

# LOCAL REVIEW BODY

22 January 2026

Application No: 25/00745/P

**12D Bush Terrace, Musselburgh, EH21 6DF**

Appointed Officer's Submission

## **25/00745/P – REVIEW AGAINST DECISION – PLANNING OFFICER'S SUBMISSION**

Planning Application Review Against Decision (Refusal): Change of use of flat to short term holiday let at 12D Bush Terrace, Musselburgh.

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4. Copy of consultation responses from (i) ELC Environmental Health; (ii) ELC Anti-Social Behaviour Team; (iii) Police Scotland; (iv) ELC Road Services; (v) ELC Housing Strategy & Development; and (vi) ELC Economic Development.
5. Copy of Policies 13 (Sustainable transport) and part (e) of Policy 30 (Tourism) of National Planning Framework 4 and Policies RCA1 (Residential Character and Amenity), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the adopted East Lothian Local Development Plan 2018.
6. Schedule of conditions.

## OFFICER REPORT

**8th September 2025**

App No. **25/00745/P**

Application registered on **18th July 2025**  
Target Date **17th September 2025**

Proposal	<b>Change of use of flat to short term holiday let</b>	SDELL	N
		CDEL	N
Location	<b>12D Bush Terrace Musselburgh East Lothian EH21 6DF</b>	Bad Neighbour Development	N

**APPLICANT: Mr Peter Oliver**

Is this application to be approved as a  
departure from structure/local plan? N

**c/o Sue Oliver  
12D Bush Terrace  
Musselburgh  
East Lothian  
EH21 6DF**

**DECISION TYPE:**

**Application Refused**

### PLANNING ASSESSMENT

The property to which this application relates is a first floor flat within a three storey flatted building situated on the south side of the public road of the Promenade in Musselburgh. The flatted building is located within a predominantly residential area as defined by Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

The property is bounded to the north by the public road of the Promenade, to the east by neighbouring residential properties, to the south by a communal garden which serves the flatted building of 12 Bush Terrace and to the west by a public footpath beyond which there is a neighbouring residential property.

In December 2023, planning application (Ref: 23/01289/P) was refused retrospectively for the change of use of the applicant's flat to a two bedroom short term holiday let for the reason being that 'The holiday let use of the flatted property is incompatible with and harmful to the amenity of the occupants of the other flatted properties within the residential building of 12 Bush Terrace, Musselburgh and as such is contrary to part e) of Policy 30 of National Planning Framework 4 and Policy RCA1 of the adopted East Lothian Local Development Plan 2018'.

An appeal against the Council's decision to refuse planning application 23/01289/P was dismissed (by 2 votes to 1) at the Council's Local Review Body on 25th June 2024.

Planning permission is now sought for the change of use of the residential first floor flat of 12D Bush Terrace, Musselburgh as a one bedrooned unit of short term self-catering holiday let accommodation.

The main differences between this application and the application previously refused relates to the number of bedrooms that are to be used for short term lets and the occupancy levels. As is proposed, the applicant only intends to rent out 1 bedroom for a maximum of 2 guests as opposed to 2 bedrooms for a maximum of 3 guests as was previously sought for.

No alterations to the applicant's flat, either internally or externally, are proposed.

Subsequent to the registration of this application, the applicant has provided additional information which confirms that (i) the minimum length of guest stay would be 14 nights and the maximum length of guest stay would be 90 nights; (ii) the maximum number of visitors in one booking would be 2 guests (only 1 of the 2 bedrooms within the flat will be made available to guests); (iii) waste bins/recycling will be emptied by an appointed cleaner who will also clean the flat between guest stays; (iv) the property has a lock box such that guests can check in and check out by themselves; (v) the property is likely to appeal to singles, couples, people working in the area and golfers; (vi) the property will be marketed/advertised online; (vii) there are a total of 7 flats within the building (1 at ground floor and 3 on each of the first and second floors); (viii) the applicant's flat shares a communal entrance with all of the other flats within the building and it also shares an internal stair with the 2 other flats at first floor level and 3 other flats at second floor level; and (ix) the applicant's flat does not benefit from an allocated or private parking space but on-street parking is available nearby.

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 National Planning Framework 4 (NPF4) and the adopted East Lothian Local Development Plan 2018.

Policies 13 (Sustainable transport) and 30 (Tourism) of NPF4 are relevant to the determination of this application. Policies RCA1 (Residential Character and Amenity), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the adopted East Lothian Local Development Plan 2018 are relevant to the determination of this application.

There is no public objection to this application.

This application seeks planning permission for the change of use of the residential first floor flat of 12D Bush Terrace, Musselburgh as a one bedrooned unit of short term self-catering holiday let accommodation. The holiday let comprises of one bedroom (the other bedroom within the flat is to remain locked), a living room/kitchen and a bathroom. The applicant's flat is capable of accommodating/sleeping a maximum of 2 guests.

The East Lothian Local Economy Strategy 2024-2034 identifies tourism as one of the strengths of the East Lothian economy and a source of employment opportunities in the future and the adopted East Lothian Local Development Plan 2018 states that a range of hotel, guest house and other accommodation attracts visitors and encourages them to stay and benefit the economy of East Lothian. The adopted East Lothian Local Development Plan 2018 states that all leisure and tourism related development proposals, including visitor attractions, hotels and holiday accommodation, will be assessed against all relevant Local Development Plan policies.

The change of use of the residential flat to a holiday let provides holiday accommodation within Musselburgh that attracts visitors and encourages them to stay in East Lothian, which supports the existing long established business and benefits the wider economy of East Lothian.

The adopted East Lothian Local Development Plan 2018 does not contain a specific policy on the change of use of flats to holiday lets. However, part e) of Policy 30 (Tourism) of NPF4 states that:

Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- (i) An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- (ii) The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

Policy RCA1 (Residential Character and Amenity) of the adopted East Lothian Local Development Plan 2018 states that the predominantly residential character and amenity of existing or proposed housing areas will be safeguarded from the adverse impacts of uses other than housing. Development incompatible with the residential character and amenity of an area will not be permitted.

In the determination of this application it is necessary to assess the impact of the proposed change of use on the amenity of the existing residential properties contained within the residential flatted building to which the applicant's flat forms a part.

The Council's Environmental Health Officer advises that whilst the normal use of a property would not result in loss of amenity to neighbours, the use of properties for short term holiday let can result in future guests misusing and abusing the property in a manner that is antisocial and can result in a significant impact upon amenity of neighbours. However, it is stated that the Council's Environmental Health Service cannot assume that antisocial behaviour issues will arise and thus cannot impose any enforceable conditions to protect the amenity of neighbours.

The Council's Antisocial Behaviour Team advise that they have had no records of any incidents relating to any antisocial behaviour matters at this address and thus they raise no objection to this planning application.

