character and appearance of the Conservation Area.
- 2 The external timber frames of the replacement windows within the front and rear elevations of the house hereby approved shall have a white painted finish.

Reason:
To safeguard the character and appearance of the house and that of the Conservation Area.
- 3 The external timber frames of the glazed openings to be formed at attic level within the rear elevation of the house hereby approved shall have a white painted finish.

Reason:
To safeguard the character and appearance of the house and that of the Conservation Area.
- 4 Prior to the installation of the Juliet Balcony hereby approved a sample of the powdercoat finish to be applied to it shall be submitted to and approved in advance by the Planning Authority. The finish shall accord with the sample so approved.

Reason:
To safeguard the character and appearance of the house and that of the Conservation Area.

Signed

Councillor Norman Hampshire
Convener of the Planning Committee