

REPORT TO: Planning Committee

MEETING DATE: Wednesday 4 March 2020

BY: Head of Development

SUBJECT: Application for Planning Permission for Consideration

Note - this application was called off the Scheme of Delegation List by Councillor Hampshire for the following reason: There is significant public concern about this proposal and I think the Planning Committee should view this site and consider the application.

Application No. **19/00978/PCL**

Proposal Change of use of open space to form car parking, formation of stairway and associated works

Location **Land Adjacent To Coastguard Cottages
Dunbar
East Lothian**

Applicant East Lothian Council

RECOMMENDATION **Consent Granted**

REPORT ON HANDLING

PROPOSAL

The site that is the subject of this planning application consists of an area of grassed open space on the east side of Church Street, Dunbar. The area of land is known locally as the Coastguard site. The application site is within Dunbar Conservation Area. It is within a predominantly residential area as defined by Policy RCA1 of the adopted East Lothian Local Development Plan 2018 and adjacent to the eastern edge of Dunbar Town Centre.

The site, along with the adjacent Assembly Rooms, is listed within the Dunbar Cluster Established Housing supply table DR1 of the adopted East Lothian Local Development Plan 2018 with the capacity to accommodate 8 residential units on it with associated parking. As such the site is covered by Policy HOU1 (Established Housing Supply) of the adopted East Lothian Local Development Plan 2018.

The site is largely rectangular shaped area that is laid to grass. It is some 53m in length and ranges from some 17.5m in width at its northern end to some 20m in width at the southern end. It that slopes gently from west to east. It is accessed from a lane that leads from the south side of Lamer Street and which runs between Coastguard House and Coastguard Cottages. Other than the access lane the site is bounded to the east in part by a row of 5 lockup garages that are located on the south side of the access lane and in part by a residential property on the

north side of the access lane. Otherwise the site is bounded to the south by a high stone wall with residential properties beyond, to the west by Church Street, on the other side of which are residential properties. The site is bounded to the north by the large stone building of the Assembly Rooms. That building is listed as being of special architectural or historic interest (Category B).

The application site is set at a significantly lower ground level than Church Street and most of the ground floor level of the buildings of Church Street. However, whilst the adjacent Assembly Rooms building has a basement level which is set at a similar level to the Coastguard Site.

In July 1994 planning permission (Ref: P/0003/94) was granted for the change of use of and alterations of the Assembly Rooms to form 9 flats and for the erection of 12 flats on the site that is the subject of this planning application. At the same time listed building consent (Ref: L/0003/94) was granted for alterations to the Assembly Rooms in association with its change of use to 12 flats. Development of the approved scheme has not commenced and planning permission P/0003/94 and listed building consent L/0003/94 both lapsed in July 1999.

Through planning application 06/00349/FUL, submitted to the Council in June 2006, detailed planning permission is sought for alterations to and the conversion of the Assembly Rooms to form 8 flats. Listed building consent (Ref: 06/00349/LBC) is also sought for the proposed alterations to the building. Those applications are pending consideration.

In January 2008 planning permission (Ref: 08/00053/FUL) was sought for the formation of 8 car parking spaces on part of the land of the Coastguard site. Those spaces were promoted to serve the flats proposed through planning application 06/00349/FUL. That application was withdrawn in July 2015.

In December 2015 planning application 15/00478/P was sought for the erection on the application site of a flatted building containing nine flats, and for associated works on the site. Planning application 15/00478/P is pending consideration and stands to be determined on its merits.

Planning permission is now sought by East Lothian Council as Roads Authority for the change of use of the area of grassed open space to form a car park and for the erection of an associated stair, lighting columns, footpath and bollards and associated works. The car park would provide a total of 25 parking space including 2 disabled spaces. A new pedestrian access would be formed through the boundary wall on Church Street in a position close to the adjacent building of the Assembly Rooms, and a stairway would lead down from Church Street to the car park. This stairway which would be tucked in the northwest corner of the site would be constructed of steel. Three lighting columns would be erected within the proposed carpark - one in each of the northeast and southeast corners of the site and one adjacent to the high stone wall enclosing the west boundary of the site. The carpark would be surfaced with Asphalt with a kerbed footway formed along its north, east and west edges which would link into the existing footway on the access lane to the south of Coastguard Cottages and onto Lamer Street. To facilitate the construction of the car park an existing extent of paving that exists at the western end of the access lane would be removed.