Police Scotland advise that there have been no police incidents at this address (having checked their records over the last three years) and thus they raise no objection to this planning application.

The Council's Road Services note that this property has no private parking such that residents/visitors are required to park on-street. They also note that the documents submitted with this application confirm that no internal alterations are proposed and thus they advise that there would be no changes in the likely parking demands. In general, they state that whilst there may be some increase in the number of vehicles during the peak tourist season compared to residential use, this increase would likely even out throughout the year resulting in no noticeable difference in overall car parking demand. Accordingly, the proposal does not conflict with Policy 13 of NPF4 or Policies T1 and T2 of the adopted East Lothian Local Development Plan 2018.

The applicant's property is a first floor flat within a three storey flatted building which contains a total of 7 residential properties within the block (1 at ground floor and 3 on each of the first and second floors). The property the subject of this application shares a communal front entrance door with all of the other residential properties and it also shares an internal stair with 5 other flats within the building.

The proposed use of the application property as a holiday let would enable it to be let out for short stays resulting in a turnover of people over short time periods with a significant proportion of occupants likely to be visitors. Whilst the applicant indicates that short term lets would be limited to the months of July and August only, such a regular turnover of users/occupants during those months would change the nature of comings and goings not only to the application property itself but also within the communal entrance and internal stair of the residential building. Most users/occupants of the holiday let would have a degree of luggage or other property to take through the communal external entrance and internal stair which in itself would lead to a level of disturbance and nuisance not associated with the permanent/long term residential use of the property which is harmful to the amenity of the occupants of the residential properties within the residential flatted building of 12 Bush Terrace. It is accepted that permanent residents may also make noise but they tend to keep their luggage in their homes and do not move them with the same frequency as regularly changing guests who arrive and depart sometimes at unsociable hours, and this differs from typical residential circumstances.

Along with the extra comings and goings of users of the holiday let at check in/check out there would also be an additional level of activity not only at the application property but also within the communal entrance and internal stair as a result of people regularly accessing both the main building and the application property itself to service/clean it and remove waste and recycling material after each guest stay. This level of additional activity would be evidently different to that expected with the permanent/long term use of the flat as a private residence again which is harmful to of the amenity of the occupants of the residential properties within the residential flatted building of 12 Bush Terrace, Musselburgh.

Moreover, allowing frequently changing guests unfettered access to otherwise secure shared areas changes the actual and perceived level of security for permanent residents. Whilst permanent residents are likely to have visitors of their own from time to time, those permanent residents would remain in control of security to communal areas. The introduction of frequently changing guests regularly into these secure areas, independent of the owner, would therefore differ from typical residential circumstances.

Given the specific circumstances and location of the application property within the residential building of 12 Bush Terrace, Musselburgh which contains a number of permanent/long term residences that share a communal entrance and internal stair, the change of use of the applicant's first floor flat as a one bedoomed unit of short term self-catering holiday let accommodation is incompatible with, and harmful to, the amenity of the occupiers of the properties within the residential building of 12 Bush Terrace. By having an unacceptable impact on local amenity, the proposal is contrary to part e) of Policy 30 of NPF4 and with Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

It is now necessary to assess the impact of the proposed change of use on the loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits as is stated in part e) of Policy 30 of NPF4.

The Council's Housing Strategy & Development Service state that the change in use of this property from a long term residential dwelling to a short term let is considered a significant loss because the property consists of a two bed flat as originally built. Accordingly, the Council's Housing Strategy & Development Service object to this planning application.

The Council's Economic Development Service Manager advises that there are demonstrable local economic benefits delivered by all types of short term holiday lets in East Lothian and that existing provision of this type of accommodation must be retained, protected and supported where there is no demonstrable impact on local amenity, the character of the area or loss of residential accommodation. In the particular circumstances of this case it is stated that (i) short term lets are essential to East Lothian's tourism infrastructure and help deliver the Council's strategic objective of promoting "a successful, accessible, and sustainable tourism sector"; (ii) based on primary research commissioned by the Council there is a demonstrable economic benefit to having a wide range of accommodation types in East Lothian with the tourism sector contribution £155m to the local economy in 2021; (iii) visitors staying overnight in non-serviced accommodation contributed £60.1m to the local economy in 2021 and the majority of visitors to East Lothian are repeat visitors; (iv) non-serviced accommodation (short term holiday lets) contributes positively to the local economy (£279m in 2019) and the applicant's flat accounts for 4 bedspaces and a potential annual economic impact of £90,908 and could support up to 2 FTE jobs; (v) the proposal represents a legitimate business activity that will generate local employment and attract high-value visitors to the area; and (vi) there is an increasing number of overnight stays in East Lothian for work purposes (which is expected to increase over the next 10-15 years) such that the loss of short term capacity would significantly impact both the tourism and wider local economy. Therefore, the Council's Economic Development Service Manager supports this planning application stating that the change of use of the flat to short term holiday let accommodation supports the strategic goals and objectives of the East Lothian Local Economy Strategy 2024-2034 and the intent and outcomes of part e) of Policy 30 of NPF4.

However the local economic benefits associated with the use of the applicant's first floor flat operating as a one bedoomed unit of short term self-catering holiday let accommodation does not outweigh the unacceptable impact on local amenity. Therefore, the change of use is not in accordance with the Development Plan and there are no material planning considerations that outweigh the fact that the change of use is not in accordance with the Development Plan.

**REASON FOR REFUSAL:**

- 1 The holiday let use of the flatted property is incompatible with and harmful to the amenity of the occupiers of the properties within the residential building of 12 Bush Terrace, Musselburgh and as such is contrary to part e) of Policy 30 of National Planning Framework 4 and Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

**LETTERS FROM**

8th September 2025

## Ground Floor

Approx. 48.2 sq. metres (518.3 sq. feet)



