



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

**THURSDAY 21 AUGUST 2025
COUNCIL CHAMBER, TOWNHOUSE, HADDINGTON
AND DIGITAL HYBRID SYSTEM**

2a

Committee Members Present:

Councillor L Allan
Councillor D Collins
Councillor N Hampshire (Chair)
Councillor K McLeod

Advisers to the Local Review Body:

Mr C Grilli, Legal Adviser to the LRB
Mr P Zochowski, Planning Adviser to the LRB

Clerk:

Ms F Currie, Committees Officer

Other Officers Present:

Ms E Barclay, Committees Assistant (meeting administrator)

Apologies:

None

Declarations of Interest

Item 1 – Councillor Allan declared an interest due to previous dealings with the applicant. She intended to leave the meeting while this application was considered.

The clerk advised that this meeting was being held as a hybrid meeting. It was being recorded and webcast live via the Council's website in order to allow the public access to the democratic process in East Lothian. East Lothian Council was the data controller under the Data Protection Act 2018. Data collected as part of the recording would be retained in accordance with the Council's policy on record retention and a recording of the meeting would be available for 5 years.

The clerk confirmed attendance by taking a roll call of Local Review Body (LRB) Members present.

Introductory Statement by the Legal Adviser

The Legal Adviser asked Members to confirm that they had had access to all the information. Confirm reviewed applicant's submission He outlined the procedure for the LRB to reach a decision on the planning application before it and reminded them that further advice would be provided on procedure, should they conclude they did not have enough information to determine the application at this meeting.

On this occasion it was agreed that Councillor Hampshire would chair the LRB.

Sederunt: Cllr Allan left the meeting.

1. PLANNING APPLICATION NO. 24/01290/P: ALTERATIONS, EXTENSIONS AND CHANGE OF USE OF BANK TO FORM 1 HOUSE, FORMATION OF OFF-ROAD PARKING, HARDSTANDING AREAS AND ASSOCIATED WORKS, 12 WESTGATE, NORTH BERWICK, EH39 4AF

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser provided details of the application, property and location. He summarised the planning history of the site and outlined the reasons for refusal of planning permission for this, most recent application.

He summarised the planning case officer's assessment of the application against relevant planning policies and highlighted the responses from internal and external consultees, as well as objections submitted by interested parties and the community council.

The Planning Adviser then summarised the reasons for review provided by the applicant's agent, drawing attention to some of the key arguments. He also highlighted that four further representation had been received in relation to the request for review.

The Planning Adviser responded to questions from Members providing further information on the property valuation, the differing processes for considering appeals against refusal of LBC consent and planning permission and commercial property availability in North Berwick. He also commented on the differences between the various applications submitted by the applicant and any pre-application enquiries.

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

The Chair then invited Members to give their views on the application.

Councillor Collins noted that there had been pre-application discussions and advice provided by planning officers. She was of the view that there would be a loss of amenity and loss of daylight for neighbouring properties as a result of the proposals. She also said she had knowledge of at least 3 offers that were made for the commercial property but not at the inflated price paid by the applicants. She concluded by saying that she fully supported the decision of the planning case officer.

Councillor McLeod noted the valuation report, and that the LBC application appeal had been rejected. In his view, this information solidified the case for refusal of planning permission. He could see no major changes from previous proposals submitted by the applicant, and he would be supporting the planning officer's decision.

The Chair felt that the planning officer had followed the process as it should be done and that this site was unlike other commercial property conversions. He said he agreed with the decision of the planning officer.

The LRB members confirmed their decision via roll call vote. They agreed, unanimously to confirm the original decision of the planning case officer to refuse planning permission for the reasons set out in the original decision notice.

Decision

The ELLRB agreed unanimously to confirm the original decision of the planning case officer to refuse planning permission for the reasons set out in the original decision notice.

Sederunt: Cllr Allan rejoined the meeting.

