



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

**TUESDAY 26 JUNE 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 C McGinn
Councillor K McLeod
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
Mr D Irving, Senior Planner
Ms S McQueen, Planner
Mr M Greenshields, Senior Roads Officer
Ms M Haddow, Transportation Planning Officer
Ms P Bristow, Communications Officer
Mr J Allan, Planning Technician

Clerk:

Ms A Smith

Visitors Present/Addressing the Committee:

Item 2 – Mr D Neave, Mr J Dillon
Item 4 – Mr J O'Loughlin, Mr M O'Loughlin, Ms M Curle, Mr G Pate, Mr A Beck

Apologies:

Councillor S Kempson

Declarations of Interest:

None

1. MINUTES FOR APPROVAL – PLANNING COMMITTEE 5 JUNE 2018

The minutes of the meeting of the Planning Committee of 5 June 2018 were approved.

2. PLANNING APPLICATION NO. 18/00422/PM: DELETION OF CONDITION 7(IV) TO REMOVE PROPOSED FOOTPATH LINK TO MUIRFIELD STEADING AND VARIATION OF CONDITION 18 OF PLANNING PERMISSION 16/00587/PM TO AMEND LANDSCAPING DETAIL AT FENTON GAIT EAST, GULLANE

A report was submitted in relation to Planning Application No. 18/00422/PM. Daryth Irving, Senior Planner, presented the report, summarising the key points. The report recommendation was to grant consent.

Councillor O'Donnell asked if the Council would be able to progress with a Compulsory Purchase Order as regards the verge so that a safe route to school could be established. Mr Irving advised that Road Services were satisfied that the public road provided a safe route to school so the footpath link was not deemed necessary.

Douglas Neave, resident of Muirfield Steading, spoke in favour of the application, asking the Committee to support the officer's recommendation to grant consent.

John Dillon, President of Muirfield Steading Residents' Association, also speaking in favour of the application, reiterated a request for Members to support the report recommendation.

Local Member Councillor Findlay commended the residents of Muirfield Steading for their steadfast pursuit of their rights. He would be supporting the recommendation in the report.

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

For: 11
Against: 0
Abstentions: 0

Decision

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

1. The undernoted conditions.
2. The satisfactory conclusion of an Agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997, or some other legal agreement designed to:
 - (i) secure from the applicant a financial contribution to the Council of £715,325.76 towards the provision of additional accommodation at Gullane Primary and Nursery School and North Berwick High School;
 - (ii) secure from the applicant 12 affordable residential units within the application site or if it can be demonstrated to the Council that this, or the off-site provision of 12 affordable residential units is not practicable, to secure from the applicant a commuted sum payment to the Council in lieu of such an on or off-site provision; and
 - (iii) secure from the applicant a financial contribution to the Council of £24,816 for the provision of additional play equipment and/or for some other enhancement of the play area at Recreation Park, Muirfield Terrace, Gullane;

(iv) secure from the applicant a financial contribution to the Council of £27,216 for the provision of increased sports pitch capacity; and

(v) secure from the applicant a financial contribution to the Council of £12,042 for road improvements to Salters Road Interchange and Bankton Interchange, Musselburgh town centre improvements and Tranent town centre improvements.

3. That in accordance with the Council's policy on time limits for completion of planning agreements it is recommended that the decision should also be that in the event of the Section 75 Agreement not having been executed by the applicant, the landowner and any other relevant party within six months of the decision taken on this application, the application shall then be refused for the reason that without the developer contributions to be secured by the Agreement the proposed development is unacceptable due to a lack of sufficient school capacity at Gullane Primary and Nursery School and North Berwick High School, a lack of provision of affordable housing, a lack of formal play and sports pitch provision and a lack of roads and transport infrastructure improvements contrary to, as applicable, Policies INF3, H4 and C2 of the adopted East Lothian Local Plan 2008.

- 1 No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed shown in relation to the finished ground and floor levels on the site.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

- 2 Unless otherwise agreed in writing with the Planning Authority, housing completions on the application site in any one year (with a year being defined as being from 1st April to 31st March the following year) shall not exceed the following completion rates:

Year 2018/2019 - 9 residential units
Year 2019/2020 - 34 residential units
Year 2020/2021 - 5 residential units

If less than the specified number of residential units are completed in any one year then those shall be completed instead at Year 2023/2024 or beyond and not added to the subsequent Year.

