

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

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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. **25/00365/P**
Proposal Installation of parking meters
Location **Westgate
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 two parking meters on the public footway at locations on Westgate, North Berwick. One would be positioned on the footway at the corner of Westgate with Westend Place, with the other positioned on the south side of the road at the corner of Westgate with Bank Street adjacent to 21 Westgate.

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

To the south of the parking meter proposed to be installed at the corner of Westgate with Westend Place on the opposite side of Westgate are the buildings of 35-37 Westgate which are listed as being of special architectural or historic interest (Category C). To the north of the parking meter proposed to be installed at the corner of Westgate with Bank Street on the opposite side of Westgate are the buildings of 14 and 16 Westgate which are listed as being of special architectural or historic interest (Categories B and C respectively).

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. In 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), 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 12 written representations received to this application, all of which object to the proposed development.

The main grounds of objection can be summarised as follows:

- * There is not a parking issue in North Berwick;
- * The proposed parking meters will cause an obstruction for pedestrians, wheelchair users and prams/buggies;
- * 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 or the settings of nearby listed buildings;

- * The setting of listed buildings would be harmed;

- * There would be a harmful cumulative impact from the proposed parking meters;

- * The proposed parking meters would harmfully impact on residents privacy;

- * The proposed parking meters would present a road safety hazard;

- * Residents do not want to have to pay for parking;

- * 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;

- * The proposed parking meters would be visually intrusive in the critical line of sight that impacts on the visual appearance and historical impression of Westgate, which is of architectural and visually significance importance within the North Berwick Conservation area, and;

- * The proposal is an attempt to raise revenue.

It should be noted this application proposes the installation of parking meters only and the planning assessment of it can consider only the merits of the proposed structures. The matter of parking controls/charging and the impact of that is not a material consideration in the determination of this application.

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 advise this particular application covers 2 parking meters in a prominent thoroughfare of the town centre. The first of the two is even right in the middle of a particular beauty spot in a wide open space with benches shaded by large trees.

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. Although visible in public views they would be positioned to the rear of the footways on which they would be located.

The proposed parking meter to be positioned on the footway at the corner of Westgate with Westend Place would be viewed as a relatively small structure with the backdrop of a boundary wall and the larger buildings it would be positioned to

the front of. It would be seen in relation to other street furniture in the form of directional signage, poles and street lamps with which it would have a visual relationship. It would also typically be viewed in the context of parked vehicles. 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 footway of a public road 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 buildings of 35-37 Westgate on the opposite side of Westgate.

The proposed parking meter to be positioned on the south side of the road at the corner of Westgate with Bank Street would be viewed as a relatively small structure with the backdrop of a boundary wall and the larger buildings it would be positioned to the front of. It would be seen in relation to other street furniture in the form of a litter bin, benches, planters and a decorative pole with which it would have a visual relationship. It would also typically be viewed in the context of parked vehicles. 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 footway of a public road 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 buildings of 14 and 16 Westgate on the opposite side of the road.

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 neighbouring residential property.

The **Council's Senior Landscape Officer** acknowledges that the application site lies within the North Berwick Conservation Area and advises that due to the small size and scale of the proposed parking meter it would not harm the character or appearance of the Conservation Area. The Council's Senior Landscape Officer therefore raises no landscape objection to the application.

The **Council's Archaeology/Heritage Officer** advises that although the location of the proposed parking meter lies within the Conservation Area, he is satisfied that that there would be no harmful impact on the historic environment and therefore he 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 location of the proposed parking meters is acceptable as adequate pedestrian space would remain on the section of footway where the parking meters would be installed. Road Services therefore raise no objection to the application subject to the parking meters being installed in such a way that they allow at least 1.2 metres unobstructed clear footway width for users of the footway, which they have confirmed is achievable. Such control can competently be imposed as a condition 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, 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 The parking meters hereby approved shall each be installed such that it allows at least 1.2 metres unobstructed clear footway width to remain available for users of the footway.

Reason:

In the interests of road and pedestrian safety.

