



**MINUTES OF THE MEETING OF THE
LOCAL REVIEW BODY**

**THURSDAY 11 OCTOBER 2018
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor W Innes (Chair)
Councillor S Kempson
Councillor N Gilbert

Advisers to the Local Review Body:

Mr I McFarlane, Planning Adviser to the LRB
Mr C Grilli, Legal Adviser to the LRB

Others Present

Ms M Haddow, Transportation Planning Officer

Committee Clerk:

Mrs F Stewart

Declarations of Interest

None

Apologies

None

Councillor Innes, elected to chair the meeting by his colleagues, welcomed everyone to the meeting of the East Lothian Local Review Body (ELLRB).

A site visit had been carried out for each of the two planning applications on the agenda prior to the meeting.

1. PLANNING APPLICATION 18/00031/P – REVIEW AGAINST CONDITION APPLICATION FOR A DRIVEWAY AT 8 COUNCIL HOUSES, HUMBIE

The Chair invited the Planning Adviser, who had had no involvement in the original decision, to present a summary of the planning policy considerations in this case.

Iain McFarlane, Planning Adviser, stated that the subject of this application was a semi-detached house located on the northeast edge of Humbie. The applicant had sought planning permission (partly in retrospect) for the formation of a vehicular access in the front (east) garden of his property and to widen the access point, by removing a further length of the existing stone boundary wall which encloses the front garden. Planning consent had been granted on 6 June 2018, subject to one condition. This condition required alterations to be made to the plans in order that one parking space was retained within the parking bay to the front of the property. The condition also required the hardstanding area to be extended in order that vehicles could turn and leave the property without the need to reverse onto the B6368, the main road which runs through Humbie.

The Planning Adviser stated that the applicant's grounds of appeal were that it was not necessary to retain a parking space in front of his property. Roads Services Officers had objected to the planning application as it would remove two parking spaces in an area of relatively high demand. They also required that there was space within the curtilage of the property for a vehicle to turn and access the road in a forward gear.

The Planning Adviser stated that the Case Officer had considered that the application for a driveway was acceptable in principle, but shared the concerns of Roads Services Officers on the issues outlined above. The Planning Adviser also stated that a possible solution had been identified following discussions between the Planning Case Officer and Road Services Officers, which would enable them to support the application. This would require one of the two parking spaces in front of the property to be retained and for the hardstanding area to be of a sufficient size to allow vehicles to turn within the site and access the road in a forward gear.

The Chair thanked the Planning Adviser for his presentation and asked his colleagues if they had sufficient information to proceed to determine the application today. They unanimously agreed to proceed and comments on the application followed.

Having visited the site, Councillor Kempson considered that it was important to retain one parking space in the parking bay in front of the property. It was also her view that the terms of the condition would allow the applicant to create a drive without losing two spaces in the parking bay.

Councillor Gilbert agreed that the terms of the condition were reasonable in the circumstances and would support the decision of the Case Officer.

Councillor Innes was concerned that there was adequate space on the driveway to allow cars to manoeuvre and thereby not have to be reversed onto the main road. He also considered that it was important to retain one space in the parking bay in front of the property. In his view, the parking bay was different to on-street parking as it was an area created for public parking. He too, therefore, was minded to support the original decision of the Case Officer.

Decision

The ELLRB unanimously agreed that the following conditions were attached to planning consent for planning application 18/00031/P:

1. Within four months from the date on the Review Decision Notice, the following alterations shall be made to the vehicular access hereby approved and its associated area of hardstanding:
 - a) The existing stone roadside wall on the north side of the existing vehicular access shall be retained and also extended southwards for a further 1.2 metres. The extended section of wall shall be constructed of natural stone to match that of the existing wall; and
 - b) The area of hardstanding shall be extended such that it is nine metres wide and six metres deep.

Details of these proposed alterations to the vehicular access hereby approved and its associated hardstanding area shall be submitted to and approved by the Planning Authority in advance of any development commencing. The submitted details shall demonstrate that one parking space shall be retained within the parking layby immediately to the east of the application site. The submitted details shall also show how vehicles are able to access and egress the application site in a forward gear.