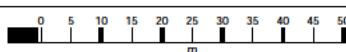
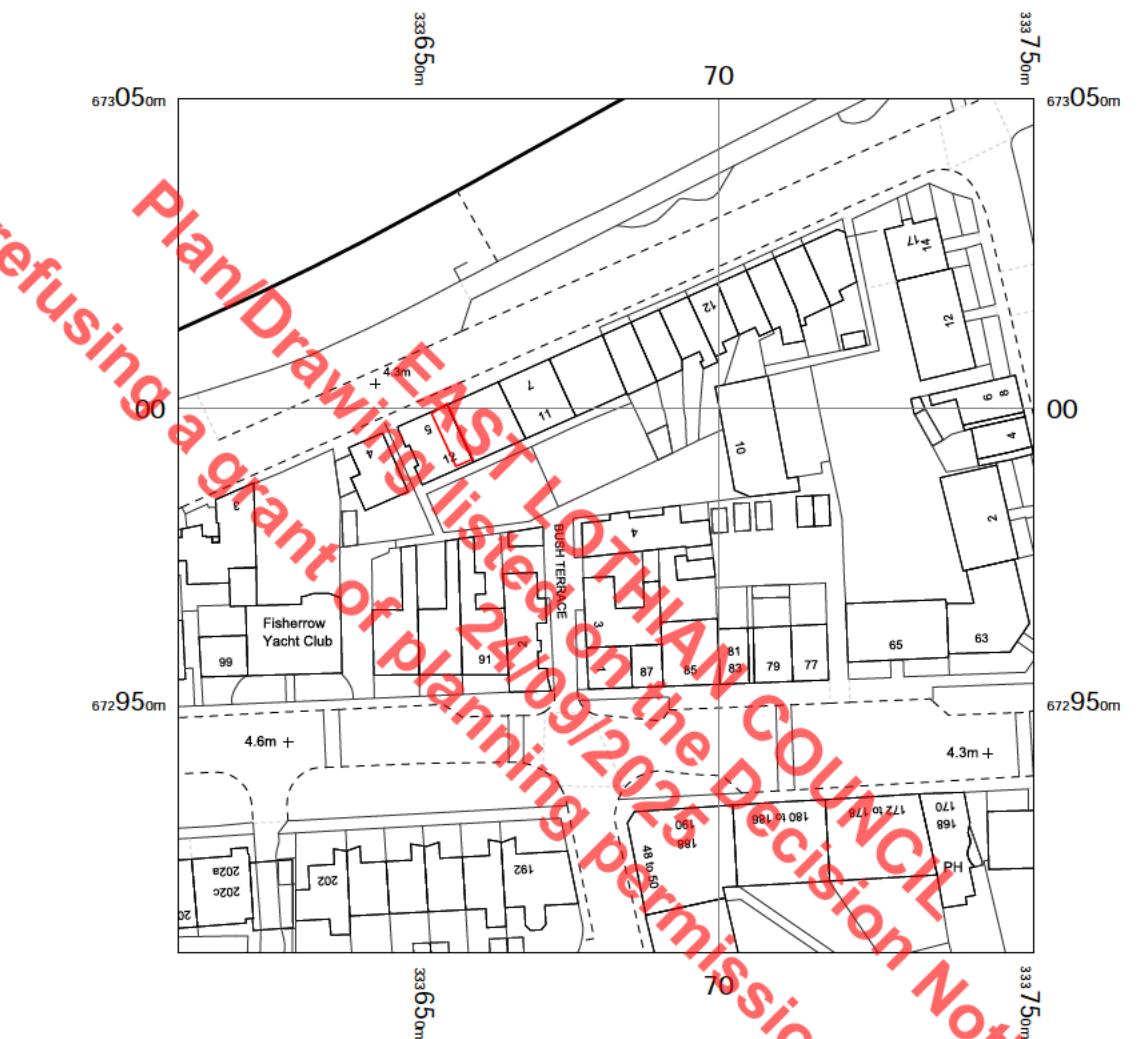
Total area: approx. 48.2 sq. metres (518.3 sq. feet)

Scale: 0m 1m 2m 3m

CO = Carbon Monoxide

SA = Smoke Alarm

Plan/Drawing listed on the Decision Notice of  
refusing a grant of planning permission 25/07/45/P  
EAST LOTHIAN COUNCIL  
24/09/2025

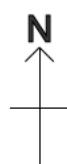


12D Bush Terrace  
Musselburgh EH21 6DF

OS MasterMap 1250/2500/10000 scale  
Friday, July 11, 2025, ID: MPMM4-01232025  
[www.nicolsondigital.com](http://www.nicolsondigital.com)

1:1250 scale print at A4, Centre: 333681 E, 672981 N

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**EAST LOTHIAN COUNCIL  
DECISION NOTICE**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
TOWN AND COUNTRY PLANNING  
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2013**

**Mr Peter Oliver  
c/o Sue Oliver  
12D Bush Terrace  
Musselburgh  
East Lothian  
EH21 6DF**

**APPLICANT: Mr Peter Oliver**

With reference to your application registered on 18th July 2025 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

**Change of use of flat to short term holiday let  
at  
12D Bush Terrace  
Musselburgh  
East Lothian  
EH21 6DF**

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **REFUSE PLANNING PERMISSION** for the said development.

The reasons for the Council's refusal of planning permission are:-

- 1 The holiday let use of the flatted property is incompatible with and harmful to the amenity of the occupiers of the properties within the residential building of 12 Bush Terrace, Musselburgh and as such is contrary to part e) of Policy 30 of National Planning Framework 4 and Policy RCA1 of the adopted East Lothian Local Development Plan 2018.

The report on this application is attached to this Decision Notice and its terms shall be deemed to

be incorporated in full in this Decision Notice.

Details of the following are given in the application report:

- the terms on which the Planning Authority based this decision;
- details of any variations made to the application in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997.

The plans to which this decision relate are as follows:

<u>Drawing No.</u>	<u>Revision No.</u>	<u>Date Received</u>
DRG 1	-	18.07.2025
DRG 2	-	18.07.2025

**24th September 2025**



Graeme Marsden  
Service Manager - Planning  
(Chief Planning Officer)

## NOTES

If the applicant is aggrieved by the decision of the Planning Authority to grant permission for the proposed development subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months from the date of this decision notice. The notice of review, with the correct appropriate fee, should be submitted online at

<https://www.edevelopment.scot/eDevelopmentClient/> or sent to the Clerk to the Local Review Body, Committee Team, Communications and Democratic Services, John Muir House, Haddington, East Lothian EH41 3HA.

If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, the owner of the land may serve on the Planning Authority a purchase notice requiring the purchase of the owner of the land's interest in the land in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

## Scott, Megan (Committees)

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**From:** [REDACTED]  
**Sent:** 29 July 2025 13:50  
**To:** Environment Reception  
**Cc:** [REDACTED]  
**Subject:** FW: 25/00745/P-Neil Millar - Planning Consultation 25/01148/PLANCO  
**Attachments:** ufm3\_E-Consultation\_Letter\_-\_No\_Reason.pdf

Good afternoon,

I refer to your e-mail consultation of 29 July 2025 in connection with the above and would advise as follows:

While the normal use of a property would not result in loss of amenity to neighbours, the use of properties, part of properties or ancillary buildings to properties, for short-term holiday let can result in future guests in the accommodation misusing and abusing the property in a manner that is antisocial and can result in significant impact upon amenity of neighbours. Environmental Health cannot assume such ASB will arise however, and cannot impose any enforceable conditions to protect amenity of neighbours.