The Design and Access Statement submitted with the application states that the Local Transport Strategy and Parking Management Strategy, identified a need to increase turn-over of parking spaces to help businesses in and around Dunbar Town Centre. Additional car parking is therefore proposed on the Coastguard site and on land adjacent to Dunbar Railway Station. This increased parking provision will address indiscriminate parking in residential areas. This proposed car park would be a new supply and would increase availability of parking spaces close to the town centre to meet public needs.

DEVELOPMENT PLAN

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

The development plan is the approved Southeast Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Development Plan 2018.

There are no policies of the approved Southeast Scotland Strategic Development Plan (SESplan) relevant to the determination of this application. Policies CH1 (Listed Buildings), CH2 (Development Within Conservation Areas), HOU1 (Established Housing Land Supply), DP2 (Design), T2 (General Transport Impact), NH11 (Flood Risk) and OS1 (Protection of Opens Space) of the adopted East Lothian Local Development Plan 2018 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.

Also material to the determination of this application The Local Parking Strategy (2018-2024) which has been adopted as part of East Lothian Council's Local Transport Strategy.

REPRESENTATIONS

Twenty written objections to the application have been received from seventeen different objectors, including the Dunbar Shore and Harbour Neighbourhood Group. The main grounds of objection are:

- (i) Ownership of the access lane – it not adopted by the Council and upkeep and maintenance is by local residents – the access road is not part of the planning application;
- (ii) The private lane is already congested with cars from the locality;
- (iii) Impact on the high stone wall which is a retaining wall – are the levels of the site to be raised or lowered;
- (iv) Construction traffic;
- (v) Entrance is not wide enough for 2 vehicles;
- (vi) No pavement on Lamer Street – where are people to walk?
- (vii) Damage to parked vehicles parking in the access lane;
- (viii) Poor visibility entering and egressing the site;
- (ix) What about disabled access and access to and from the site by people with buggies? Site not suitable for disabled drivers.
- (x) Light pollution will be a threat to bats and birds;
- (xi) Air pollution is a health risk;
- (xii) Noise pollution;
- (xiii) Vibration from vehicles will increase subsidence and be a threat to the stone wall;

- (xiv) Flood risk;
- (xv) Fuel spills;
- (xvi) Inappropriate materials – i.e black top would not preserve the conservation area;
- (xvii) Destroying public green space;
- (xviii) Anti social behaviour;
- (xix) The green has always been a garden and recreation area for the Coastguard Cottages;
- (xx) There are no details given where the location of the stairway giving access from Church Street;
- (xxi) The metal stairway is not appropriate for this place in a conservation area. A flight of stone steps should be proposed instead;
- (xxii) No information is given on whether there will be any planting or landscaping around the edge of the car park;
- (xxiii) Disturbance to the occupants of neighbouring residential properties from vehicles engines, car doors and fumes;
- (xxiv) Road Safety - particularly in relation to young children – what raised safety measure would be put in place;
- (xxv) Loss of play area;
- (xxvi) The construction of a car park when we are trying to cut pollution seems regressive – we should be encouraging people to leave cars behind;
- (xxvii) The application makes no reference to the Assembly Rooms application 06/00349/PCL which remains undecided. This development will allow that undecided application to progress. Failure to mention that is deceitful;
- (xxviii) A Site for parking exists in the empty site adjacent to the Vennel and the play park there. That site should be upgraded;
- (xxix) The site was used some years ago as allotments and go be again maybe in association with the allotments at Beveridge Row or the Backlands Project;
- (xxx) Danger to drivers as there is no crash barrier on the sea wall opposite the entrance;
- (xxxii) Loss of privacy to neighbouring residential properties;
- (xxxii) Lamer Street is not fit to accommodate more traffic and has had to have repairs undertaken to it regularly;
- (xxxiii) The road is often unpassable due to high seas with rock and seaweed covering the road after high tide which makes for dangerous driving;
- (xxxiv) Will the car park and stairway be open to the public;
- (xxxv) Will there be restrictions on parking?
- (xxxvi) No demand for another car park and further parking studies need to be undertaken;
- (xxxvii) This is contrary to the Council's commitment to mitigate climate change;
- (xxxviii) The location is unsuitable for residents living on the High Street;
- (xxxix) Objections to making Abbeylands car park a short stay car parks.

