

REPORT TO: Planning Committee

MEETING DATE: Tuesday 6 June 2017

BY: Depute Chief Executive (Partnership and Community Services)

SUBJECT: Application for Planning Permission for Consideration

Note - this application was called off the Scheme of Delegation List by David Berry, former Councillor for North Berwick Coastal Ward, for the following reasons: there is significant local concern that any development in this sensitive conservation area should go to Committee for a decision.

Application No. 17/00180/P

Proposal Erection of clock totem structure (retrospective)

Location Land Adjacent To North Berwick Golf Clubhouse
Beach Road
North Berwick
East Lothian
EH39 4BB

Applicant The North Berwick Golf Club

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

North Berwick Golf Club is located on the north side of North Berwick and runs for some 2.3 miles along the coast from the west end of Beach Road to the west end of Abbotsford Road.

This application relates to an area of Golf Club land that is between the starter's box and the professional golf shop of North Berwick Golf Club. The area of land is also located in close proximity to the first tee of the golf course. The site is within the North Berwick Conservation Area.

Planning permission is retrospectively sought for a totem clock that has been erected on the application site. The totem clock structure has an overall height of 2.8 metres, a width of 1.2 metres and a depth of 0.14 metres. The clock mechanism is recessed within the top half of the totem. The clockmaker's branding is also featured on the totem which is composed of a black-coloured aluminium material.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that this application for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Plan 2008.

Policy 1B (The Spatial Strategy: Development Principles) of the South East Scotland Strategic Development Plan (SESplan) and Policies DP2 (Design) and ENV4 (Development within Conservation Areas) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Material to the determination of the application are Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Scottish Government's policy on development within a conservation area given in Scottish Planning Policy: June 2014.

Scottish Planning Policy echoes the statutory requirements of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 that a planning authority must have regard to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising its responsibilities in the determination of any application for planning permission for development affecting a conservation area. It is stated in Scottish Planning Policy that proposed development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character and appearance of the conservation area should be treated as preserving its character and appearance.

Seventeen objections have been received to the application. Objections relate to the design and scale of the totem clock structure, its impact on the character and appearance of the Conservation Area and its illuminated nature. The need for an additional clock near the starters box is questioned. Objection is also made with regards to the use of branding on the totem which it is considered constitutes an advertisement.

In respect of the latter reason for objection, the totem clock displays the name of the clock manufacturer. However the principal use of the structure is as a clock, and not as an advertisement for the clock manufacturer. The structure therefore is development that requires planning permission.

The North Berwick Community Council raise objection to the totem clock. They are of the opinion that the structure is inappropriate within its sensitive setting and that the structure comprises of subliminal advertising. They are also opposed to the internal illumination of such structures.

In its position, the totem clock is visible within public views from the surrounding area. As part of the determination of the application, an assessment of the impact of the structure from surrounding viewpoints has been undertaken. In this regard, when viewed from the public road of Links Road, the totem clock is seen in the context of the golf course and its existing built development and as such does not cause undue harm to the overall character and appearance of the area. When viewed from the east along the John Muir Way footpath, views of the clock totem are partly obscured by the starters box, and where the structure is visible, it is side on, and as such the slender depth of the structure at 0.14 metres means that it is not unduly prominent within the surrounding area. Furthermore, when viewed from the public right of way along the beachfront to the north, the totem clock is seen against the backdrop of properties along Links Road and

Pointgarry Road to the south and as such again does not appear as unduly prominent. In conclusion, the totem clock does not appear as an unacceptably prominent or intrusive feature and does not harm the character or appearance of the North Berwick Conservation Area.

The area within which the totem clock is located is not well illuminated by lighting during hours of darkness. The totem clock has the potential to be illuminated. If it were to be illuminated, then the totem clock would appear as a prominent and incongruous feature during hours of darkness. As such it would be harmful to the character and appearance of this part of the North Berwick Conservation Area. To safeguard against this, a condition of the grant of planning permission should be that the totem clock should not be illuminated.

Subject to it being non-illuminated, the totem clock is consistent with Policy 1B of the South East Scotland Strategic Development Plan (SESplan) and Policies DP2 and ENV4 of the adopted East Lothian Local Plan 2008 and with Scottish Planning Policy: June 2014.

CONDITION:

- 1 The totem clock structure hereby approved shall not be illuminated internally or externally at any time.

Reason:

In the interest of the character and appearance of the North Berwick Conservation Area.