

**COMMITTEE:** Planning Committee  
**MEETING DATE:** 2 December 2025  
**BY:** Depute Chief Executive – Resources and Economy  
**REPORT TITLE:** Application for Planning Permission for Consideration

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**4**

Application no. **25/00661/PM**

Proposal Coastal reinforcement and protection works, including installation of gabion baskets, mattresses, reinstatement of existing gabions, dune reinstatement, and associated works

Location **West Links Golf Course  
Abbotsford Road  
North Berwick  
East Lothian**

Applicant The North Berwick Golf Club

Per Stantec

**RECOMMENDATION** Granted Permission

## **REPORT OF HANDLING**

### **PRE-APPLICATION CONSULTATION**

As the area of the application site is greater than 2 hectares, the development proposed in this application is, under the provisions of The Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009, defined as a major development and thus it cannot be decided through the Council's Scheme of Delegation. It is therefore brought before the Planning Committee for a decision.

As a statutory requirement of major development applications, this development proposal was the subject of a Proposal of Application Notice (Ref: 25/00001/PAN) and of the required community consultation prior to the application for planning permission being made to the Council.

As a further statutory requirement of major development applications, a pre-application consultation report is submitted with the proposal. The report informs that a total of 22

people attended the two pre-application public exhibition events (12 attendees at the first event and 10 attendees at the second event), which were held at North Berwick Golf Club, New Club House, Beach Road, North Berwick, and that 11 attendees across the two events completed feedback forms/questionnaires (10 feedback forms from the first event and 1 feedback form from the second event). In addition, one other attendee provided comments by email. Of the 11 feedback forms and one email received from attendees over the two events, all respondents live in the local area. The feedback received was generally positive toward the proposed development, although some concerns were raised. In summary the main grounds of concern were:

- The exhibition materials;
- Ability to incorporate biodiversity improvements;
- Potential negative impacts on nature conservation interests/habitats;
- Comparison of the visual appearance of rock armour with gabion baskets (one respondent);
- Doubt over the severity of the erosion and therefore the necessity of the works (one respondent);
- Marram grass should be planted on the gabions in addition to planting elsewhere on the golf course.

One respondent gave feedback with concern that:

- the proposed development would have an adverse impact on the nature conservation interest of this stretch of coastline in the short to medium term; and
- raised doubt over the severity of the erosion and whether these defence measures are necessary.

The development for which planning permission is now sought is of the same character as that subject to the community engagement undertaken through this statutory process.

## **APPLICATION SITE**

This application relates to an area of land comprising the northern edge of the North Berwick Golf Club and including the foreshore of the coastline of the Firth of Forth. The land comprises the interface between the North Berwick West Links Golf Course and the shoreline and extends along some 1,300 metres of the shoreline. The application site measures some 4.58 hectares in area. The area of land between the Golf Course and the coastline consists of grassland and sand dunes. A number of formal and informal footpaths traverse that land.

Due to its coastal location the application site is at risk from coastal flooding and is noted as such on the Scottish Environment Protection Agency's (SEPA) flooding maps.

The site forms part of the Firth of Forth Special Protection Area (SPA) and the Firth of Forth Site of Special Scientific Interest (SSSI). Parts of the site are also within Priority Habitat areas. The site is also close to the Forth Islands Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI).

The application site is part of the constrained coast as defined by ELLDP Policy DC6. It is also within the North Berwick to Seton Sands Coast Special Landscape Area. The majority of the application site is within the North Berwick Conservation Area.

The Scheduled Ancient Monument of Westerdunes Court Pillbox is located outwith the application site, some 200 metres to the west.

Outwith the application site to the south are a number of listed buildings. The nearest listed buildings are Carlekemp (Category A), Bunkerhill (Category A), Westerdunes

(Category A), Bunkerhill Lodge, Gates and Gatepiers (Category B), Engine Cottage (Category B), Carlekemp Lodge with Gates and Gatepiers (Category A), Carlekemp Stables (Category B) and 3 Teviotdale (Category B), all of which are on Abbotsford Road. Also nearby are the listed buildings of the Marine Hotel at 18 Cromwell Road (Category B), Minaki (Category B) and St Anns (Category C) on York Road, and Invereil House (Category B) and Invereil Coachhouse (Category C) on Dirleton Road.

The site is bounded to the north by the beach and shoreline of the Firth of Forth, and to the south by further land of the West Links Golf Course.

