



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

**TUESDAY 1 MAY 2018
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor N Hampshire (Convener)
Councillor L Bruce
Councillor S Currie
Councillor J Findlay
Councillor A Forrest
Councillor N Gilbert
Councillor S Kempson
Councillor C McGinn
Councillor J McMillan
Councillor F O'Donnell
Councillor B Small

Council Officials Present:

Mr I McFarlane, Service Manager – Planning
Mr C Grilli, Service Manager – Legal and Procurement
Ms E Taylor, Planner
Mr M Greenshields, Senior Roads Officer
Mr J Allan, Planning Technician

Clerk:

Ms A Smith

Visitors Present:

Rev K Martin, Mr D Hardie, Mr G Robb, Mrs F Cottrell, Mr A Beck

Apologies:

Councillor K McLeod

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – PLANNING COMMITTEE 27 MARCH 2018

The minutes of the meeting of the Planning Committee of 27 March 2018 were approved.

2. PLANNING APPLICATION NO. 18/00145/P: ALTERATIONS, EXTENSION AND CHANGE OF USE OF STABLE BLOCK AND EXTENSION TO HOUSE FOR SHORT TERM HOSPITALITY, SUPPORT AND TRAINING FOR LEADERS IN CHURCH MINISTRY AND FOR THE USE FOR OCCASIONAL SMALL SCALE RETREATS (CLASS 8 USE) AT MANSEFIELD, HUMBIE

A report was submitted in relation to Planning Application No. 18/00145/P. Emma Taylor, Planner, presented the report, summarising the key points. The proposed decision set out in the report was to grant consent.

Ms Taylor and Iain McFarlane, Service Manager – Planning, responded to questions. Ms Taylor explained why the extension was deemed class 8 use but the house was not classed as such. Mr McFarlane said there were often cases where there was a degree of ancillary use, providing several examples. Ms Taylor clarified that a design and access statement had not been required. In relation to Policy DC1, Ms Taylor advised that in terms of other business use the type of business and character of the building were both looked at. Mr McFarlane, responding to questions about adherence to the conditions, advised that if there were reports of unlawful or inappropriate use enforcement action would be taken, if required. As regards other aspects of consent that may be required, such as health and safety measures, Ms Taylor stated that other regulatory bodies dealt with these aspects. Regarding the septic tank, she clarified that there was no proposal within the application for a new tank; she understood that the existing tank might be replaced with a larger one if required.

Karl Martin, the applicant, informed Members that it was not the intention to undermine the peace, tranquillity and beauty of the area; there was no intention to cause any damage to the area. The retreat would provide a place for rest, to help people who helped others, in a beautiful, calm location. There would only be occasional retreats. He stated that the retreat proposal would not involve work with children or vulnerable adults.

Reverend Martin responded to questions, providing further details regarding capacity for, and frequency of, retreats. He clarified that a fund owned the house and would be paying for the required works. Guests would not be required to pay for their stay at Mansfield. Regarding parking, he stated that five spaces would be made available just before the stable block. He advised that the network of churches involved was significant. He reiterated that the intention was to preserve the peace, tranquillity and beauty of the area.

Donald Hardie, a long-term resident of Humbie and session clerk for many years, spoke against the application. There was great concern that if this application was approved the work carried out would only be the beginning of something larger. The peace and tranquillity of the area would be disturbed. He also expressed concerns about the additional traffic generated by the retreat; the road was not suitable, there was a blind corner and increased levels of traffic could lead to potential accidents. He urged refusal of this application.

Gavin Robb, a local resident, spoke against the application. He expressed concern about the vague nature of the application stating there was a lack of detailed documents and a business plan. He reiterated concerns, if the application was approved, about future use and further development. He informed Members that the registered owner was actually Mansfield Estates, based in the USA. He highlighted several traffic concerns. The access road and junction were unsuitable; the road was a single lane with a very dangerous bend. He stated that a transport assessment should be undertaken.

