

COMMITTEE: Planning Committee
MEETING DATE: 7 October 2025
BY: Executive Director for Place
REPORT TITLE: Application for Planning Permission for Consideration

6

Note: This application was called off the Scheme of Delegation List by Councillor Findlay for the following reason: Given the level of opposition both from residents of these streets and from the population of North Berwick as a whole, the Planning Committee should look at these applications and allow residents to give voice to their concerns so that local democracy can be seen to being followed.

Application no. **25/00762/P**

Proposal Installation of parking meters, bollards and formation of hardstanding areas

Location **St Andrew Street
North Berwick**

Applicant East Lothian Council

Per Stantec UK Ltd

RECOMMENDATION Consent Granted

REPORT OF HANDLING

PROPOSAL

Planning permission is sought for the installation of three parking meters at St Andrew Street, North Berwick. One of the proposed parking meters would be installed to the rear of the footway on the south side of St Andrew Street close to the entrance to the Glebe Car Park, and the other two parking meters would be

installed within the car park itself. One of the parking meters within the car park would be installed within a planted area build out on the east side of the car park entrance and the other would be installed within a planted area build out on the southeastern side of the car park.

The locations for the parking meter to be installed to the rear of the footway on the south side of St Andrew Street close to the entrance to the Glebe Car Park and the parking meter to be installed within the car park within a planted area build out on the east side of the car park entrance are shown in 'Inset A' on the application drawings. The location for the parking meter to be installed within a planted area build out on the southeastern side of the car park is shown in 'Inset B' on the application drawings.

Planning permission is also sought for the installation of bollards and the formation of a hardstanding area with kerbing at the site of the two parking meters to be installed within the car park. In front of those proposed parking meters would be formed a level landing area measuring 1.5m by 1.2m and outside of this area on the wider hardstanding would be positioned three 0.67m high black bollards. The bollards and kerbing are proposed to protect the meters and users of meters from potential vehicle strikes.

The proposed parking meters would be sited within North Berwick Conservation Area.

To the north of the parking meter proposed to be installed to the rear of the footway on the south side of St Andrew Street close to the entrance to the Glebe Car Park is St Andrew Blackadder Church and Hall, which is listed as being of special architectural or historic interest (Category C).

To the south of the proposed parking meters (on the south side of the Glebe Car Park) is the building of 4 Law Road, which is listed as being of special architectural or historic interest (Category B). The grounds of 4 Law Road is the Glebe House Local Garden and Designed Landscape.

The parking meters proposed to be instated would be MS1 Parking Terminals, measuring 317 x 305 x 1524mm high. They would have a black frontage housed within a high security stainless steel body, and protected with an anti-graffiti coating. They would be solar powered and would be able to accept cash or cashless payments (chip and pin or contactless card payments). It is stated in the application submissions that the proposed parking meters are compliant with all relevant standards for disabled access.

The proposed parking meters would operate using solar energy, therefore they would not require any cabling or connection to existing utilities and would operate independently. It is proposed that the parking meters would be bolted to the public footway surface meaning no excavation would be required.

A Design Statement has been submitted in support of the application, which states that the main driver of the proposals to install parking meters in North Berwick is to reduce current parking issues identified in the town. The Design Statement informs

that it has been observed that during summer months in North Berwick, parking demand outweighs available capacity, leading to instances of inappropriate and unlawful parking, including includes misuse of the 90-minute waiting restriction at certain locations, where vehicles have been observed to be parked for up to 5-10 hours.

The Design Statement continues that the proposed parking meters should discourage unlawful parking, and in turn provide a benefit to existing residents and visitors to North Berwick with controlled and more frequent turnover of parking. The Design Statement further states that there would be an economic benefit as the revenue made from parking charges would be used towards the improvement of transport and parking infrastructure in the local area.