## **PLANNING HISTORY**

On 26 June 2018, planning permission Ref. 17/00767/PM was granted for the refurbishment of existing coastal defence provisions and the installation of new coastal defence provisions, including rock armouring and refurbishment of existing timber revetments, planting of marram grass and the installation of a new Dune Protection System of soft rock sand bags on an area of land extending along the shoreline edge of the West Links Golf Course for a distance extending from the west side of North Berwick Bay in a westerly direction to Broad Sands. The development approved by the grant of planning permission Ref. 17/00767/PM has been implemented and installed.

## **PROPOSAL**

Planning permission is now sought for further coastal reinforcement and protection works, including the installation of gabion baskets and mattresses, dune reinstatement and associated works, all as further coastal defence provisions.

The proposals comprise:

3rd tee - installation of gabion mattresses and single height gabion baskets over some 210m and their re-covering with sand and including the installation of a new set of timber steps at a pedestrian access from the golf course land to the beach/shoreline.

14th green - installation of gabion mattresses and single height gabion baskets over some 80m and their re-covering with sand. This part of the proposals includes the replacement of existing gabion protection which has been exposed.

13th green - installation of gabion mattresses and two, three and four height gabion baskets over some 155m and the re-covering of parts of those gabion mattresses and baskets with sand, including the planting of marram grass. This part of the proposals includes the replacement of existing gabion protection which has been exposed. On this part of the proposals, the length of four high gabion baskets would extend for some 40m at the eastern end, the three high gabion baskets would extend for some 70m and then the two high gabion baskets at the western end would extend for some 45m.

The application is supported by a:

- Planning Statement;
- Pre-Application Consultation (PAC) Report; and
- Letter confirming the anticipated life span of the proposed gabion baskets and mattresses.

The Planning Statement explains that the site is located along the southern shoreline of the Firth of Forth, comprising of raised beach foreshore, with beaches and rocky outcrops. The statement acknowledges that the shoreline of the Golf Course is recognised as an important natural environment providing high ecological and habitat resources. The

statement goes on to state that the applicant has recognised the threat that coastal erosion has upon the site and have previously invested in and delivered coastal protection works on other parts of the golf course shoreline edge. However, storm and high tide events in recent years have caused further significant erosion impacts to the course with the specific areas at the 3rd tee, 14th green and 13th green having the most serious threat of future damage. The applicant is thus seeking to improve protection interventions through the implementation of gabion baskets and mattresses and marram grass planting. It is explained that the proposed gabion baskets and mattresses, which are a hard defence measure, would be covered in whole or in part by reinstated sand and that marram grass planting would be carried out to help to soften the visual appearance of the gabion baskets and mattresses. The Statement explains that this type of coastal protection infrastructure has been selected as it is considered to be the most appropriate solution for the amenity and visual character of this part of the coastline, while also offering the same level of protection as alternative engineering solutions, such as the installation of rock armour.

The Statement notes the importance of the West Links Golf Course as a major tourist attraction both locally and nationally and that it has previously been voted/considered to be the 10th best golf course in the UK, 5th in Scotland and 32nd worldwide. It goes on to note that as a major tourist attraction, the golf course and the applicant, The North Berwick Golf Course (TNBGC) is an important tourism and economic asset to North Berwick.

Since the application was registered additional information has been provided to:

- (i) amend errors on the application drawings;
- (ii) provide clarity on the application drawings regarding the proposed ground levels and sand reinstatement levels;
- (iii) provide details of the proposed new steps;
- (iv) provide additional sections at the existing access points from the golf course to the shoreline;
- (v) confirm the expected lifetime of the proposed works; and
- (vi) identify all of the land under the control of the applicant.