Reason:

To ensure that the completion rate of residential development within the application site accords with the provision of education capacity.

- 3 Notwithstanding that which is stated on the drawings docketed to planning permission 16/00587/PM a detailed specification of all external finishes of the houses and flats hereby approved shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. The external finishes of the houses and flats shall be in accordance with a co-ordinated scheme of materials and colours that shall be submitted to and approved in advance by the Planning Authority. This co-ordinated scheme shall in detail promote render as the predominant finish to the walls of the houses and flats, with a use of more than one render colour and with a strongly contrasting difference in the colours such that they will not each be of a light colour. All such materials used in the construction of the houses and flats shall conform to the details so approved.

Reason:

To ensure the development is of a satisfactory appearance in the interest of the amenity of the locality.

- 4 Prior to the occupation of the last house or flat hereby approved, the proposed access roads, parking spaces, and footpaths shall have been constructed on site in accordance with the docketed drawings.

Those areas of land shall not thereafter be used for any other purpose than for accessing and for the parking of vehicles in connection with the residential use of the houses and flats and shall not be adapted or used for other purposes without the prior written approval of the Planning Authority.

Vehicle access's to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing and have a minimum width of 5.5 metres over the first 10 metres to enable adequate two way movement of vehicles.

Reason:

To ensure that adequate and satisfactory provision is made for access and for off-street parking in the interests of road safety.

- 5 The vehicular access junction from the A198 shall be designed in accordance with the Design Manual for Roads and Bridges, Volume 6.

Reason:

In the interests of road safety.

- 6 Within two months of the date of the grant of this planning permission a 30 miles per hour (mph) speed limit on the A198 public road shall be brought into effect in a location from the existing 30 miles per hour (mph) speed limit on the A198 public road eastwards to include along the entire length of site frontage. Details of the new 30 miles per hour speed limit shall be submitted to and approved in advance by the Planning Authority and shall include the provision of street lighting over the full extent of the proposed new 30mph speed limit and shall incorporate town entry treatments. Thereafter the new 30 miles per hour speed limit, street lighting and town entry treatments shall be implemented and installed in accordance with the details so approved.

Reason:

In the interests of road safety.

- 7 Within two months of the date of the grant of this planning permission, details showing compliance with the following transportation requirements, including a timetable for their implementation, shall be submitted to and approved in writing by the Planning Authority:

(i) pedestrian crossing points shall be formed on the A198 public road in close proximity to the site vehicular access junction to link the proposed new development's footways with the north side of the A198 and the wider footway network towards Dirleton and North Berwick;

(ii) a continuous 2 metre wide footway shall be provided on the south side of the A198 over the full extent of the new 30 mph speed limit as required by Condition 6 above (i.e. from the existing junction at the C111 Fenton Road to the new 30 mph speed limit on the eastern side of the site access junction). Dropped kerb tactile crossings are required at the junction with C111 public road;

(iii) a Double D island shall be constructed on the western side of the vehicular access junction with the A198 public road to provide a safe crossing point to the north side of the A198 for pedestrians wishing to access the wider footpath network to Dirleton and North Berwick;

(iv) a continuous 2 metre wide footway shall be provided on the west side of the C111 public road from its junction with the A198 (Main Street) to the pedestrian access link into West Fenton Gait; A raised table shall be introduced at this location to assist in reducing vehicle speeds;

(v) cycle parking shall be included at a rate of 1 space per flat. The parking shall be in the form of 1 locker per flat or communal provisions in the form of a lockable room or shed.

The residential development shall thereafter be carried out in accordance with the details so approved.

Reason:

In the interests of road and pedestrian safety.

- 8 A visibility splay of 2.4m by 70m to the west and 2.4m by 160m to the east shall be provided and maintained at the proposed site access junction with the A198 public road so that no obstruction lies within it above a height of 1.05 metres measured from the adjacent carriageway surface.

Reason:

To ensure that adequate visibility is provided at the access in the interest of highway safety.