The Design Statement informs that North Berwick Conservation Area includes a variety of land uses including residential, retail, commercial, leisure and recreation. Milsey Bay and West Bay beaches, as well as the West Links Golf Course are also included within the Conservation Area boundary. It continues that in addition to its Conservation Area status, the North Berwick Conservation Area also contains numerous listed buildings, none of which would be adversely impacted by the proposed development given the location, scale and design of the proposed parking meters. None of the parking meters would be physically attached to any property including listed buildings.

This application is one of 12 applications proposing a total of 27 parking meters in different locations in North Berwick.

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

Policies 7 (Historic assets and places) and 14 (Design, quality and place) of NPF4 and Policies CH1 (Listed Buildings), CH2 (Development Affecting Conservation Areas), CH6 (Gardens and Designed Landscapes), DP2 (Design), NH11 (Flood Risk) and T2 (General Transport Impact) of the LDP are relevant to the determination of the application.

Material to the determination of the application are Sections 64 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 requires that a planning authority must pay special attention to the desirability of preserving or enhancing the character or appearance of the area in which the building is located.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland)

Act 1997 requires 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.

REPRESENTATIONS

There have been six written representations received to this application, all of which object to the proposed development.

The main grounds of objection can be summarised as follows:

- * The proposed parking meters would amount to a disfigurement of the conservation area with street clutter and visual affronts;
- * Applications for parking meters should not be split into separate applications and the cumulative impact should be considered;
- * Individual applications fundamentally misrepresent the scale and impact of the provision of parking meters;
- * The submitted Design Statement is inadequate;
- * There are far too many parking meters proposed;
- * The impact of the meters would be visually harmful. Their significant cumulative number, size, prominence and associated signage and poles would give rise to an unacceptable adverse impact upon the North Berwick Conservation Area and, in many cases, upon the setting of nearby listed buildings;
- * The development would neither preserve nor enhance the Conservation Area;
- * There would be a harmful cumulative impact from the proposed parking meters;
- * There would be removal of landscaping and trees;
- * One of the proposed parking meters would be on narrow footways and cause an obstruction for pedestrians, the visually impaired, wheelchair users and prams/buggies;
- * Trees will shade the proposed parking meters and may result in them not working;
- * The proposed parking meters would completely undermine conservation area planning policy and practice, as this would material adversely affect the visual impact of the streetscape that the current planning policies and practices have successfully protected;
- * Were the application to be approved it would bring into question the independence and reasonableness of the democratic planning process, where an application is submitted by the Road Authority to the Planning Authority, who are both administered by Council, and;
- * The proposed parking meters would have a harmful impact on the appearance on St Andrew Street and the historic vista and properties located along it, which should not be underestimated.

There is no impediment to the Council being applicant and, as Planning Authority, deciding on the application. Planning Circular 3/2009 states that sometimes, as well as being the decision-maker on a planning application, a planning authority will have some other interest in the proposed development, for example as the developer or the owner of the land. This in itself is not unreasonable; in fact it is quite normal and occurs regularly. In these circumstances though, it is essential that the planning authority does not allow any possible conflict of interest to have

an undue influence on its planning assessment. Planning authorities generally exercise their duties fairly in such matters, recognising how essential it is that probity is scrupulously observed.

In certain circumstances, to protect the integrity of the planning system, where the Planning Authority has an interest, applications must be notified to Scottish Ministers where the proposed development would involve a significant departure from the authority's own development plan or there is an objection by a Government agency, neither of which applies in this case.

COMMUNITY COUNCIL COMMENTS

North Berwick Community Council as a consultee on the application object to the proposed development. The Community Council advise that the Council has a duty under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 to ensure the character and appearance of the Conservation Area are preserved or enhanced, and state that the proposed parking meters are sizeable columns in a number of different locations within the Conservation Area and, whilst certain individual locations may be more discrete or less obtrusive than others, when considered together it is a fact that they do not preserve the character underpinning the designation of the Conservation Area and certainly do not enhance it.