## **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 East Lothian Local Development Plan 2018.

Policies 1 (Tackling the climate and nature crises), 2 (Climate mitigation and adaptation), 3 (Biodiversity), 4 (Natural places), 7 (Historic assets and places), 10 (Coastal development), 14 (Design, quality and place), 20 (Blue and green infrastructure), 21 (Play, recreation and sport), 22 (Flood risk and water management) and 29 (Rural development) of National Planning Framework 4 (NPF4) and Policies DC1 (Rural Diversification), DC6 (Development in Coastal Areas), DC9 (Special Landscape Areas), OS1 (Protection of Open Space), NH1 (Internationally Designated Sites (RAMSAR), NH2 (Protection of Sites of Special Scientific Interest and Geological Conservation Review Sites), NH3 (Protection of Local Site and Areas), NH4 (European Protected Species), NH5 (Biodiversity and

Geodiversity Interests, including Nationally Protected Species), NH6 (Geodiversity Recording and Alternative Exposures), NH11 (Flood Risk), CH1 (Listed Buildings), CH2 (Development in Conservation Areas), CH4 (Scheduled Monuments and Archaeological Sites), DP1 (Landscape Character), DP2 (Design), T1 (Development Location and Accessibility) and T2 (General Transport Impact) of the East Lothian Local Development Plan 2018 would be relevant to the determination of the application.

Also material to the determination of the application would be the ELLDP Supplementary Planning Guidance on Countryside and Coast, Special Landscape Areas and Cultural Heritage and the Built Environment.

Also material to the determination of the application is Section 59 and Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states 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 and enhancing the building, its setting and any features of special architectural or historic interest which it possesses.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that a planning authority must have regard to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising its responsibilities in the determination of any application for planning permission for development affecting a conservation area. Proposed development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character and appearance of the conservation area should be treated as preserving its character and appearance.

## **REPRESENTATIONS**

No public representation to the application has been received.

## **COMMUNITY COUNCIL**

North Berwick Community Council has been consulted on the application, however, no response from them has been received.

## **ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

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). On 31st January 2025, the Council adopted a Screening and Scoping Opinion that an Environmental Statement was required and setting out the scope of the matters to be considered in the Environmental Statement.

An Environmental Impact Assessment Report (EIA) was submitted to the Council on 26th June 2025 and has been duly advertised and consulted on. That EIA forms part of the planning application (Ref. 25/00661/PM).

The Environmental Impact Assessment Report (EIAR) comprises the following documents: (i) Volume 1: Environmental Impact Assessment Written Statement; (ii) Volume 2: Figures; (iii) Volume 3: Technical Appendices 2.1: Coastal Erosion Options Appraisal, 3.1: East

Lothian Council Scoping Opinion, 5.1: Preliminary Ecological Appraisal, 5.2: Wintering Bird Survey Report, 5.3: Shadow Habitats Regulations Appraisal (sHRA), 5.4: Outline Biodiversity Enhancement Management Plan; (iv) a EIAR Non-Technical Summary; and (v) a letter from Envirocentre dated 28th August 2025.

The submitted EIA Report contains chapters and appendices on the method and approach to preparing the Report, the description of the development, alternative options considered, biodiversity impact assessment, summary of likely significant effects and schedule of mitigations.

As required by Regulation 5(5)(b) of The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017, to ensure the completeness and quality of the EIA Report, the Report includes a table (Table 1-1: Competent Expertise) outlining the relevant expertise or qualifications of the project team that has contributed to the EIA Report. Based on this submitted information, it can be reasonably concluded that the authors are suitably qualified.

Regulation 4(2) and 4(3)(a) to (d) require that an EIA must identify, describe and assess in an appropriate manner, in light of the circumstances relating to the proposed development, the direct and indirect significant effects of the proposed development on the factors and the interaction between those factors, and the factors are - (a) population and human health; (b) biodiversity; (c) land, soil, water, air and climate; and (d) material assets, cultural heritage and the landscape.

The Council's EIA Scoping Opinion scoped out the following factors - (a) population and human health; (b) biodiversity - ancient woodland; (c) land, soil, water, air and climate; and (d) material assets, cultural heritage and the landscape. The EIA Report has considered the likely significant effects from biodiversity, excluding the effects on ancient woodland.

The Environmental Statement explains that due to the northern facing orientation of the Golf Course, the application site is exposed to coastal processes such as wind, waves and rain, and is susceptible to climate change impacts, which are all likely to contribute greatly to increased erosion along the coastline and thus along the application site, which are susceptible to periods of accretion and erosion occurring in a cyclical nature.

The EIA Report states that SEPA climate change guidance predicts sea level rise of 0.86m in the Forth river basin region, which includes North Berwick by 2100. SEPA calculation predict MHWS (mean high water springs) level in 2100 is 3.36m AOD and the 1 in 200 year extreme sea level for 2100 is 4.77m AOD, and sea level is expected to continue to increase past 2100 with suggestions of 0.15m per decade after the year 2100.