On February 5th 2020 a public exhibition was held by the Council's Road Services in Dunbar Town House to allow the public to view the proposed plans. The matters raised at the event included:

- * Road safety;
- * Pedestrian safety;
- * The need for a barrier on the sea front;
- * Lack of residents parking;
- * Condition of Lamer St;
- * Anti social behaviour;
- * Not accessible to all;
- * There are better options for a car park;
- * Existing car parks should be better used;
- * Public Safety;
- * Need for bike racks;
- * Location of stair;

- * Impact on privacy;
- * Car park could be used by commuters;

On the matter of ownership of the access lane Council records show that the lane is in the ownership of East Lothian Council. The adjoining Coastguard Houses have access rights and maintenance liabilities for the lane but not ownership of it.

Antisocial behaviour, noise or pollution generated by increased vehicle movements or from idling cars is controlled under legislation other than planning legislation. Therefore they are not material planning considerations in the determination of this planning application.

The potential for damage to parked cars and the potential for fuel spills are not material planning considerations relevant to the determination of this planning application.

The matter of the studies being undertaken to show the need for the car park, potential alternative uses of the site, other potential sites for a car park and making Abbeylands car park a short stay car park are not material planning considerations in the determination of this application for a car park.

The matter of the car parking for the Assembly Rooms being provided to the rear of that building is not material planning considerations relevant to the determination of this planning application.

COMMUNITY COUNCIL

Dunbar Community Council as a consultee object to the application. The main grounds of objection are:

- (i) The green space is a valued play area of the children of local residents;
- (ii) There is no demand for additional car parking either from local residents or from the public as parking in adjacent Lamer Court is underused;
- (iii) The proposal for 25 car with a sole access from Lamer St will increase traffic movements in a quiet cul de sac. This will be a risk to children at play and to users of the shared access lane;
- (iv) It is understood that the ownership of the access lane lies with the residents of Coastguard Cottages;
- (v) Car parking can be provided on the Assembly Room site for the Assembly Room development;
- (vi) The loss of green space is contrary to current environmental thinking;
- (vii) The industrial style staircase is not in keeping with the Conservation Area.

PLANNING ASSESSMENT

The application site is an area of land that is situated within a predominantly residential area as defined by Policy RCA1 of the adopted East Lothian Local Development Plan 2018. The purpose of Policy RCA1 is to ensure that the predominantly residential character and amenity of its area of coverage is safeguarded against the impacts of land uses other than housing. Use of the site as a car park would be compatible with the predominantly residential use, character and amenity of the area. The principle of the development is not inconsistent with Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

The Team Manager for the Council's Policy and Strategy Service advises the site was allocated for residential development by the adopted East Lothian Local Development Plan 2000. The East Lothian Local Plan 2008 through proposal H13 Assembly Rooms/Coastguard site Dunbar proposed that together these two sites would accommodate approximately 12 houses/flats along with associated infrastructure. This reflected a 1994 planning permission for both the conversion of the upper floors of the Assembly Rooms to residential use and the redevelopment of the Coastguard site for housing and parking to serve both on the

Coastguard site. In the preamble to Proposal H13 it stated that “because no land goes with the ground and first floor parking requirements arising from the conversion of the Assemble Rooms will be accommodated on the Coast Site as part of its redevelopment. Parking for both the Assembly Rooms conversion and the Coastguard site must be provided on the Coastguard Site and a link provided to Church Street”.

