



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

**THURSDAY 16 JULY 2020
VIA SKYPE**

Committee Members Present:

Councillor N Hampshire (Chair)
Councillor N Gilbert
Councillor S Kempson

Advisers to the Local Review Body:

Mr C Grilli, Legal Adviser to the LRB
Mr L Taylor, Planning Adviser to the LRB

Clerk:

Ms F Currie, Committees Officer

Apologies:

None

Declarations of Interest

None

Introductory Statement by the Legal Adviser

Following nominations to chair the meeting, Councillors Kempson and Gilbert proposed and seconded Councillor Hampshire. It was therefore agreed that Councillor Hampshire would chair the Local Review Body (LRB) on this occasion.

The Chair outlined the procedure for the meeting and the statutory matters which the Local Review Body were required to consider before reaching a decision on the planning application.

1. PLANNING APPLICATION NO. 20/00137/P: CONVERSION OF FORMER COASTGUARD STATION TO FORM 1 HOUSE, COASTGUARD STATION, LAMER STREET, DUNBAR EH42 1HD

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.

The Planning Adviser outlined the background and detailed proposals contained in planning application no. 20/00137/P which related to the conversion of the former coastguard station at Lamer Street, Dunbar to form a single dwelling. He advised that planning permission had been refused on the 24 April 2020 and a request for review was submitted on 30 April.

He stated that the following policies were relevant to the determination of the application: Scottish Planning Policy, including the statement on development within conservation areas, East Lothian Local Development Plan (LDP) 2018 policies RCA1 (Residential Character and Amenity), DP5 (Extensions and Alterations to Existing Buildings), DP7 (Infill, Backland and Garden Ground Development), CH2 (Development Affecting Conservation Areas) and T2 (General Transport Impact). Also relevant was the LDP 2018 Cultural Heritage and the Built Environment Supplementary Planning Guidance and the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The Planning Adviser informed Members that ELC Roads Services had initially objected to the proposals on road safety grounds but had removed this objection when amendments to the proposals were made that demonstrated a driveway could be created allowing a car to be parked on site, and subject to confirmation that the wall and pillars along the eastern side were removed to allow for visibility and safe exiting onto the public road. Public consultation had resulted in one objection to the proposal with the reasons relating to neighbour privacy, parking and impact on the Dunbar conservation area.

He summarised the Planning Case Officer's assessment of the proposals against material planning considerations. This had concluded that there would be no unacceptable impact on issues such as neighbour privacy or overlooking, and no unacceptable impact from overshadowing or overbearing as no extensions to the building were proposed. Matters including window openings and the need for a higher western boundary were able to be controlled through planning conditions. In addition, there would be no unacceptable impact upon the conservation area. In relation to the general arrangement of the site and the amenity for future occupants of the building, the Planning Case Officer's assessment had noted that:

- the amount of internal space to use as living accommodation would be limited

- there were no windows or proposed windows at the rear of the building that would provide outlook for occupants
- there would be poor outlook from the other proposed ground floor windows due to the proximity of the building to the boundary and need for obscure glazing
- the glazed east facing façade would have most of the outlook obscured at ground floor due to a vehicle being parked on the site that itself takes up the majority of space in the front garden
- there was only a small strip of land at the back and to the sides of the building for use by occupants
- the proposed balcony would be in public view and would not provide private space.

The Planning Case Officer had determined that there would not be sufficient amenity in terms of private space, garden ground or outlook for future occupants of the building if converted to a residential dwelling. As a consequence, planning permission had been refused on the basis that the proposal was contrary to Policy DP7 of the LDP 2018.

The Planning Adviser concluded his summary of the case and invited questions from Members.

The Chair thanked the Planning Adviser for his summary.

In response to questions from Councillors Kempson and Gilbert, the Planning Adviser confirmed that the removal of the pillars and front wall on the eastern side were part of the proposals and that while the proposed glazing on the eastern side would provide considerable daylight, overall, the Planning Case Officer had concluded that there would not be sufficient outlook for the occupants.

Replying to a query from the Chair, the Planning Adviser confirmed that planning policy supported this type of development, particularly where a building was at risk of falling into disrepair.

The Chair asked his colleagues if they were satisfied that they had sufficient information before them to determine the application. They confirmed this to be the case.

The Chair then invited Members to give their opinions.

Councillor Kempson said it was important that the building had a use and she did not see the lack of garden as a barrier to redevelopment. She considered it necessary to have the 1.8m fence to separate the property from its neighbours and she was minded to grant the application.

Councillor Gilbert noted that the building was at risk of falling into disrepair, that the proposals were supported by the community council, and were sympathetic to the building and the character of the area. For these and other reasons, he was minded to uphold the appeal.

The Chair said he was aware of the building's previous use and that its redevelopment for residential use would safeguard its future. He agreed with the need for the 1.8 m fence and he accepted that the pillars and wall would have to be removed to facilitate vehicle access. He was minded to uphold the appeal and to grant planning permission subject to the conditions proposed by the Planning Case Officer.

Decision

The ELLRB agreed unanimously to overturn the decision of the Planning Case Officer and to grant planning permission subject to conditions to be agreed between the Members and Planning Officers.

Signed

Councillor N Hampshire
Chair of Local Review Body (Planning)