On the matter of biodiversity, which includes impact on European sites and protected species, the EIA Report finds that, subject to the schedule of mitigations contained in Chapter 7, potentially significant effects resulting from the proposed development can be minimised and can be mitigated for. The EIA Report concludes that subject to the implementation of the mitigation measures potential effects are considered to be not significant in relation to biodiversity.

## **PLANNING ASSESSMENT**

### **PRINCIPLE OF DEVELOPMENT**

The application site is part of the North Berwick West Links Golf Course. The land of the application site is owned by East Lothian Council and leased to The North Berwick Golf Club (TNBGC). The site comprises the northern edge of the golf course and the interface

of it with the shoreline of the Firth of Forth. It is covered by ELLDP Policy DC1. The site is also identified as being recreational, leisure and amenity open space as defined by ELLDP Policy OS1 and as being within the constrained coast as defined by ELLDP Policy DC6. Also relevant is NPF4 Policy 10 (Coastal development).

NPF4 Policy 10(c) states that proposals for coastal defence measures will be supported if: (i) they are consistent with relevant coastal or marine plans; (ii) nature-based solutions are utilised and allow for managed future coastal change wherever practical; and (iii) any in-perpetuity hard defence measures can be demonstrated to be necessary to protect essential assets.

The current coastal plan is the East Lothian Shoreline Management Plan (2002), which states that the preferred management of the area within which the application site falls is 'limited intervention' with proposed actions including "visitor management such as dune fencing and signs to keep visitors off the eroding dunes and relocation of tees/greens away from the eroding shore".

The proposed development is a series of hard intervention defence measures, comprising gabion mattresses and baskets of steel construction with a grey coloured high performance polymer coating and with the re-covering of the majority of the gabion mattresses and baskets with reinstated sand and with marram grass planting on the top of the uppermost gabion baskets and on the stepped facing of some of the proposed gabion baskets. All of the proposed hard intervention defence measures and the associated planting are intended to combat the rate of erosion currently experienced along the northern edge of the West Links Golf Course.

The West Links Golf Course occupies a strip of land to the north of the urban form of North Berwick on the west side of the town. The **Council's Service Manager - Economic Development** advises that the West Links golf course is a strategic tourism and economic asset of international standing and is consistently ranked within the top 25 golf courses globally, recognised as an exemplar of authentic links architecture, and forms a cornerstone of East Lothian's identity as Scotland's Golf Coast. The course's reputation is reinforced by its historic links design. The Service Manager - Economic Development advises that the West Links Golf Course makes a significant and irreplaceable contribution to East Lothian's tourism economy, international profile, and year-round visitor spend, and goes on to further advise that the proposed works support the long-term sustainability of the course and, by extension, the broader visitor economy. Economic Development therefore supports this application.

As the proposed development is to facilitate the continuing existing recreational use of the recreational open space of the West Links Golf Course, it has a clear operational justification of need to be in this constrained coastal location. Accordingly, the principle of the proposed development is consistent with ELLDP Policies OS1, DC1 and DC6 and NPF4 Policies 10 and 29.

The proposals would not result in a net loss of blue or green infrastructure or a loss of recreational open space, and thus would not conflict with NFP4 Policies 20 and 21.

The **Council's Head of Communities and Partnerships** comments that the proposed development is for the next phase of coastal protection measures adjacent to the West Links Golf Course, which is internationally renowned and is an important golfing, tourism and recreational asset not only within East Lothian but nationally due to its level of international visitors. The Head of Communities and Partnerships is committed to supporting the coastal mitigation works at this location and in partnership with The North Berwick Golf Club (TNBGC) and comments that this phase of work will enhance the work

carried out in 2017 in partnership between TNBGC and ELC.

The **Council's Head of Infrastructure** welcomes the investment in coastal defences, subject to the technical solution meeting planning tests, and comments that the proposals would be a great investment in coastal defences.

The **Council's Property and Estates Team** and the **Council's Strategy, Policy and Development Manager (Amenity Services)** have no comments to make on the application.

## LANDSCAPE

The proposed gabion baskets and mattresses would be of steel construction coated with a grey coloured high performance polymer coating. No details of the type or colour of stone that would be placed in the baskets and mattresses has been provided with the application.

In their positions along the shoreline edge of the golf course land the proposed baskets and mattresses would be visible in public views, primarily from the shoreline/beach. The application site is within the North Berwick to Seton Sands Coast Special Landscape Area (SLA).