Kind regards,

Luke Anstock  
Environmental Health Officer  
Public Health & Environmental Protection Protective Services East Lothian Council

Phone: [REDACTED]  
Email: [REDACTED]  
Website: <https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.eastlothian.gov.uk%2F&data=05%7C02%7Cenvironment%40eastlothian.gov.uk%7C71ea0d05cf714e3a318a08ddce9e7f22%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638893902434004776%7CUnknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIlYiOilwLjAuMDAwMCIsIlAiOiJXaW4zMilsIkFOljoiTWFpbCIsIlldUljoyfQ%3D%3D%7C0%7C%7C%7C&sdata=WwlhUEUU2qvX5Cddp6jjaTMTVlhWusaaPlkIK1%2B3r74%3D&reserved=0>

-----Original Message-----

From: Environmental Protection <envprot@eastlothian.gov.uk>  
Sent: 29 July 2025 10:49  
To: Anstock, Luke [REDACTED]  
Subject: FW: 25/00745/P-Neil Millar - Planning Consultation 25/01148/PLANCO

25/01148/PLANCO

-----Original Message-----

From: environment@eastlothian.gov.uk <environment@eastlothian.gov.uk>  
Sent: 29 July 2025 09:00  
To: Environmental Protection <envprot@eastlothian.gov.uk>  
Subject: 25/00745/P-Neil Millar - Planning Consultation

Please see attached document in relation to the following application: Change of use of flat to short term holiday let at 12D Bush Terrace Musselburgh East Lothian

EH21 6DF

[[https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC\\_Be\\_Nice\\_EMAIL\\_FOOTER\\_\\_zerotolerance\\_1.png&data=05%7C02%7Cenvironment%40eastlothian.gov.uk%7C71ea0d05cf714e3a318a08ddce9e7f22%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638893902434029506%7C](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC_Be_Nice_EMAIL_FOOTER__zerotolerance_1.png&data=05%7C02%7Cenvironment%40eastlothian.gov.uk%7C71ea0d05cf714e3a318a08ddce9e7f22%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638893902434029506%7C)

Unknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIiYiOiwLjAuMDAwMCIsIiAiOiJXaW4zMlsIkFOljoiTWFpbCIsIldUIjoyfQ%3D%3D%7C0%7C%7C%7C&sdata=jPudsu0L%2F2IuhYZM3YvBdaQRLL%2Fqamg1eYKZ0aR7vug%3D&reserved=0]

## **Scott, Megan (Committees)**

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**From:** Business Support CPT  
**Sent:** 29 July 2025 10:04  
**To:** Environment Reception  
**Subject:** RE: 25/00745/P-Neil Millar - Planning Consultation

Dear Neil

Just to confirm, after checking our ASB register, there have been no record of ASB complaints re the listed address in the previous 3 years.

Thanks

Claire

-----Original Message-----

From: environment@eastlothian.gov.uk <environment@eastlothian.gov.uk>  
Sent: 29 July 2025 09:00  
To: [REDACTED] Business Support CPT <businesssupportcpt@eastlothian.gov.uk>  
Subject: 25/00745/P-Neil Millar - Planning Consultation

Please see attached document in relation to the following application: Change of use of flat to short term holiday let at 12D Bush Terrace Musselburgh East Lothian

EH21 6DF

[[1](https://gbr01.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.eastlothian.gov.uk%2Fimages%2FELC_Be_Nice_EMAIL_Footer_zero_tolerance_1.png&data=05%7C02%7Cenvironment%40eastlothian.gov.uk%7C90a47a9dceb4481c280208ddce7eeb20%7C85e771afe90a4487b4071322ba02cc82%7C0%7C0%7C638893766696114532%7CUknown%7CTWFpbGZsb3d8eyJFbXB0eU1hcGkiOnRydWUsIYiOilwLjAuMDAwMCIsIlAiOjXaW4zMilsIkFOljoiTWFpbCIsIlIdUljoyfQ%3D%3D%7C0%7C%7C&sdata=qUvN6e9vrm4AwxQxaLmr5ihxThLPz31fLXMb1%2B4%2BY7c%3D&reserved=0] ]</p></div><div data-bbox=)

## Scott, Megan (Committees)

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**From:** [REDACTED]  
**Sent:** 29 July 2025 09:03  
**To:** Environment Reception  
**Subject:** RE: 25/00745/P-Neil Millar - Planning Consultation [OFFICIAL]

**CAUTION:** This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

### OFFICIAL

Good morning

Address checked over the past 3 years and no ASB reported to police.

Many thanks

Elaine

-----Original Message-----

From: environment@eastlothian.gov.uk  
Sent: 29 July 2025 09:00  
To: [REDACTED]  
Subject: 25/00745/P-Neil Millar - Planning Consultation

Please see attached document in relation to the following application: Change of use of flat to short term holiday let at 12D Bush Terrace Musselburgh East Lothian  
EH21 6DF

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## Scott, Megan (Committees)

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**From:** [REDACTED]  
**Sent:** 13 August 2025 10:53  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Environment Reception  
**Subject:** TRANSPORT PLANNING RESPONSE: 25/00745/P- Planning Consultation

**Categories:** [REDACTED]

### EAST LOTHIAN COUNCIL ROAD SERVICES

From: Asset & Regulatory Manager  
To: Service Manager, Planning

---  
Proposal: Change of use of flat to short term holiday let at 12D Bush Terrace Musselburgh East Lothian EH21 6DF

This planning application is for the change of use of flat to a short-term holiday let at 12/D Bush Terrace, Musselburgh. The property has no private parking and therefore relies on the use of the existing on-street car parking.

We have reviewed the documents submitted by the applicant in support of this planning application, which confirm that no internal changes are proposed. Hence, we conclude that there would be no changes in the likely parking demands. In general, we would note that whilst there may be some increase in the number of vehicles during the peak tourist season compared to residential use, this increase would likely even out throughout the year, resulting in no noticeable difference in overall car parking demand.

Therefore, we confirm that we do not have any objections to this planning application.

Please advise the applicant that all works within or affecting the public road including works on the footway or verge must be authorised in advance by this Council as Roads Authority.

Sent on behalf of IAN KING  
ROAD SERVICES, ASSET & REGULATORY MANAGER

If telephoning, please ask for:  
Aiz

Aizaz Hussain | MCIHT  
Transportation Planning Officer | Road Services | Infrastructure  
East Lothian Council | Penston House | Macmerry Industrial Estate | EH33 1EX  
[REDACTED]



# **EAST LOTHIAN COUNCIL: HOUSING STRATEGY & DEVELOPMENT**

## **PLANNING APPLICATION RESPONSE**

### **POLICY BACKGROUND**

East Lothian Council's Housing Strategy and Development Service are consulted on planning applications to assess the loss to residential accommodation from the change of use of long term residential accommodation to short term holiday lets.