2. PLANNING APPLICATION NO. 25/00229/P: ALTERATION, 1ST FLOOR EXTENSION TO HOUSE, FORMATION OF RAMPS WITH HADNRAILS AND BALUSTRADING, 16 FORTH STREET, NORTH BERWICK EH39 4AF

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser provided details of the application, property and location. He summarised the planning case officer's assessment of the application against relevant planning policies and highlighted the responses from internal and external consultees and interested parties. He then summarised the reasons for review provided by the applicant's agent, drawing attention to some of the key arguments. He also confirmed that 4 representations had been received in relation to the appeal.

The Planning Adviser responded to a question from Councillor Hampshire on whether a smaller scale extension might be more acceptable to the planning authority.

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

The Chair then invited Members to give their views on the application.

Councillor McLeod felt that the size and scale of the proposed extension was not appropriate, and he could not support the application. He suggested that an alternative, smaller proposal may be more acceptable to the planning authority.

Councillor Collins said that this was the last of the cottages in the area that had original character. To alter it with what was proposed would not be complimentary to the property as well as being harmful to the character and appearance of area. She agreed with the planning officer's decision.

Councillor Allan – agree with her colleagues. While she liked to see new ideas and to see areas change and develop, this particular building was very special as a reminder of the history of North Berwick. Any modifications or changes had to be sympathetic and, as the proposals were at present, she supported with the planning officer's decision.

The Chair said he was of a similar opinion. This was a beautiful cottage and while he could appreciate the desire for the sea view, the size and scale of the application was excessive for the size of the building. He would be supporting the decision of the planning officer.

The LRB members confirmed their decision via roll call vote. They agreed, unanimously, to confirm the original decision of the planning case officer to refuse planning permission for the reasons set out in the original decision notice.

Decision

The ELLRB agreed, unanimously, to confirm the original decision of the planning case officer to refuse planning permission for the reasons set out in the original decision notice.

3. PLANNING APPLICATION NO. 25/00150/P: CHANGE OF USE OF FLAT TO SHORT TERM HOLIDAY LET (RETROSPECTIVE), 35E EDINBURGH ROAD, MUSSLEBURGH EH21 6EE

The Chair invited the Planning Adviser, who had not been involved in the original decision, to present a summary of the planning policy considerations in this case.

The Planning Adviser provided details of the application, property and location. He summarised the planning case officer's assessment of the application against relevant planning policies and outlined the responses from internal and external consultees and interested parties. He then summarised the reasons for review provided by the applicant and drew attention to 1 representation submitted in relation to the review.

There were no questions from Members.

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

The Chair then invited Members to give their views on the application.

Councillor McLeod had noted on the site visit that there was no secure door to the communal stair, however, the flat had a Ring doorbell. He commented on the noise made by the main door banging shut and the impact on neighbours. He said that his opinion of this application was in line with his views on similar flats and he would be supporting the decision of the planning case officer.

Councillor Allan said that she agreed with the planning officer's decision and with the comments made by Councillor McLeod. This was clearly a residential block; the increased noise would impact neighbours; and it was not an appropriate location for a short term let.

Councillor Collins said that she was normally sympathetic to these applications, but this was the first occasion where there had been incidents attended by police. She had noted on the site visit that the rear garden was small and that people smoking or drinking may prevent residents from using this communal space. She would be supporting the planning officer's decision.

The Chair said he was of a similar view. He commented that the communal stairwell provided access to all of the flats and when one became a short term let, the communal area also became a commercial space. However, the applicant had no legal right to convert a communal space to commercial use. He also stated that the loss of amenity for residents was unacceptable. He would be supporting the planning officer's decision.

The LRB members confirmed their decision via roll call vote. They agreed, unanimously, to confirm the original decision of the planning case officer to refuse planning permission for the reasons set out in the original decision notice.

Decision

The ELLRB agreed, unanimously, to confirm the original decision of the planning case officer to refuse planning permission for the reasons set out in the original decision notice.

Signed

Councillor Norman Hampshire
Chair of Local Review Body (Planning)