He further advises that through the East Lothian Local Development Plan (ELLDP 2018), the Council continues to support the conversion of the Assembly Room building and the redevelopment of the Coastguard site for housing development provided that the Coastguard Site provides parking for any new flats in the Assembly Rooms. Both the Assembly Room Building and the Coastguard Site are listed within the Dunbar Cluster Established Housing supply table DR1 of the ELLDP as each having the capacity to accommodate 8 residential units. However neither site is allocated as a specific proposal.

Policy HOU1: Established Housing Land Supply states that The Council continues to support the principle of appropriate residential development on sites of the established land supply as set out in the Housing Land Audit 2017. Planning application ref: 15/00478/P was submitted in 2015 for the erection of 9 flats on the site. However due to the constraints of the site and its proximity of the site and therefore of any future housing development, to neighbouring properties of the site, that application is unlikely to be supported. In light of those planning constraints no alternative proposals to the flatted development have been submitted. Therefore it is now proposed that the use of the site be changed to that of a car park. However, there is no evidence to suggest that the proposed change of use and therefore the development of the site in the manner proposed would prejudice future proposals to develop the site for housing should those proposals come forward. Therefore the principle of the application site being developed for a car park does not conflict with the Policy HOU1 of the adopted East Lothian Local Development Plan 2018.

Policy OS1: Protection of Open Space states that Recreational, leisure and amenity openspace and facilities, including outdoor sports facilities will be safeguarded to meet the recreational needs of the community or protect the amenity or landscape setting of an area. Alternative uses will only be considered where there is no significant loss of amenity on the landscape setting and:

- i. the loss of a part of the land would not affect its recreational, amenity or landscape function, or
- ii. alternative provision of equal community benefit and accessibility would be made available, or
- iii. provision is clearly in excess of existing and predicted requirements.

Whilst the site is currently laid out as grass, as the site is part of the established housing land supply of East Lothian, it is not a formal children’s play area or a formal area of openspace. Neither, due to its backland position does the site contribute to the amenity or landscape character of the area. Therefore as the change of use of the site to a car park would not affect the recreational, amenity or landscape function of the area such a change of use would not conflict with Policy OS1 of the adopted East Lothian Local Development Plan 2018.

The Team Manager for the Council’s Policy and Strategy Service also advises that The East Lothian Council Local Parking Strategy (2018-2024) has been adopted as part of the Local Transport Strategy. It notes a number of issues in relation to Dunbar Town Centre mainly relating to access and efficient operation of the town centre and railway station parking. The parking strategy states there is a lack of off-street parking management and on-street enforcement creating problems, long-stay parking by town centre traders and passengers using the railway station is leading to overflow parking on nearby streets.

The parking strategy proposes that existing car parks be reorganised to define them as short, medium and long stay car parks to ensure that parking is available when it is required and for the requisite length of time that people want. Availability of parking is important to the success of the town centre and this measure is aimed at ensuring that people who are using the town centre can find parking.

Given that this proposal accords with the Local Parking Strategy 2018-2024, as the site was previously identified for housing, and as the development of the site for a car park would not prejudice any future housing proposals, The Team Manager for the Council's Policy and Strategy Service also raises no objection to the proposal which does not conflict with Policies RCA1, HOU1, OS1 of the adopted East Lothian Local Development Plan 2018 or with the Local Parking Strategy 2018-2024.

The Council's Road Services advise that the proposed car park would enable unrestricted parking for cars and establish a long stay parking alternative in the area for 25 cars. It is not at this time intended to impose time restrictions, in order that the car park is seen as an alternative to the long stay parking that currently takes place on Church Street, often associated with commuters using Dunbar Railway Station. With no applied time restrictions the car park would be available for long stay residents parking and would offer improved turnover of car parking spaces in the vicinity of Church/High Street road junction increasing legitimate parking opportunities. The associated stairway would be available for the public use at all times.

In forming the proposed car park it is not proposed to significantly change the ground levels on the site. It would be surfaced with Asphalt. A kerbed footway would be formed on the northern, eastern and western sides of the car park.