In accordance with Policy 30 (Tourism) of the National Planning Framework 4:

*'e) Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:*

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or*
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.'*

Housing to 2040 is Scotland's long-term national housing strategy and recognises that local authorities should be empowered

*'to strike a better balance between local housing need and the concerns of residents with that of the tourism industry, both of which are crucial to support thriving communities.'*

Local authorities have a duty to prepare a Local Housing Strategy (LHS) under the Housing (Scotland) Act 2001. The Local Housing Strategy is the sole strategic document for East Lothian which brings together a wide range of housing priorities. The most recent version LHS 2024-29 was approved by Cabinet in January 2024. The following priorities are relevant to the change of use of homes to short term lets:

- 'Priority 1: Communities are supported to flourish, be distinctive and well connected.*
- Priority 2: Housing Supply is accessible, affordable and provides a range of choices to meet the needs of households across East Lothian.'*

The LHS is supported by an assessment of housing need and demand (HNDA). The HNDA3 was approved by the Scottish Government as robust and credible in 2022.

### **LOCAL HOUSING CONTEXT**

*Pressures in the private rented sector*

The following data has been extracted from the Local Housing Strategy 2024-2029, and HNDA3. East Lothian's housing stock is predominantly made up of private sector housing. Owner-occupied stock increased by 2.3% compared to the previous LHS and lies at 67.8%. The private rented stock (PRS) decreased across those 5 years and is down at 8.5% (previously 11%). The social housing stock accounts for 23.7% of all stock and has remained stable.

Demand for affordable housing has never been higher, this was reflected by the Council declaring an Affordable Housing Emergency in November 2024. Further restrictions on the availability of homes within the wider housing market will further restrict the supply of housing impacting upon affordability. This includes excessive use of properties that were formerly homes as short term lets. As of January 2025 there were over 4,273 households on the Council's housing list. There were 795 homeless applications during 2023/24 with current supply unable to meet the demand for affordable housing. Significant increases in the number of people on the Council's housing list in recent years

reflect an increasing need for affordable accommodation with over one fifth (20.1%) of housing list applications being made by households currently living in the PRS.

There is a need for an increased supply in long term rental properties across the whole county. The three eastern wards have the highest concentration of PRS tenants seeking social rented housing within East Lothian. North Berwick Coastal (29.6%); Dunbar and East Linton (22.8%); and Haddington & Lammermuir (24.2%) have the highest proportion of households on the housing list who live in the PRS. These three wards also have the least amount of social rented housing per 1,000 population. These localities also have the highest concentrations of short term lets within the region.

The private rented sector's contribution to reducing homelessness is important and cannot be understated. The LHS 2018-2023 introduced new policies supporting homeless applicants to secure a PRS property through a rent deposit scheme.

From 1st April 2023 – 31st March 2024 the Council provided 34 Rent Deposits and where required provision of rent in advance to clients approaching our Housing Options Team. 13 of these cases were provided to Ukrainian households through Homes for Ukraine, these monies are recouped from Scottish Government through funding provided.

#### *Pressures on small properties*

This rise in ageing population and reduction in young people starting families results in a projected increase of single and two adult households at 14.3% and 13.2% respectively compared to households with children which lies at 5%.

Current available data shows that there is significant pressure on the supply of 1 and 2 bed properties in both the private and social sector<sup>1</sup>:

- 1) 2 bed properties account for only 2.3% of new build homes in the private sector, compared to 3 and 4 bed homes which account for 40% respectively.<sup>2</sup>
- 2) 80% of homelessness applications are single person households.
- 3) Single households are most affected by Unsuitable Accommodation Breaches.
- 4) Highest demand for 1-2 bed properties is in wards Musselburgh, Tranent/Wallyford/Macmerry and Preston/Seton/Gosford.

#### *Accessible housing*

East Lothian faces an ageing population and an increase in smaller households. Those aged 75+ are expected to have the largest increase in population of 32%. People aged 65 to 74 will also have a significant increase of 23.2%. North Berwick Coastal area has the largest proportion of older people followed by Haddington and Lammermuir.

<b>Table 1: Percentage of persons aged 65 and over by area partnership</b>	
North Berwick Coastal	27%
Haddington and Lammermuir	22%
Tranent, Wallyford, Macmerry	15%
Musselburgh	20%
Dunbar and East Linton	21%

<sup>1</sup> South East Scotland Housing Needs and Demand Assessment 3

<sup>2</sup> Local Housing System Analysis – Housing supply and affordability

An ageing population results increase the need for smaller, more accessible homes. According to a wheelchair needs assessment carried out in 2022, East Lothian has an estimated unmet need of 430 wheelchair accessible homes and couple households have the greatest need for adaptable homes in 2020. Furthermore, the private sector housing grant which supports the delivery of adaptations in the private housing sector has faced significant budgetary constraints. The installation of larger adaptations such as curved stairlifts or through floor lifts come with a high cost and can be avoided through securing ground floor properties.

#### *Short Term Lets in East Lothian*

In 2022, Housing Strategy & Development commissioned Arneil Johnston to undertake research into the Private Rented Sector in East Lothian. This included an insight into the extent to which the PRS in East Lothian has been affected by the growth of Short Term Lets (STLs). By taking a snapshot of available properties in October 2022, 387 STL vacancies were identified and analysed, with a focus on properties which could only be residential dwellings.

The highest proportion of STL snapshot vacancies were in the North Berwick Coastal area partnership (58%), followed by 19% in Dunbar & East Linton. Musselburgh had the lowest proportion of STLs (2%) along with Fa'side and Preston Seton Gosford (3.4%). The study shows that North Berwick Coastal has been impacted the most in terms of properties being taken out of the residential market, with 22% of the properties that could be long term residential, now functioning as STLs.

Short Term Lets (STLs) by Area Partnership, Snapshot October 2022.			
Area Partnership	PRS	Number of STLs	% of STLs
Dunbar & East Linton	914	76	20%
Fa'side	995	13	3%
Haddington & Lammermuir	1735	32	8%
Musselburgh	844	25	7%
North Berwick Coastal	836	225	58%
Preston Seton Gosford	636	13	3%
<b>Total</b>	<b>5960</b>	<b>387</b>	<b>100%</b>

Source: Arneil Johnston (2022) Research into the PRS in East Lothian

The increase in STLs can lead to a decrease in properties in the long-term rental market. This puts further strain on an already stretched housing system, increasing long term rents as demand outstrips supply. Rents across East Lothian are already high with an average PRS rent of £1,041 per calendar month with rents in North Berwick (£1,162) being the highest in the region. Tourism often relies on low paid seasonal workers, if there is insufficient affordable housing for these employees there will not be a workforce to sustain the industry.

