

**REPORT TO:** Planning Committee

**MEETING DATE:** Tuesday 6 December 2011

**BY:** Executive Director of Environment  
(Planning & Building Standards)

**SUBJECT:** Application for Planning Permission for Consideration

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Application No. **11/00749/PCL**

Proposal Development and change of use of area of open space to form car parking area

Location **Village Green  
Manse Road  
Dirleton  
East Lothian  
EH39 5EP**

Applicant East Lothian Council

Ward 005

RECOMMENDATION Consent Granted

#### PLANNING ASSESSMENT

Through this application East Lothian Council seeks planning permission to develop for use as additional public car parking spaces a long, narrow strip of land that presently comprises almost all of the western edge of the Village Green of Dirleton.

The long, narrow strip of land is 95m in length and some 3m in width and it is proposed to form on it a total of 19 public car parking spaces that would be surfaced with a 'grass-crete' product.

The Village Green is an area of public open space covered by Policy C3 of the adopted East Lothian Local Plan 2008. It is within Dirleton Conservation Area.

As an amendment to this planning application the sides of the proposed strip of public car parking spaces are to be edged with a concrete channel and not with white paint as previously proposed. This amendment has been the subject of a re-notification of neighbours and of re-advertisement in the local press.

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

The development plan is the approved Edinburgh and the Lothians Structure Plan 2015 and the adopted East Lothian Local Plan 2008.

Policies ENV1C (International and National Historic or Built Environment Designations), ENV1D of the approved Edinburgh and the Lothians Structure Plan 2015 and Policies ENV3 (Listed Buildings), ENV4 (Development Within Conservation Areas), C3 (Protection of Open Space) and T2 (General Transport Impact) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

Material to the determination of the application are Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Scottish Government's policy on development affecting a listed building or its setting given in Scottish Planning Policy: February 2010.

Scottish Planning Policy echoes the statutory requirements of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 that in considering whether to grant planning permission for development which affects a listed building or its setting a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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 that would have a neutral affect upon the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. The design, materials, scale and siting of new development within a conservations area should be appropriate to the character of the conservation area.

There are two objectors to the application.

One is the Architecture Heritage Society of Scotland. They object to the proposed use of standard precast concrete curbs on both of the long edges of the proposed new strip of public car parking spaces.

The other objector is the owner of a neighbouring residential property. Whilst he is generally supportive of the intent to resolve the indiscriminate parking that is causing damage to the Village Green it is the nature of the Council's proposed solution to this that he objects to. He puts forward for consideration an alternative proposal for the provision of additional public car parking spaces in the vicinity of the Village Green.

By being part of the representation received from the owner of the neighbouring residential property the alternative parking scheme his agent puts forward on his behalf is

material to the determination of this application. Accordingly it is copied to the Members of the Planning Committee together with the other written parts of his representation.

However, whatever the merits of the alternative parking scheme may be, it is not for the Committee, in their determination of this application to compare the Council's proposed scheme of public car parking provision against the alternative scheme put forward by the objector. Indeed this planning application must stand to be determined on the merits of the proposed scheme for which planning permission is sought.

The determination must be whether or not what is proposed is acceptable for its place, with due regard to relevant development plan policy.

The long, narrow strip of land proposed by the Council for development and use as 19 additional public car parking spaces is only a very small part of the much larger area of public open space of Dirleton Village Green. Due to the extent of the land that would remain as public open space the loss of the 3m wide strip comprising its western edge would not affect the recreational, amenity or landscape potential of the remaining area of public open space of The Village Green and does not conflict with Policy C3 of the adopted East Lothian Local Plan 2008.

The Council's Landscape and Countryside Management Division raise no objections to the 3m wide strip of the western edge of the Village Green being changed in form and use to 19 additional car parking spaces.

Dirleton Village Green is a large area of public open space that greatly contributes to the amenity of Dirleton and to the character and appearance of Dirleton Conservation Area. It is an intrinsic component of the setting of Dirleton Castle (a Scheduled Monument and Category A listed building) and of the buildings on the north and west sides of the Green, some of which are listed as being of Special architectural or historic interest.

It is said in the Character Statement for Dirleton Conservation Area given in the adopted East Lothian Local Plan 2008 that development impinging on either of the Dirleton greens would adversely affect the Conservation Area.

However, the proposed row of 19 additional car parking spaces, due to their linear form and limited width of 3 metres, would little impinge onto the Village Green. With their 'grass-crete' surfacing they would sensitively integrate with the grassed surfaced form of the adjoining substantial area of the Village Green. Moreover the 'grass-crete' surfacing of the 19 car parking spaces would be slightly lower than the adjoining ground level of the Village Green on their east side and flush with the level of the carriageway of the public road on their west side. The concrete channels (named as precast concrete curbs in the objection from the Architectural Heritage Society of Scotland) would be set flush with the 'grass-crete' surfacing. In all of this the proposed row of 19 new car parking spaces would not be unduly prominent and would not appear harmfully intrusive or incongruous in their setting. Due to their discrete form and appearance and the functional appropriateness of their positioning alongside the public road they would not harm the amenity of the Village that derives from the composition of the Village Green and its surroundings. Similarly they would not have a harmful impact on the character and appearance of the Conservation Area or the setting of the nearby listed buildings, particularly those on the west side of the public road (Manse Road). Due to their discrete

form and appearance and their distance away from Dirleton Castle they would not harmfully impact on the setting of that Scheduled Monument and Category A listed building.

On these considerations the proposed 19 new car parking spaces do not conflict with Policies ENV1C, ENV1D and ENV1G of the approved Edinburgh and the Lothians Structure Plan 2015, Policies ENV3, ENV4 and DP2 of the adopted East Lothian Local Plan 2008 and Scottish Planning Policy: February 2010.

Historic Scotland raise no objection to the application.

The Head of Transportation raises no objection to the application. The proposed 19 new car parking spaces do not conflict with Policy T2 of the adopted East Lothian Local Plan 2008.

Dirleton Village Association in their representations on the application wish the Committee to know that they are fully supportive of the Council's proposed scheme of provision of the 19 new car parking spaces and that at their meeting on 17 November 2011 they voted to unanimously reject the alternative parking scheme put forward by the agent for the neighbour who is objecting to the application.

#### RECOMMENDATION:

That planning permission be granted subject to the following condition:

- 1 The development shall begin before the expiration of 3 years from the date of the grant of this planning permission.

Reason:

Pursuant to Section 58 of the Town and Country Planning (Scotland) Act 1997