Frances Cottrell of Kirkbridge Cottage, situated below the manse, spoke against the application. She stressed that conservation of this very special corner of East Lothian for future generations was crucial. Class 8 use threatened the very essence of Humbie. This area was precious, it was a place of escape; this proposal threatened its tranquillity. There was a duty to protect places of natural beauty, to respect and protect nature.

Al Beck, spoke against the application on behalf of Humbie, East and West Saltoun and Bolton Community Council. He referred to the public meeting last November and to the reasons set out then for the community council's position. He stated that if class 8 use were to be granted, there was no effective method of control. The conditions attached to the grant of consent did not allay local concerns. He raised issues around Care Inspectorate principals. There was no definition of 'short term hospitality'; there was no quantification of 'occasional small scale retreats'. No effective limits could be placed on the scale and frequency of use. He also expressed concerns about the road and junction, which were inadequate for the increased traffic. This application should be rejected.

Mr Beck responded to questions from Members regarding his comments about involvement of the Care Inspectorate.

Prior to commencement of the debate the Convener stated that many of the issues raised by objectors were not planning issues; the application should be determined solely on planning grounds.

Local Member Councillor McMillan referred to the points put across by the objectors, which he felt were reasonable. This was a highly contentious application. He referred to comments about preserving the peace, tranquillity and beauty of the area. He felt that this application did not meet Policy DC1 as regards other business use criteria. He did not agree with the officer's recommendation and therefore would not be supporting the application.

Local Member Councillor Small noted and respected the local concerns. He acknowledged both sides of the argument; this area was stunning, it was an excellent place for a retreat but equally an excellent place to live. Given the whole sensitivity of the area and the potential for disruption, he would not be supporting the report recommendation.

Councillor Currie stated there were no planning grounds for refusal of this application. He added that the Committee had to make a decision based on the application as presented, not on something that may happen in the future. He would be supporting the officer's recommendation.

Councillor Kempson indicated she had two main areas of concern, parking and sewage disposal. She would not be supporting the report recommendation.

Councillor Findlay agreed with Councillor McMillan; he also felt that the application did not satisfy Policy DC1. He would not be supporting the recommendation in the report.

Councillor McGinn indicated that he had some transport concerns but felt that Condition 3 would address these. He would be supporting the officer's recommendation.

The Convener ended the discussion. He acknowledged the strong feelings expressed against this application but stressed that Members of the Planning Committee had to make a decision based only on the planning merits of the application. There were no planning grounds for refusal. He would be supporting the report recommendation.

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

For: 6

Against: 5

Abstentions: 0

Decision

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

- 1 The Class 8 use of the site hereby approved shall only be that as a centre for short term hospitality, support and training and occasional small scale retreat and of no other use of Class 8 of the Town and Country Planning (Use Classes) (Scotland) Order 1997.

Reason:

In the interests of safeguarding the amenity of the area.

- 2 Prior to the commencement of development details of the external finishes of the extensions hereby approved shall be submitted to and approved by the Planning Authority. The external finishes used shall accord with the details so approved unless agreed in writing by the Planning Authority..

Reason:

To safeguard the character and appearance of the buildings and the landscape character of the area.

- 3 Prior to the operation of the property as a centre for short term hospitality, support and training and occasional small scale retreat a Travel Plan shall be submitted to and approved by the Planning Authority. The Travel Plan shall include details of (i) measures to encourage visitors to car share and (ii) outline how vehicles arriving and leaving events at Mansefield shall be managed to avoid coinciding with traffic generated by events at Humbie Church. Once the short term hospitality, support and training centre and occasional small scale retreats centre is operational the measures within the Travel Plan shall be implemented unless otherwise approved by the Planning Authority

Reason:

In the interests of road safety.

- 4 The short term hospitality, support, training and retreat centre hereby approved shall only be operated by a person or persons who also occupy the residential property of Mansefield unless otherwise approved in writing by the Planning Authority.

Reason:

To safeguard the residential amenity of the occupants of Mansefield.

Signed

Councillor Norman Hampshire
Convener of the Planning Committee