#### **POLICY APPROACH**

Housing Strategy and Development recognise the need to balance the economic benefits that tourism brings to the area however pressures on the current housing supply cannot be ignored. Even a small number of dwellings converted to STLs can have a negative impact on housing availability. This is contrary to the LHS 2024-2029 which seeks housing supply to be accessible, affordable and provide a range of choices.

The Local Housing Context shows that 1-2 bedroom properties are in the highest demand whether in terms of homeless household applications, the housing list, or the general trend of an increase in smaller households in owner-occupied properties. One and two bedroom properties are not being built to the same extent as larger properties. The ageing population increases the need for retaining ground floor, easily adaptable and accessible housing. Costs for adaptations are increasing beyond SG grants, putting pressure on care services. This also increases the Council's housing list due to ever

decreasing options in the private sector. The west of the county sees the greatest pressures in terms of the need for smaller properties to accommodate homeless people. North Berwick see an increased pressure in terms of people from the PRS and older people. Given these pressures, Housing Strategy cannot support all applications for short term letting.

Recent reforms to the Private Residential Tenancy give a series of rights to renters relating to when a landlord can evict a household. Where an individual wishes to convert an existing long term rented residential dwelling into a short term let, **the owners must clearly evidence** that the previous tenant

- has been evicted in accordance with the Private Housing (Tenancies) (Scotland) Act 2016; **and**
- was not made homeless as a result.

Housing Strategy & Development Service **will not** favour planning applications:

- Where the property consists of a one bed or two bedrooms; as originally built.
- Where the property is deemed as adaptable<sup>3</sup>: level access properties; ground floor properties; no internal steps; potential space for wet floor shower adaptation; and/or
- Where the property is located within the North Berwick Coastal ward; and/or
- In cases of tenancy eviction, where meeting the Private Housing (Tenancies) (Scotland) Act 2016 has not been demonstrated.

Housing Strategy & Development **will** favour applications where:

- The proposed short term let is the host's principal home; and/or
- The proposed short term let is deemed as an established short-term secondary let property e.g. has been let for over ten years from date of application; and/or
- The annual occupancy rate of the property is 6 months or more; and/or
- Where the property has been long term vacant prior to being used as a short term let.

Each application will be assessed based on its own merit and the criterion mentioned will be weighted in each case.

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<sup>3</sup> A property is defined by East Lothian Council as being adapted or adaptable where it has a ground floor bedroom (or a room that can be used as a bedroom) and ground floor bathroom (or space to provide a bathroom within the existing footprint of the property) and can be ramped to provide level access.)

## **HOUSING STRATEGY & DEVELOPMENT RESPONSE**

**Planning application reference – 12/00745/P**

**Proposal – Change of use of flat to short term holiday let**

**Location – 12D Bush Terrace, Musselburgh**

**Planning Officer – Neil Millar**

Housing Strategy has been asked to comment on the approval of the change of use of 12D Bush Terrace, Musselburgh to a short-term holiday let. The proposal is a first application for planning permission for short-term letting of a fully furnished property. The property is a two bedroom property located on the first floor. The property shares a communal entrance with other flats in the building.

The Housing Strategy & Development Service object the proposal set out in the above noted application.

**Reason(s):**

The change in use of this property from a long term residential dwelling to a short term let is considered a significant loss because:

- The property is a two bed bedroom home as originally built.

Please advise the applicant that, should planning permission be granted, then the letting of the property to seasonal workers is strongly recommended. Should planning permission not be granted, then the long term letting of the property would be a significant contribution to the housing system.

**Response author:** Craig Entwistle

**Date:** 12/08/2025

## PLANNING APPLICATION RESPONSE – SHORT TERM HOLIDAY LETS

*The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee and on the basis of the information provided. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.*

**Planning application reference – 25/00745/P**

**Proposal** - Change of use of flat to short term holiday let

**Location** – 12D Bush Terrace, Musselburgh, East Lothian, EH21 6DF

**Planning Officer** – Neil Millar

### ECONOMIC DEVELOPMENT POLICY BACKGROUND

The East Lothian Local Economy 2024–2034 was adopted by East Lothian Council on 23 April 2024. Economic development is a key strategic priority for the Council and sits at the heart of The East Lothian Partnership Plan 2017–2027. The Local Economy Strategy acts as a guiding framework for future activity and policy development. It sets out a clear strategic direction and underpins the vision articulated in The East Lothian Plan:

*Working in partnership to achieve an even more prosperous, safe and sustainable East Lothian, with a dynamic and thriving economy that enables our people and communities to flourish.*

To support this vision, three strategic goals have been identified:

1. To increase the number of businesses in East Lothian with growth and employment potential.
2. To reduce income inequality across East Lothian, and to improve access to employment in rural areas.
3. To increase the number of socially and environmentally responsible businesses, expand plural ownership of the economy, and grow community wealth.

These goals are supported by six key objectives:

1. To be the destination of choice for innovative, socially, and environmentally responsible businesses to set up, grow, and succeed.
2. To provide high quality opportunities for people to learn, develop skills, and grow their potential.
3. To build on East Lothian's reputation as a great place to live, work, and learn by adopting a pro-business approach, seeking and supporting sustainable investment, and by empowering communities.

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4. To capitalise on the economic opportunities of and take a leading role in the just transition to a net zero economy.
5. To maximise the opportunities of being a part of the Edinburgh and South-East Scotland City Region.
6. To promote a successful, accessible, and sustainable tourism sector that provides quality experiences and benefits our local communities.

### SHORT-TERM HOLIDAY LETS IN EAST LOTHIAN

Tourism is a cornerstone of East Lothian's economy, employing around 10% of the workforce (3,075 FTE jobs). In 2021, overnight visitors contributed £155 million to the local economy, £60.1 million of which came from those staying in non-serviced accommodation. A high proportion of visitors - 81% - are repeat visitors. However, 2021 figures reflect the significant disruption caused by COVID-19 and do not represent the full economic potential of tourism. For a more accurate baseline, data from 2019 has been used below.

Short-term holiday lets (STLs), including houses and flats, are classed as non-serviced accommodation (NSA). These have become increasingly popular: just 6% of visitors stayed in rented properties in 2003, rising to 30% by 2021. Over the same period, other accommodation types, such as caravan parks, B&Bs, serviced apartments, and staying with friends or family, declined in popularity. Hotel stays also increased slightly but fell marginally from 20% to 19% between 2018 and 2021, suggesting a modest shift to NSA during the pandemic.