- 9 Within two months of the date of the grant of this planning permission an independent road safety audit shall be submitted to and approved by the Planning Authority for the proposed site vehicular access junction onto the A198 public road.
- Reason:
In the interests of road safety.
- 10 A Green Travel Plan shall be submitted to and approved by the Planning Authority prior to the occupation of any of the residential units approved by the grant of planning permission 16/00587/PM. The Green Travel Plan shall have particular regard to provision for walking, cycling and public transport access to and within the site, and will include a timetable for its implementation, details of the measures to be provided, the system of management, monitoring, review, reporting and duration of the Plan.
- Reason:
In the interests of ensuring sustainable travel patterns in respect of the development.
- 11 Within two months of the date of the grant of this planning permission a Construction Method Statement to minimise the impact of construction activity on the amenity of the area shall be submitted to and approved by the Planning Authority. The Construction Method Statement shall recommend mitigation measures to control construction traffic and shall include hours of construction work and details of wheel washing facilities to be provided. Wheel washing facilities must be provided and maintained in working order during the period of operation of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.
- Reason:
To minimise the impact of construction activity in the interests of the amenity of the area.
- 12 Within two months of the date of the grant of this planning permission an effective vehicle wheel washing facility shall be installed on the application site in accordance with details to be submitted to and approved by the Planning Authority prior to its installation. Such facility shall be retained in working order and used such that no vehicle shall leave the site carrying earth and mud in their wheels in such a quantity which causes a nuisance or hazard on the road system in the locality.
- Reason:
In the interests of road safety.
- 13 The mitigation measures for the prevention of disturbance and/or displacement of pink footed geese during the construction and operational phases of the development approved by the grant of planning permission 16/00587/PM shall be implemented in strict accordance with those detailed in section 5.2 'Mitigation Measures' of the FENTON GAIT EAST: Assessment of effects on pink footed geese (*Anser brachyrhynchus*) as a qualifying feature of the Firth of Forth Special Protection Area (SPA) document by ITP Energised docketed to planning permission 16/00587/PM.
- Reason:
To safeguard species of the Firth of Forth Special Protection Area.
- 14 A timetable for the provision of the erection of the boundary enclosures for the rear gardens of the houses approved by the grant of planning permission 16/00587/PM shall be submitted to and approved in advance by the Planning Authority and development shall thereafter be carried out in full accordance with the timetable so approved, unless otherwise approved in writing by the Planning Authority.
- Reason:
To ensure the satisfactory provision of the boundary enclosures in the interest of safeguarding the privacy and amenity of future residents of the development and residential properties nearby.
- 15 All the open space recreation areas indicated on the site layout plan docketed to planning permission 16/00587/PM shall be available for use prior to the occupation of the last house or flat on the site.
- The open space recreation areas, when provided, shall be used for such purposes at all times thereafter unless otherwise agreed in writing by the Planning Authority.
- Reason:
To ensure the satisfactory laying out of all areas of open space in the interest of the amenity of the future occupants of the dwellings hereby approved.
- 16 No trees or shrubs, which are to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the prior written consent of the Planning Authority.

Reason:

To ensure the retention and maintenance of the trees which are an important landscape feature of the area.

- 17 Within two weeks of the grant of this planning permission temporary protective fencing shall be erected in accordance with Figure 2 of British Standard 5837_2012 "Trees in relation to design, demolition and construction". This temporary protective fencing shall be retained on site and intact through to completion of development. The fencing shall be erected in the positions shown for it as indicated by the blue dashed lines on the docketed landscape layout drawing no. 12-01j.

All weather notices shall be erected on said fencing with words such as "Construction exclusion zone - Keep out". Within the fenced off areas the existing ground level shall neither be raised nor lowered, no materials, temporary buildings, plant, machinery or surface soil shall be placed or stored and no herbicides shall be used. Planning of site operations should take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees. Any materials whose accidental spillage would cause damage to a tree shall be stored and handled well away from the outer edge of its root protection area. Fires on sites should be avoided if possible. Where they are unavoidable, they should not be lit in a position where heat could affect foliage or branches. The potential size of a fire and the wind direction should be taken into account when determining its location and it should be attended at all times until safe enough to leave.

Reason:

To ensure the retention and maintenance of trees which are an important landscape feature of the area.