The Community Council advise that this is just one application, but the cumulative impact of all of the meters will also be a consideration. They state that the submitted Design Statement assesses impact on trees and listed buildings, but fails in its fundamental purpose by not assessing or otherwise referring to the impact on the Conservation Area.

The Community Council state that no objective planning assessment can conclude that the parking meters meet the test in LDP Policy CH2, so consequently the application is contrary to that policy and they recommend that planning permission be refused.

ENVIRONMENTAL IMPACT ASSESSMENT

Under the provisions of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 the proposed development falls within the category of a Schedule 2 Development, being one that may require the submission of an Environmental Impact Assessment (EIA). Schedule 3 of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017 sets out the selection criteria for screening whether a Schedule 2 development requires an EIA. On 24 March 2025 the Council issued a formal screening opinion to the applicant. The screening opinion concludes that it is East Lothian Council's view that the proposed development, individually or cumulatively with other proposed parking meters in North Berwick, is not likely to have a significant effect on the environment such that consideration of environmental information is required before any grant of planning permission. It is therefore the opinion of East Lothian Council as Planning Authority that there is no requirement for the proposed development to be the subject of an EIA.

PLANNING ASSESSMENT

The proposed parking meters would be of a slim linear form and design, being only 317mm across by 305mm in width and 1524mm high.

The proposed parking meter to be positioned to the rear of the footway on the south side of St Andrew Street close to the entrance to the Glebe Car Park would be viewed as a relatively small structure with the backdrop of the Glebe Car Park it would be positioned in front of. It would be seen in the context of existing street furniture in the form of lamp posts, poles and an equipment cabinet with which it would have a visual relationship. Due to its position and by its relatively small size, scale and form the proposed parking meter would not appear harmfully prominent, intrusive or incongruous in the street scene and would not result in any harmful visual or landscape impact. It would not be inappropriate to its setting on the public footway and would not be harmful to but would preserve the character and appearance of the North Berwick Conservation Area. Neither would it harmfully draw focus from or harm the setting of the listed building of St Andrew Blackadder Church and Hall.

The proposed parking meters to be positioned in the Glebe Car Park would be viewed as relatively small structures within the larger car park. They would be viewed in the context of the operational car park within which they would be sited with associated parked vehicles. Due to their position and by their relatively small size, scale and form the proposed parking meters would not appear harmfully prominent, intrusive or incongruous in their car park location and would not result in any harmful visual or landscape impact. They would not be inappropriate to their setting within an operational car park and would not be harmful to but would preserve the character and appearance of the North Berwick Conservation Area. Neither would they harmfully draw focus from or harm the setting of the listed building of 4 Law Road, nor would they harmfully impact on the setting of the local garden and designed landscape. By virtue of their size, positioning within a car park and association with the proposed parking meter neither would the proposed bollards or hardstanding kerbed areas harm the character and appearance of the North Berwick Conservation Area, the setting of 4 Law Road or the setting of the local garden and designed landscape.

Given the distance between the other parking meters proposed elsewhere in North Berwick and the intervening land and buildings between them, the proposed parking meters would not lead to any harmful cumulative impact.

The proposed parking meters would not cause a loss of amenity to any nearby residential property.

The **Council's Senior Landscape Officer** does not advise that the proposed parking meters would harm the character or appearance of the Conservation Area. However, the Senior Landscape Officer notes there are 2 lime trees located close to the parking meters and associated works proposed at the location Inset A, but that these would not harmfully impact on the trees subject to the erection of temporary protective fencing to protect them during site works.

The Senior Landscape Officer further advises that the parking meter proposed at location Inset B would lead to the loss of shrubbery and a small Rowan tree. The Senior Landscape Officer does not object to the loss of the shrubbery or the small Rowan tree, subject to a replacement tree being planted elsewhere in the car park to compensate for the loss of the tree.

Such control as set out above can competently be imposed as conditions on a grant of planning permission.