Most STL operators in East Lothian are small or micro businesses. Hotel capacity remains limited, particularly for larger establishments, meaning tourism promotion is typically aimed at independent travellers rather than group tours.

Accommodation provision is integral to East Lothian's destination offer and contributes to the overall visitor experience. Increasingly, local accommodation is used by workers as well as tourists, particularly those associated with Torness Power Station, the Viridor Energy Recovery Facility, and major events such as golf tournaments.

Looking ahead, large-scale projects, such as grid upgrades for renewable energy and the decommissioning of Torness, are expected to place additional pressure on local accommodation over the next 10–15 years. This may reduce capacity for leisure tourism, creating a risk to the wider visitor economy. A reduction in bedstock would negatively impact sectors reliant on tourism, including food and drink, retail, attractions, and activity providers.

Economic analysis commissioned by the Council's Economic Development Service (based on 2019 data) highlights the value of NSA to the local economy:

## EAST LOTHIAN COUNCIL ECONOMIC DEVELOPMENT AND REGENERATION

Metric	Non-Serviced Accommodation (NSA) – 2019
Number of NSA Establishments	203
Number of NSA Bedspaces	6,111
NSA Visitor Numbers	130,000
NSA Visitor Days	853,000
Direct Economic Impact	£210 million
Indirect Economic Impact	£69 million
Total Economic Impact	£279 million
VAT Revenue	£35 million
NSA Direct Employment (FTEs)	1,007
Total Employment (FTEs)	4,434

This data illustrates the scale of the potential economic risk should NSA bedstock be removed or further development restricted. A reduction in staying visitors would result in a direct loss of spending across both NSA businesses and their supply chains, a decline in VAT revenue, and a contraction in tourism-related employment, particularly in property servicing and maintenance.

Visitor demand for NSA is closely tied to length of stay. The current average stay in NSA in East Lothian is 6.7 days, indicating a preference for week-long visits. This suggests that NSA guests are unlikely to switch to serviced accommodation, which is generally less suitable for longer, more self-contained stays. Instead, they may choose to stay outside East Lothian altogether resulting in lost revenue for the local economy.

The economic impact per NSA visitor further reinforces this point:

- Average spend per NSA visitor per day (2019): £97.44
- Average spend per NSA stay: £643.13
- Average spend per day tripper: £52.52

This demonstrates the significantly higher value of staying visitors compared to day trippers.

## Context

Economic Development has been asked to comment on the application for change of use from a flat to a short-term holiday let, with reference to National Planning Framework 4 (NPF4), Policy 30 (Tourism), part (e), which relates specifically to the reuse of existing buildings for short-term holiday letting.

The overall aim of Policy 30 is to encourage, promote and facilitate sustainable tourism that benefits local communities, aligns with Scotland's net zero and nature commitments, and enhances the country's appeal as a visitor destination. The policy seeks outcomes that support local economic, social, and cultural benefits from tourism, while enhancing community resilience and job creation.

Policy 30 includes:

Part (a) – a general presumption in favour of new or extended tourism accommodation in locations identified in local development plans.

Part (b) – a set of considerations for all tourism proposals (including contribution to the local economy and impact on communities, e.g. housing supply).

Part (e) – specific guidance for proposals involving change of use to short-term holiday lets.

Under part (e), such proposals *will not be supported* if they would result in:

- i. An unacceptable impact on local amenity or the character of the neighbourhood; or
- ii. The loss of residential accommodation where that loss is not outweighed by demonstrable local economic benefits.

Importantly, the assessment under part (e)(ii) should take place at an area-wide level, rather than by comparing individual property use cases (e.g. STL vs long-term letting). The key question is whether there is a demonstrable area-level economic benefit to offset potential housing loss due to short-term letting.

Applicants are asked to provide information on the operation or intended use of the property as an STL, e.g. occupancy levels, economic benefits, and alternative uses should permission not be granted.

## Proposal Overview

The applicant seeks planning permission to operate a short-term holiday let from a first-floor flat within a three-storey residential building comprising seven units. The flat shares a communal entrance and internal stairwell with five other flats on the first and second floors. While the property does not benefit from an allocated parking space, on-street parking is available nearby. Only one of the flat's two bedrooms will be made available to guests, with a maximum occupancy of two persons per booking.

The property will operate on a limited basis, with stays ranging from a minimum of 14 days to a maximum of 90 days. Cleaning and waste management will be carried out by an appointed cleaner between guest stays. Check-in and check-out will be self-managed by guests using a secure key safe. The property will be marketed online (e.g. via Airbnb), and it is expected to appeal to singles, couples, professionals working in the area, and visiting golfers. While bookings are yet to be confirmed pending necessary consents, the let is intended to help cover the costs of maintaining the property and retain it for use by the applicant's family when visiting from Australia. The property will contribute to the local economy by providing accommodation for visitors and short-term workers within walking distance of Musselburgh's shops, restaurants, bars, racecourse, golf course, and public transport links.

### **Economic Development Recommendation**

The East Lothian Local Economy Strategy 2024–2034 identifies tourism as a foundational sector, contributing over 10% of local employment and over £150 million in visitor spending in 2021. Non-serviced accommodation (NSA), including short-term lets, accounted for more than £60 million of this activity. The strategic importance of maintaining and growing this sector, particularly in high-demand areas like North Berwick, is evident in East Lothian's economic priorities and its commitment to sustainable, inclusive tourism.

It is the view of the Economic Development Service that in terms of National Planning Framework 4 Policy 30 part e) ii. there are demonstrable local economic benefits delivered by all types of short-term holiday lets in East Lothian and that existing provision of this type of accommodation must be retained, protected, and supported where there is no demonstrable and unacceptable impact on local amenity, the character of the area, or loss of residential accommodation. Furthermore, new applications for short term lets should be supported and encouraged in order that East Lothian continues to expand its capacity to host overnight visitors.

The subject property is intended to operate as an STL for only around one month per year, nevertheless, in this case the Economic Development Service supports the proposal for change of use to include short term holiday letting:

#### **Justification:**

- Short-term lets are essential to East Lothian's tourism infrastructure and help deliver the Council's strategic objective of promoting "a successful, accessible, and sustainable tourism sector."
- Council-commissioned analysis confirms the economic value of a diverse accommodation offer. In 2021, overnight visitors contributed £155m to the local economy, including £60.1m from non-serviced accommodation. This trend has grown year on year, with 81% of visitors being repeat guests who depend on accommodation availability.
- Non-serviced accommodation generated a total economic impact of £279m in 2019. Using the sampling outlined above, this proposal's 4 bedspaces equate to an estimated annual impact of £90,908 and could support up to 2 FTE jobs.