Due to the contained position of the site 30m to the west of Lamer Street and behind the houses of Coastguard Cottages and Coastguard House it is not prominent in public views of it from Lamer Street. Furthermore, due to its much lower ground level than Church Street and or the high stone boundary wall and the position of adjacent building the site is not readily visible from Church Street.

In such a contained position the proposed car park would only be visible in limited short duration public views through the access lane from Lamer Street and through the new pedestrian access from Church Street. In such limited short duration views the use of the site as a car park with its asphalt surfacing would not be seen to harm the character and appearance of the Conservation Area.

Likewise the proposed metal stairway would be screened from all but limited public views from both Church Street and from Lamer Street. Therefore as public views of the proposed stairway would be limited to from within the car park or from through the new pedestrian access from Church Street it would not be a harmfully prominent or incongruous feature. It would not be seen to be harmful to the character and appearance of the Conservation Area or to the setting of the listed building.

Two lighting columns would be erected, one at either end of the central island of parking spaces on site. Both columns would measure some 8 metres, be constructed of mild steel and have a semi-circular barrier around their base. A hatched area would be delineated to the east of the site to prohibit parking.

The proposed lighting columns would be similar in scale to other lighting columns erected within the vicinity of Church Street and. They are commonplace within a car park environment and would not by their form and finishes, including their associated barrier protection, appear incongruous in their car park setting. They would not be harmful to the setting of the adjacent

listed buildings or the character and appearance of the Conservation Area.

In such a contained position the change of use of the site to a car park and the erection of a new stairway would not be conspicuous or be harmfully intrusive or incongruous in the streetscape of Lamer Street or Church Street and would not be harmful to the setting of the neighbouring listed building or the character and appearance of the Conservation Area.

On those matters of design the proposals do not conflict with Policies CH1, CH2 or DP2 of the adopted East Lothian Local Development Plan 2018.

In assessing whether or not a proposed new development would result in harmful overlooking and therefore loss of privacy to existing neighbouring residential properties it is the practice of the Council, as Planning Authority to apply the general rule of a 9 metres separating distance between the windows of a proposed new building and the garden boundaries of neighbouring residential properties and an 18 metres separating distance between directly facing windows of the proposed new building and the windows of existing neighbouring residential properties. Whilst what is proposed through this application is not a new building with windows, in accordance with Policy DP2 requires that any new development must ensure there will not be an unacceptable loss of amenity through loss of privacy to neighbouring residential properties. Therefore in this instance it is prudent to assess the impact of the change of use of the site to a car park, the formation of the access and stair on the privacy of relevant neighbouring properties using the same standards as applied to new buildings.

The proposed new car park would be bounded in part to the east by a residential property. The side (west) elevation of that house and the fence that encloses its rear garden run parallel with the eastern edge of the application site. However, that boundary fence is of sufficient height to ensure that it would not be possible to look into the rear garden of that neighbouring house from the car park. Furthermore, whilst new stairway would face toward that rear garden, it would do so at a distance of at least 12m away from the west boundary of that rear garden with the proposed new access in the wall being some 18m away from that rear garden. Therefore, and in accordance with Council Standards, the change of use of the area of land to a car park, the formation of the new access and the installation of the proposed stairway would not allow for harmful overlooking of that neighbouring residential property consistent with Policy DP2 of the adopted East Lothian Local Development Plan 2018.

Lamer Street is a public road that is part of the local road network in Dunbar. It runs from Woodbush to the south to Victoria Road and the harbour beyond to the north. As part of the local road network it provides unrestricted vehicular and pedestrian access to residential properties on Lamer Street, Woodbush and Coastguard Cottages and as a route to access the harbour area of Dunbar. Part of Lamer Street is adjacent to the East Beach and consequently does experience some impact from wave action at high tide. However it is maintained as required by the Council with due regard to road safety.

The Team Manager of the Council's Flooding, Structures & Street Lighting Service was consulted on the application. On the matter of flooding he has stated that the application site is not shown on any of SEPS's flood maps as being at risk of flooding. Whilst these flood maps do not take into consideration wave overtopping from Lamer Street it is unlikely that flooding would occur on the site. Therefore on those matters of floodrisk the proposals do not conflict with Policy NH11 of the adopted East Lothian Local Development Plan 2018.