- 18 All new planting as shown on the docketed landscape layout drawing no. 12-01j, and as specified on docketed drawing no. 12-02g and in the docketed document titled 'Cala Management Limited, Fenton Gait, Gullane, Landscape Works, Grassed and Planted Areas, Planting Schedule' shall be carried out in the first planting and seeding season following the occupation of the buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

All the new planting shall be maintained in accordance with the maintenance programme as detailed in the docketed document titled 'Cala Management Limited, Fenton Gait, Gullane, Landscape Works, Grassed and Planted Areas, Maintenance Specification'.

Reason:

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area.

- 19 No residential unit shall be occupied unless and until details of artwork to be provided on the application site or at an alternative location away from the site have been submitted to and approved by the Planning Authority. The details shall include a timetable for the provision of the artwork. The artwork shall thereafter be provided in accordance with the details so approved.

Reason:

To ensure that artwork is provided in the interest of the visual amenity of the locality or the wider area.

3. PLANNING APPLICATION NO. 17/00767/PM: REFURBISHMENT OF EXISTING COASTAL DEFENCE PROVISIONS AND THE INSTALLATION OF NEW INTERVENTIONS INCLUDING ROCK ARMOURING AND REFURBISHMENT OF TIMBER REVETMENTS, PLANTING OF MARRAM GRASS, AND INSTALLATION OF A NEW DUNE PROTECTION SYSTEM AT WEST TO EAST OF NORTH BERWICK SHORELINE, NORTH BERWICK

A report was submitted in relation to Planning Application No. 17/00767/PM. Stephanie McQueen, Planner, presented the report, summarising the key points. The report recommendation was to grant consent.

Ms McQueen responded to questions from Members. She provided further details regarding the proposed refurbishments. She clarified that access to the beach would only be affected during the refurbishment period. She also answered queries on the life span of sandbags.

Local Member Councillor Findlay indicated he would be supporting the recommendation.

Councillor McMillan commended the North Berwick Golf Club for their impressive refurbishment proposal; he would be supporting the report recommendation.

Councillor Currie expressed his support for the application. It was important this work was done and also monitored; coastal erosion was a significant issue.

The Convener ended the discussion. He referred to coastal erosion around the East Lothian coastline, remarking that further applications of this type may be forthcoming. He would be supporting the recommendation set out in the report to grant planning permission.

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

For: 11

Against: 0

Abstentions: 0

Decision

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

- 1 Prior to the commencement of development on the site a development exclusion zone to provide a buffer of at least 18 metres diameter centred on the scheduled ancient monument of Westerdunes Court Pillbox shall be marked out on the site, all in accordance with details of the form and position of the exclusion zone to be submitted to and approved in advance in writing by the Planning Authority, and thereafter the exclusion zone shall be marked out as approved and shall be retained and maintained until the completion of development.

Reason:

In the interests of safeguarding the scheduled ancient monument of Westerdunes Court Pillbox.

- 2 Only existing rock armour, imported rock materials or loose rocks from the immediate vicinity of the development hereby approved shall be used in the rock armouring also hereby approved unless otherwise approved in advance in writing by the Planning Authority.

Reason:

In the interests of protecting the nature conservation interests of the Firth of Forth Site of Special Scientific Interest.

- 3 No topsoil or gravel shall be used in the planting of marram grasses in geotextiles hereby approved unless such materials are naturally occurring in the vicinity of the geotextile marram grass planting hereby approved unless otherwise approved in advance in writing by the Planning Authority.

Reason:

In the interests of protecting the nature conservation interests of the Firth of Forth Site of Special Scientific Interest.

- 4 Prior to the commencement of development on the site a Construction Environmental Management Plan (CEMP), including a Pollution Prevention Plan, shall be submitted to and approved in advance in writing by the Planning Authority in consultation with SNH and thereafter all construction works associated with the development hereby approved shall accord with the approved Construction Environmental Management Plan (CEMP), unless otherwise approved in writing by the Planning Authority in consultation with SNH.