The **Council's Archaeology/Heritage Officer** advises that although the location of the proposed parking meters lie within the Conservation Area, he is satisfied that that there would be no harmful impact on the historic environment. The Archaeology/Heritage Officer therefore raises no objection to the application.

The **Council's Flooding & Structures Officer** advises that SEPA's Flood Hazard Mapping indicates that the site is not at risk from a flood event with a return period of 1 in 200 years, plus climate change. That is the 0.5% annual risk of a flood occurring in any one year, with an allowance for climate change. The Flooding & Structures Officer advises that in any event, the proposed parking meters would not create any more catchment of surface water and would not have any significant effect on the storage capacity of the functional flood plain, nor would they affect local flooding problems. The Flooding & Structures Officer therefore raises no objection to the application on the grounds of flood risk.

The **Council's Road Services** advise that the parking meter proposed to be installed to the rear of the footway on the south side of St Andrew Street parking meter location is acceptable. Road Services further advise that the two parking meters proposed to be installed within the car park each requires the proposed physical infrastructure (bollards, kerbing and hardstanding) to be provided to protect the meter and users from unintended vehicle strikes, and therefore recommends that a Stage 2 Road Safety Audit will be required for the detailed design of the development of those two meters and associated works, and a further Stage 3 Road Safety Audit should also be provided.

Such control as set out above can competently be imposed as conditions on a grant of planning permission.

On all the above considerations the proposed parking meters are consistent with Policies 7 and 14 of NPF4 and Policies CH1, CH2, CH6, DP2, NH11 and T2 of the LDP.

The proposal is considered to be in accordance with the provisions of the stated relevant Development Plan policies and there are no material considerations which outweigh the proposal's accordance with the Development Plan.

CONDITIONS:

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

Reason:

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

- 2 Prior to the commencement of development a Stage 2 Road Safety Audit shall be submitted to and approved by the Planning Authority, which shall be undertaken for the detailed design of the parking meters and associated infrastructure to be installed within the Glebe Car Park, and shall include an implementation programme describing when measures identified in the audit will be provided in relation to construction of the parking meters and any associated infrastructure.

The Road Safety Audit shall be carried out in accordance with the most recent revision of GG119 Road Safety Audit.

Reason:

In the interests of road and pedestrian safety.

- 3 Immediately following completion of the development, the date of which shall be provided in writing to the Planning Authority, a Stage 3 Road Safety Audit - Post Opening shall be submitted to and approved by the Planning Authority for the parking meters and associated infrastructure to be installed within the Glebe Car Park.

The Road Safety Audit shall be carried out in accordance with the most recent revision of GG119 Road Safety Audit.

Reason:

In the interests of road and pedestrian safety.

- 4 No development shall take place on site until the existing lime trees adjacent to the entrance of the Glebe Car Park within the location shown as Inset A on docketed drawing no. 332611186-STN-GEN-XX-DR-TP-0402 Rev P04 have been protected by temporary protective fencing, in accordance with details to be submitted to and approved in writing in advance by the Planning Authority.

The temporary protective fencing shall be erected prior to works commencing, kept in good condition through the works and shall be retained on site fully intact through to the completion of the site development.

Reason:

To ensure the protection of trees within the application site in the interests of safeguarding the landscape character of the area.

- 5 Only the Rowan tree within the location shown as Inset B on docketed drawing no. 332611186-STN-GEN-XX-DR-TP-0402 Rev P04 shall be felled. Replacement planting of a new tree shall be carried out in the first planting season following completion of the development of a species and in a location to be agreed in writing with the Planning Authority prior to the commencement of development.

No other trees on the site shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority. If any tree to be retained on the site is removed, damaged or dies as a result of the site works hereby approved it shall be replaced in the next planting season with others of similar size and species, unless the Planning Authority gives written consent to any variation.

Reason:

In the interests of the landscape character of the area.