The Team Manager of the Council's Flooding, Structures & Street Lighting Service further advises that construction of the car park could involve excavation of the area and that these works must not undermine the adjoining retaining wall to the west or the Assembly Rooms to the north. Therefore he has advised that to safeguard the integrity of the retaining wall on the west side of the site and adjacent properties it would be prudent to attach conditions to any

grant of planning permission that would ensure that no excavations take place on the site unless and until (i) a condition survey of the wall together with a full structural assessment of the wall are undertaken and (ii) a Method Statement detailing how works can be carried out without undermining the wall are submitted to and approved by the Planning Authority. Subject to the imposition of the aforementioned condition the proposals would not undermine the integrity of the retaining wall and adjacent buildings.

The Council's Road Services advises that access to the site is via an unnamed access lane from Lamer Street that is owned by East Lothian Council. There are no restrictions to on-street parking within the lane. The proposed carpark would provide 25 parking spaces with pedestrian access provided from Church Street and vehicular access from the access lane. The car park would have no time restrictions on cars parking within it.

The Council's Road Services advises that the provision of the car park will result in an increase in vehicular traffic on Lamer Street. However, as this is to be a Long Stay car park with a low turnover of cars parking within it this increase is unlikely to be significant.

Furthermore, whilst there is no kerbed footway on sections of Lamer Street the pedestrian access to Church Street would provide the most direct link to the Town Centre and train station for pedestrians. Furthermore Lamer Street is already used by pedestrians to access East Beach, the harbour and residential properties on Lamer Street and those pedestrians already share that road with vehicles. It is of sufficient width to accommodate cars and pedestrians. Therefore any pedestrians using Lamer Street to access access/egress the proposed car park would not change this existing situation.

The Council's Road Services further advises that the junction onto the access lane from Lamer Street is of sufficient width to accommodate 2 way vehicular movement. With regard visibility he advises that there are low boundary walls on either side of the junction that do not affect visibility in either direction on Lamer Street. Therefore and as vehicles using Lamer Street travel at low speeds the use of the site as a car park would not be a road safety hazard. He does advise that due to the proximity of the junction to the sea wall with East Beach that there could be an increased risk to cars of accidentally dropping over the sea wall and onto East Beach. Therefore he has advised that a crash barrier should be erected opposite on the edge of the sea wall and opposite the junction. The provision of a crash barrier would require planning permission in its own right. However such a crash barrier exists on the edge of the sea wall opposite a recent housing development adjacent to the north side of the Assembly Room building which is also accessed from Lamer Street. Therefore and provided any crash barrier is appropriate to its setting within the conservation area the provision of such a crash barrier being erected prior to works commencing on site can reasonably be made a condition of a grant of planning permission.

The proposed car park will have 2 parking bays accessible for disabled members of the public. Access onto Lamer Street via the access lane is not problematic which would allow access to the East Beach, harbour and the Town Centre. However, access onto Church Street is via the stairway may not be possible for some members of the public. Therefore The Council's Road Services recommends that as an alternative the applicant considers the provision of 2 accessible parking bays on Church Street. Due to the narrowness of Church Street it is unclear at this time whether the formation of the 2 accessible parking bays is possible without encroaching onto road space. Notwithstanding this, and as the applicant is East Lothian Council Roads Services it should be made a condition of a grant of planning permission that prior to the commencement of development the provision of those accessible parking bays on Church Street should be investigated and the outcome of those investigations submitted to an approved by the Planning Authority.

Finally, in the interests of safeguarding the amenity of the occupants of neighbouring

properties during the period that the car park is under construction The Councils Road Services advises that prior to the commencement of development a Construction Method be submitted to and approved by the Planning Authority. This should minimise the impact of construction activity on the safety and amenity of the area including measures to control noise, dust, construction traffic (including routes to/from the site and shall include hours of construction work.

Subject to the imposition of the aforementioned conditions the proposal would not have an adverse impact on road safety and would not be contrary to Policy T2 of the adopted East Lothian Local Development Plan 2018.