The Construction Environmental Management Plan (CEMP) shall include but not exclusively the following mitigation measures:

CONSTRUCTION:

- Work shall be planned and scheduled to limit damage to the Firth of Forth SPA and its qualifying features and to the Firth of Forth SSSI and its protected species, habitats and geodiversity features;
- Temporary or permanent management access routes to the dune face must be planned and constructed to minimise trampling damage, to limit the formation of blowouts, and to allow wildlife to habituate to plant movement and avoid any startling effect;

- The timing of works shall avoid the breeding season where possible (works are currently planned to be undertaken during the non-breeding period);
- The timing of works shall avoid dawn and dusk where possible as these are usually the times of day when birds are most active, and any reduction in potential disturbance is welcomed;
- All site staff shall be provided with information regarding the sites' ecological sensitivities as part of the Health and Safety Induction;
- All site staff shall be aware of the need for careful working practices to avoid environmental damage and to avoid hazards associated with steep and unstable dune faces;
- An Ecological Clerk of Works (ECoW) shall be employed during construction to advise on the timing and/or duration of operations, monitor bird activity and undertake nest checks, bird counts, and offer advice to the general public, the golf club and the contractors regarding notable species, sensitive areas and legal obligations;
- Damaged sand bags shall be repaired rapidly to avoid failure of the structure or removed to avoid any detriment to the landscape;
- Works shall be carried out during the winter months;
- Short construction phase;
- Work shall be undertaken during daylight hours with limited use of artificial lighting and no artificial lighting shall be used at the mouth of the Eel Burn;
- Only two access points to the beach shall be used for construction traffic (vehicular or pedestrian);
- Crossing at the point where the Eel Burn no longer forms a defined channel;
- Use of bog mats on access tracks;
- A speed limit of 15mph to be applied to all site traffic;
- Offsite storage of materials and fuel;
- An inspection schedule to ensure vehicles are checked prior to accessing the beach;
- Limits to recreational use of the beach during construction;
- Measures to manage otter/badger habitats and disturbance of those habitats.

Monitoring of all of the above mitigation measures shall be carried out in accordance with CIEEM guidance.

POST CONSTRUCTION:

- Monitoring of the beach / dune interface shall be undertaken at least bi-annually to:
- Identify and understand change;
- Guide the planning of management actions; and
- Appraise the performance and impacts of management.

Reason:

To protect the Firth of Forth Special Protection Area and Site of Scientific Interest from significant disturbance arising from the construction and subsequent maintenance of the development hereby approved.

4. PLANNING APPLICATION NO. 16/00101/PP: PLANNING PERMISSION IN PRINCIPLE FOR THE ERECTION OF 3 HOLIDAY LODGES, A MICRO-HYDRO PLANT, SOLAR PANEL ARRAY AND ASSOCIATED WORKS AT STOBSHIEL MAINS, HUMBIE

A report was submitted in relation to Planning Application No. 16/00101PP. Ms McQueen presented the report, summarising the key points. She informed Members of a correction on page 48 of the report (5th paragraph) - Stobshiel House should read Stobshiel Mains. The proposed decision set out in the report was to grant consent.

Ms McQueen responded to questions. She clarified the route of the access track through the farmyard and fields. She confirmed that the nearest shop was in Humbie, 15 minutes from the site. In relation to right of access, this was a civil legal matter between the applicant and owner of the access track. As regards number of bedrooms in the holiday lodges, she advised that exact numbers had yet to be provided.

Joe O'Loughlin, the applicant, informed Members that micro-hydroelectric scheme income would not cover the dam maintenance costs. A number of possible revenue streams had been researched and the development proposed was the one most likely to succeed. The intention was to develop off-grid sustainable tourism, to attract cyclists, walkers and other low impact tourists. The holiday lodge design would merge well with the environment.

Mr O'Loughlin responded to questions. Regarding estimated vehicle journeys, he said that as this was a new business he was not able to gauge this but as an off-grid development restricting journeys and perhaps parking off-site would be looked at. He clarified that the proprietors were required to maintain inspections and the fabric of the dam as stipulated in the last inspection report. He confirmed that the micro-hydro plant was not viable without the enabling part of the development, i.e. the holiday lodges. This was the only income generating opportunity. Michael O'Loughlin, co-applicant, gave further details in respect of the micro-hydro scheme. This would be the only power for the site, it was of an innovative nature, output would vary depending on demand and the flow would be controlled.