The **Council's Landscape Officer (Policy and Projects)** advises that North Berwick is a key focal point within the North Berwick to Seton Sands Coast SLA, valued for its scenic beaches, historic harbour and dramatic coastal setting, and with the town's beaches being popular recreational areas, heavily used by both locals and visitors, and forming an essential part of its identity. As a consequence, the Landscape Officer advises that the proposed works have the potential for significant landscape and visual impacts.

At the 3rd tee, the proposal comprises the installation of gabion mattresses with a single height of gabion baskets on top of them for a distance of some 210m. At this location the proposed gabion mattresses and baskets would be wholly covered with sand and the beach re-graded on their north side. The ground level of the top edge of the dune along the golf course edge would be subject to some infill and cut and the top edge of the dune would be regularised and would then be replanted with marram grass or turf depending on the specific locational requirement. A minimum of 200mm of material would cover the top of the proposed gabion baskets at this location. The beach slope would be re-graded to project beyond the existing sloping face of the dune. In this way the proposed gabion mattresses and baskets at this location would be wholly covered.

A set of new timber steps would replace the existing worn cut through the dune between the golf course land and the beach/shoreline at the location of the public right of way. The timber steps would be similar to an existing set of timber steps between the golf course land and the beach/shoreline, which are located further to the east along the shoreline edge of the golf course.

At the 14th green, the proposal comprises the installation of gabion mattresses with a single height of gabion baskets on top of them for a distance of some 80m. At this location the proposed gabion mattresses and baskets would be wholly covered with sand and the beach re-graded on their north side. The ground level of the top edge of the dune along the golf course edge would be subject to infill and the top edge of the dune would be regularised and would then be replanted with marram grass. A minimum of 200mm of material would cover the top of the proposed gabion baskets at this location. The shoreline face of the dunes would be re-graded to project beyond the existing sloping face of the dune. In this way the proposed gabion mattresses and baskets at this location would be

wholly covered.

Although the proposed works at the 3rd tee and 14th green would re-grade the top of the dunes and the shoreline face of the dunes at these locations and such change would be visible in public views within this part of the SLA, at these locations the proposed gabion mattresses and baskets would be wholly covered by sand and would not generally be visible unless uncovered by storm or tide events. With their covering with sand and marram grass planting, although the ground levels and gradient of the beach/shoreline would change, the natural materials covering the proposed hard defence measures would be in keeping with the landscape character of the area and accordingly, the proposed development at these locations would not therefore have a detrimental impact on the landscape character of this part of the SLA.

Notwithstanding that the gabion mattresses and baskets at the 3rd tee and 14th green would be covered by sand and would not generally be visible in public views, they may on occasions of storm or tide events be uncovered and exposed, it would be prudent to seek to ensure that the stones used to fill the gabion mattresses and baskets would be of a colour and appearance appropriate to the landscape character of this part of the shoreline. This requirement could be secured through a condition attached to a grant of planning permission. Subject to this condition, the proposed development at these two locations of the application site would not have a detrimental impact on the landscape character of this part of the SLA.

The proposed new timber steps would be similar to other steps that facilitate access between the golf course land and the shoreline/beach and thus would not be harmful to the landscape character of the area including the landscape character of this part of the SLA.

In the cases of the 3rd tee and 14th green, the Landscape Officer (Policy and Projects) advises that the proposed gabions and mattresses would be completely covered with sand on completion and as such they would not be visible, and that although the dunes created would be slightly higher than the existing and would be pulled further towards the beach to enable their covering with sand and marram grass as relevant, such change of form, height and profile would not appear to significantly change the character of the area and would retain the naturalness of the beachscape in this area. The Landscape Officer acknowledges that there will be some disruption to the landscape and visual amenity of the area during construction, particularly to recreational users of the beach, however this would be short term and temporary in nature.

Any such temporary impacts during construction at the 3rd tee and 14th green would not have a lasting impact on the landscape and visual amenity of the area and thus would not have a harmful impact on the landscape character of the area including the landscape character of this part of the SLA.