The Council's Biodiversity Officer has advised that she has no records of bats roosting in the vicinity of the site. This is likely to be because of a lack of available foraging resources for bats around Church Street. Therefore and given the level of artificial lighting that already exists on Church Street and on the adjacent paved area at the end of the access lane that the lighting of the car park is unlikely to have a significant impact on bat species in the area. However she advises that any lighting be directed away from the building of the Assembly Rooms. Likewise, she advises that the proposals will not have a significant impact on bird species in the area. The inclusion of artificial lighting may reduce available foraging time during winter however, there are will likely be sufficient foraging opportunities in nearby garden areas to negate any negative impact the proposals may have.

The Council's Environmental Protection Manager has raised no objection to the application having no comments to make on it in terms of noise nuisance or on impacts on air quality.

The Council's Landscape Officer raises no objection to the application.

This proposed car park is not being associated with any other new use within Dunbar. The objective of the car park is to provide an alternative place for long stay car parking close to Dunbar Town Centre and to free up existing car parks and parking in the Town Centre. Therefore, as the proposal is to accommodate cars that are already travelling to and within Dunbar the proposal would not encourage additional trips to and would not in itself result in significant traffic generation within the Dunbar area.

At its meeting on Tuesday 27th August 2019 the Council approved a motion declaring a Climate Emergency. Thereafter, at its meeting on Tuesday 3rd September 2019 the Council's Planning Committee decided that a condition requiring a developer to submit for the approval of the Planning Authority a report on the actions to be taken to reduce the carbon emissions from the completed development should be imposed on relevant applications for planning permission. Such a condition should be imposed on a grant of planning permission for this proposed development.

RECOMMENDATION

- 1 No works shall be undertaken on the site to form the carpark unless and until a crash barrier has been erected along the section of the sea wall of East Beach opposite the junction of the access lane with Lamer Street. Thereafter the crash barrier shall remain in place unless otherwise agreed by the Planning Authority.

Reason:

In the interests of road safety.

- 2 Prior to the commencement of development a Method Statement detailing how the applicant will undertake construction works to form the car park and erect the staircase shall be submitted to and approved by the Planning Authority. The Method Statement shall be informed by a structural assessment and condition survey of the wall which shall be approved by the Planning Authority. Thereafter works

taking place on site shall accord with the Method Statement so approved unless otherwise agreed by the Planning Authority.

Reason:

To safeguard the integrity of the retaining wall and adjacent buildings in the interests of the safety and amenity of the area.

- 3 A Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area shall be submitted to and approved by the Planning Authority prior to the commencement of development. The Construction Method Statement shall recommend mitigation measures to control noise, dust, hours of construction works and control of construction traffic including routing of vehicles and delivery time restrictions and include details of temporary parking arrangements during the full construction period for all vehicles associated with the building works.

The recommendations of the Construction Method Statement shall be implemented prior to the commencement of development and shall be implemented until the development of the site is complete unless otherwise agreed by the Planning Authority.

Reason:

To minimise the impact of construction activity in the interests of the amenity of the area.

- 4 Prior to its use in the development the details of all external lighting shall be submitted to and approved by the Planning Authority and the lighting erected shall thereafter accord with the details so approved unless otherwise agreed by the Planning Authority.

Reason

To limit the impact of light trespass in the area.

- 5 Prior to the commencement of development the provision of 2 accessible parking bays on Church Street as alternatives to accessible parking bays within the carpark hereby approved shall be investigated and the details of those investigations submitted to and approved by the Planning Authority.

Reason:

In the interests of the provision of accessible parking spaces.

- 6 Prior to the commencement of development, a report on the actions to be taken to reduce the Carbon Emissions from the build and from the completed development shall be submitted to and approved in writing by the Planning Authority. This shall include the provision of renewable technology for all new buildings, where feasible and appropriate in design terms, and new car charging points and infrastructure for them, where feasible and appropriate in design terms. The details shall include a timetable for implementation. Development shall thereafter be carried out in accordance with the report so approved.

Reason:

To minimise the environmental impact of the development.