Mairi Curle, resident of Wanside Cottage, the nearest residential property, which was entirely off-grid, spoke against the application. This development would change the surroundings of this rural area dramatically. As the nearest property they would become the first responders by default; this was unacceptable. The ambulance service would not use this track; the only emergency access was by helicopter. Mobile phone signal in the area was unpredictable. Lodge visitors would have to arrive/leave by car; the track was not suitable for standard vehicles. The track could be unusable during bad weather even for 4x4 vehicles. She also raised issues about the impact from vehicle headlights and noise disturbance.

Responding to questions Ms Curle clarified that the noise and light intrusion remarks were her opinion. Regarding visitors to her property, she collected them in her 4x4 vehicle from a pre-designated point; parking had been arranged with the farmer's permission.

George Pate, of Stobshiel Mains farm, spoke against the application. The farm was a livestock-rearing farm, one of the largest and best known in the county. The main and only access track to the development was through the farmyard and fields. This was a working farm track, heavily used on a daily basis. Holidaymakers would inevitably approach the farm steading; this would interfere with farm operations. He outlined potential risks including health and safety concerns as regards visitors and livestock and visitors not respecting the farming operation. There was no information about how conflict would be managed. This proposal would have a huge adverse impact on the farm operation. Independent advice had been taken and under planning law, user conflict was a material consideration.

Mr Pate responded to questions in relation to potential costs for additional maintenance that may be required as a result of the development.

Al Beck, representing Humbie, East and West Saltoun and Bolton Community Council, spoke against the application. This proposal would harm the character of the area; it was a beautiful spot but severely restricted by its typography. The surrounding farmland would be perceived as part of the holiday area; visitors would move amongst the livestock, safety implications. The access was a constantly used farm track, not suitable for cars and use by holidaymakers would have a significant impact on the farm business. No on-site support was planned so neighbours would have to deal with any issues, becoming de-facto first responders. He gave details of potential number of vehicle movements associated with the proposal. He referred to the Local Development Plan, section 5.1, stating there were substantial grounds for refusal. He reiterated that the proposal would impact massively on the farm operation and on Wanside Cottage.

Mr Beck responded to questions in respect of his calculation of the number of car journeys and assumptions as regards visitor behaviour.

Local Member Councillor McMillan referred to the site visit stating this area was unique; the view was remarkable. He quoted from the Local Development Plan as regards new rural development. Members had heard very cogent arguments about why this proposal may not be sustainable. The detrimental effect on the farm and nearby cottage had been outlined.

The proposal was incongruous; it was not right in its setting, it would be detrimental to a unique site. He referred to the access problems. This proposal would cause damage to an existing quality business. He would not be supporting the report recommendation.

Local Member Councillor Small expressed concerns about the access track. He raised a number of issues around this including lodge visitor traffic, emergency vehicle situation, farm vehicles and other non-farm traffic. He would not be supporting the application.

Councillor O'Donnell indicated that various statutory consultees were satisfied with the proposal. It would provide opportunity for economic growth. It was in keeping with Policy DC1. She was not convinced by the presumption put forward that holidaymakers would behave irresponsibly. She also disagreed with the estimated number of daily vehicle trips to/from the holiday lodges. She would be supporting the application.

Councillor Currie stated that locations like these were precious. The impact of the proposal was not acceptable; it would have an adverse impact on the farm and the residential property of Wanside. The purpose of the application was income generation to maintain the dam. He agreed with Local Members. He would not be supporting the application.

Councillor Findlay remarked that the access track was not suitable for the amount of traffic that would be generated by this proposal. The adverse impact on Stobshiel Mains farm and Wanside Cottage was not acceptable. He would not be supporting the application.

The Convener ended the discussion. He noted the objectors' comments however, people already visited this area and many other rural areas; the East Lothian countryside was attracting an increasing number of people. The proposal was acceptable and met the relevant policies. The impact would be minimal. The Council consultees had not objected. He would be supporting the recommendation in the report to grant planning permission.

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

For: 5
Against: 6
Abstentions: 0

Decision

The Committee agreed to refuse planning permission for the following reasons:

- 1 The impact of vehicle movements to and from the proposed development would have an unacceptable impact on the operational requirements of the farm the access road service and in this would be contrary to Policy DC1 of the adopted East Lothian Local Plan 2008.
- 2 The proposed development would result in an incongruous form of development in the landscape, also contrary to Policy DC1 of the adopted East Lothian Local Plan 2008.

Signed

Councillor Norman Hampshire
Convener of the Planning Committee