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- The proposal represents a legitimate business activity that will generate local employment and attract high-value visitors to the area.
- Demand for overnight stays from infrastructure workers and event visitors is growing and expected to rise further over the next 10–15 years. Musselburgh is in demand for short term worker accommodation. The loss of STL capacity would significantly impact both the tourism and wider local economy.
- The proposed usage pattern, 14-90 day stays represents a meaningful mitigation of some common perceived issues:
  - Reduced turnover and guest frequency: A 14-night minimum stay limits the number of guest changeovers, reducing movement of luggage, noise, and wear on shared entrances and stairwells compared to high-turnover short-term lets.
  - Lower perceived security risks: Fewer and more predictable guest arrivals helping to alleviate concerns about building security and access to communal areas.
  - Closer alignment with residential use: Longer stays encourage more settled, resident-like behaviour from guests, with routines more consistent with permanent residents, thereby reducing potential disruption to neighbours.

### Alignment with the East Lothian Local Economy Strategy 2024–2034

The proposal supports the delivery of the following strategic goals:

- Goal 1: Increasing the number of businesses with growth and employment potential by enabling the operation of a sustainable, locally managed enterprise.
- Goal 3: Growing socially responsible businesses that contribute to the local economy without compromising neighbourhood amenity or housing access.

It also supports key objectives of the strategy, including:

- Objective 1: Making East Lothian a destination of choice by increasing the supply of quality, flexible visitor accommodation.
- Objective 3: Supporting sustainable investment in the visitor economy by enabling short-term lets that operate with professional standards and promote the local area.
- Objective 6: Promoting a successful, accessible, and sustainable tourism sector by improving the availability of accommodation options in high-demand areas.
- 

It also aligns with the intent and outcomes of NPF4:

Policy 25:

- Embedding economic value within the local community by enabling service contracts and custom with local businesses.
- Supporting the reuse of existing assets for economic purposes that deliver inclusive local benefit.

Policy 26:

## EAST LOTHIAN COUNCIL ECONOMIC DEVELOPMENT AND REGENERATION

- Supporting a diverse and sustainable visitor economy in a high-demand location where other accommodation availability is limited.
- Enabling business activity that sustains jobs and services within a key tourism area

### Policy30:

- Supporting sustainable tourism development that benefits local people, aligns with net zero and nature commitments, and inspires people to visit Scotland.
- Ensuring communities benefit socially, culturally, and economically from tourism, while enhancing local resilience and job creation.

### Productive Places Strategic Theme:

- Contributing to a greener, fairer, and more inclusive wellbeing economy by supporting employment and private investment in a key growth sector.
- Enhancing economic resilience and sectoral capacity in a high-demand location, aligned with national goals for a thriving, net zero economy.

**Response author:** Jamie Baker, Service Manager, Economic Development **Date:** 18/08/2025

## **National Planning Framework 4**

### **Policy 13 (Sustainable transport)**

(a) Proposals to improve, enhance or provide active travel infrastructure, public transport infrastructure or multi-modal hubs will be supported. This includes proposals: i. for electric vehicle charging infrastructure and electric vehicle forecourts, especially where fuelled by renewable energy; ii. which support a mode shift of freight from road to more sustainable modes, including last-mile delivery; iii. that build in resilience to the effects of climate change and where appropriate incorporate blue and green infrastructure and nature rich habitats (such as natural planting or water systems).

(b) Development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they: i. Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation; ii. Will be accessible by public transport, ideally supporting the use of existing services; iii. Integrate transport modes; iv. Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards; v. Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking; vi. Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles; vii. Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and viii. Adequately mitigate any impact on local public access routes.

(c) Where a development proposal will generate a significant increase in the number of person trips, a transport assessment will be required to be undertaken in accordance with the relevant guidance.

(d) Development proposals for significant travel generating uses will not be supported in locations which would increase reliance on the private car, taking into account the specific characteristics of the area.

(e) Development proposals which are ambitious in terms of low/no car parking will be supported, particularly in urban locations that are well-served by sustainable transport modes and where they do not create barriers to access by disabled people.

(f) Development proposals for significant travel generating uses, or smaller-scale developments where it is important to monitor travel patterns resulting from the development, will only be supported if they are accompanied by a Travel Plan with supporting planning conditions/obligations. Travel plans should set out clear arrangements for delivering against targets, as well as monitoring and evaluation.

(g) Development proposals that have the potential to affect the operation and safety of the Strategic Transport Network will be fully assessed to determine their impact. Where it has been demonstrated that existing infrastructure does not have the capacity to accommodate a development without adverse impacts on safety or unacceptable impacts on operational

performance, the cost of the mitigation measures required to ensure the continued safe and effective operation of the network should be met by the developer.

While new junctions on trunk roads are not normally acceptable, the case for a new junction will be considered by Transport Scotland where significant economic or regeneration benefits can be demonstrated. New junctions will only be considered if they are designed in accordance with relevant guidance and where there will be no adverse impact on road safety or operational performance.

#### **Part (e) of Policy 30 (Tourism)**

Development proposals for the reuse of existing buildings for short term holiday letting will not be supported where the proposal will result in:

- i. An unacceptable impact on local amenity or the character of a neighbourhood or area; or
- ii. The loss of residential accommodation where such loss is not outweighed by demonstrable local economic benefits.

### **Adopted East Lothian Local Development Plan 2018**

#### **Policy RCA1 (Residential Character and Amenity)**

The predominantly residential character and amenity of existing or proposed housing areas will be safeguarded from the adverse impacts of uses other than housing. Development incompatible with the residential character and amenity of an area will not be permitted. Proposals for new development will be assessed against appropriate local plan policies. In the case of infill, backland and garden ground development, this will include assessment against Policy DP7.

#### **Policy T1: Development Location and Accessibility**

New developments shall be located on sites that are capable of being conveniently and safely accessed on foot and by cycle, by public transport as well as by private vehicle, including adequate car parking provision in accordance with the Council's standards. The submission of Travel Plans may also be required in support of certain proposals.

#### **Policy T2: General Transport Impact**

New development must have no significant adverse impact on:

- Road safety;
- The convenience, safety and attractiveness of walking and cycling in the surrounding area;
- Public transport operations in the surrounding area, both existing and planned, including convenience of access to these and their travel times;
- The capacity of the surrounding road network to deal with traffic unrelated to the proposed development; and
- Residential amenity as a consequence of an increase in motorised traffic.

Where the impact of development on the transport network requires mitigation this will be provided by the developer and secured by the Council by planning condition and / or legal agreement where appropriate.

**SUGGESTED SCHEDULE OF CONDITIONS - REVIEW AGAINST REFUSAL OF PLANNING  
APPLICATION BY THE LOCAL REVIEW BODY – 25/00745/P**

There are no conditions to be attached to a grant of planning permission should the Local Review Body be minded to uphold the review.