A sample of the natural stone to be used shall be submitted to and approved in advance by the Planning Authority. Development shall thereafter be carried out in accordance with the details and sample so approved.

Reason:

In the interest of road safety and parking provision in the surrounding area, and in the interests of the visual amenity of the area.

2. PLANNING APPLICATION 18/00085/P – REVIEW AGAINST CONDITION ALTERATION TO WALL AT 34 GOSFORD ROAD, PORT SETON

The Chair invited the Planning Adviser, who had had no involvement in the original decision, to present a summary of the planning policy considerations in this case.

Iain McFarlane, Planning Adviser, advised that this application related to a detached house on the southern side of Gosford Road, Port Seton for which the applicant sought retrospective consent for alterations already carried out to the roadside boundary wall enclosing the front garden, and for gate piers which had been erected as part of the roadside boundary.

The Planning Adviser stated that this planning application had been granted planning consent on 11 May 2018 subject to one condition, which required the wet dash render on the side of the wall facing Gosford Road to be painted in a darker colour to match the adjacent roadside boundary walls.

The Planning Adviser advised that the rendered portion of the applicant's boundary wall had been painted in an off-white colour. He also advised that, on the site visit, it was evident that there were a few properties on the north side of Gosford Road, which had walls painted in a light colour. Those properties are listed buildings. He confirmed that no complaints had been received in relation to these properties and there were no reports of unauthorised development. He further advised that it could be the case that these walls had been originally painted prior to that terrace of houses being listed or the conservation area being designated and that repainting of them may have been like for like maintenance not requiring planning permission.

The Planning Adviser stated that three complaints had been received in relation to this application and objections related to the wall being out of keeping with other walls in the area, which were mostly constructed from natural stone. He advised Members that it was now open to them to consider the application afresh or to decide if it was appropriate for the walls to be painted in a darker colour.

The Chair thanked the Planning Adviser for his presentation and questions followed. In response to a question from the Chair, the Planning Adviser stated that some of the buildings on Gosford Road, both north and south, might be Listed Buildings, but the property at number 34 was not a Listed Building. He also confirmed that Listed Buildings status was most likely to extend to the walls of any such properties in Gosford Road, as an important characteristic of the road was its immediate street frontage. The Chair asked if any action could be taken with regard to other properties in Gosford Road which had boundary walls painted in a light colour, as this would have a bearing on how they should determine the subject of this application. The Planning Adviser replied that planning officers could investigate and take action where appropriate to have walls restored to the predominant darker shade. Councillor Gilbert enquired about the gate piers and was advised that the condition attached to planning consent did not require the gate piers to be rendered and painted in the same dark colour as the walls.

The Chair asked his colleagues if they now had sufficient information to proceed to determine the application today and they unanimously agreed to proceed. Comments on the application followed.

Councillor Gilbert considered that the boundary wall in its present form looked incongruous in the context of the natural stone boundary walls which stretch along both sides of Gosford Road. He considered that the wall and also the gate piers ought to be rendered and painted in a dark shade and was therefore minded to uphold the original decision of the Case Officer.

Councillor Kempson was similarly minded, describing the wall as conspicuous in its present form. She was also concerned that it would set an undesirable precedent for the street.

The Chair shared the view of his colleagues and wished to see the wall and also the gate piers rendered and painted in a dark shade acceptable to planning officers.

Decision

The ELLRB unanimously agreed that the following condition is attached to planning consent for planning application 18/00085/P:

1. Within 2 months of the date on the Review Decision Notice, the brick gate piers of the wall shall be rendered to match the render on the wall and the wet dash render on the side of the wall facing Gosford Road (denoted as 'ELEVATION A' on docketed drawing no. 2018-GJM-JR-PL-001-0A) and on the faces of the gate piers shall be painted in a darker colour to match that of the adjacent roadside stone boundary walls. Prior to the repainting of the wet dash render, details of the paint colour for the repainting shall be submitted to and approved by the Planning Authority. Development shall hereafter be carried out in accordance with the details so approved.

Reason: In the interest of the visual amenity of the area.

Signed

Councillor W Innes
Convener of Local Review Body (Planning)