At the 13th green, the proposals comprise the installation of gabion mattresses with either two, three or four height gabion baskets stacked on top of them in a stepped layout. At this location, the proposed gabion mattresses and baskets will extend for a distance of some 155m. On this part of the proposals, the length of four high gabion baskets would extend for some 40m at the eastern end. The central part would be three high gabion baskets for some 70m and then the western end of this part of the proposals would be two high gabion baskets for some 45m. For the full length of this proposed section of the proposed development, the top of the uppermost gabion baskets would be covered with a minimum of 200mm of material with marram grass planting and the whole of the gabion mattresses at the base would also be covered with sand. Otherwise, to varying degrees, the proposed gabion baskets would be exposed and visible.

As with the proposed development at the 3rd tee and the 14th green, the proposed development at the 13th green would also regrade the top of the dunes at their interface with the golf course and would include both infill and cut along the top edge of the dune. This would regularise the top edge of the dune at its interface with the golf course land and this new ground level would then be planted with marram grass. This part of the proposals at the 13th green would not have a detrimental impact on the landscape character of this part of the SLA.

However, on their beach/shoreline face the proposed gabion baskets at the 13th green would be largely exposed and uncovered for the full length of this part of the proposed development, some 155m. The application drawings show that it is proposed to cover the lower part of the bottom gabion baskets and in the central section (three high gabions) to cover the whole of the bottom gabion baskets and part of the second one. However, otherwise the gabion baskets and their stone fill would be exposed and visible in public views. Due to the stepped form of the proposed gabion baskets at this location, it is proposed to plant marram grass on the upper part of the stepped gabion baskets for the full length of some 155m in order to help to integrate the proposals at the 13th green into their landscape setting.

The retention of the dune at this part of the proposals ranges from 2.2m to 4.15m above the beach level and this will leave a considerable height of the hard engineered gabion baskets exposed and visible along the shoreline/beach.

The Landscape Officer comments that the application drawings show that parts of the gabions would be visible along the whole length of this part of the proposals, roughly 150m in total and that in light of the retention range being between 2.2m to 4.15m above the beach level, this will create a significant engineered unnatural feature to the back of the beach rather than the natural marram covered sand dunes that currently form the backdrop to the beach. The Landscape Officer advises that this is likely to have a detrimental impact on the appreciation of the naturalness of the coast and the beach, important to the appreciation of the SLA, and that this is contrary to the Guidelines for Development within the Statement of Importance for the North Berwick to Seton Sands SLA including:

A. Any proposed development must not harm the coastal character and characteristic features of the area.

C. Any proposed development must not harm the recreational and scenic appeal of beaches, including access to them.

G. Any proposed development must not harm the sense of naturalness and wildness qualities of the area.

The Landscape Officer comments that had it been apparent at the pre-application stage and at the time of the EIA Screening/Scoping that the proposed gabion baskets would not be wholly covered by sand, the landscape responses to the pre-application enquiry and to the EIA Screening/Scoping would have differed and would have requested that landscape and visual impacts be scoped in and visuals be produced from the beach to enable the impact of the proposals to be assessed.

The landscape advice is that the extent of exposure of the hard engineered form of the proposed gabion baskets at the 13th green would have a detrimental impact on the natural setting of the beach and shoreline and consequently a detrimental impact on the SLA that would be contrary to ELLDP Policy DC9 and the ELLDP Supplementary Planning Guidance (SPG) on Special Landscape Areas.

The **Council's Landscape Officer** recommends that the proposals at the 13th green should be redesigned to ensure that if gabion baskets are proposed at this location they

would be fully covered upon completion by sand, either by bringing sand forward to cover the proposed structures or by setting the proposed gabion baskets further back into the golf course land.

The Landscape Officer also comments that generally storms and high tides may occasionally lead to uncovering of sections of the gabion mattresses and baskets at any of the proposed three locations where development is proposed, and that provided the gabion baskets and mattresses would be covered up swiftly following any such occurrence of exposure through weather or tide events, then landscape and visual impacts from the proposals will continue to be minimal.

The applicant's agent advises that the applicant is agreeable to maintaining sand coverage of the proposed gabion mattresses and baskets at the locations of the 3rd tee and 14th green and to recovering these areas when they become uncovered by weather and tide events and would be agreeable to a planning condition to control this.

Accordingly, in the case of the 13th green the proposals would leave a considerable height of the hard engineered gabion baskets exposed and visible within the shoreline/beach, creating a significant engineered and unnatural feature within this landscape setting, and such significant engineered unnatural feature would have a harmful impact on the naturalness of the beachscape in this area and thus would have a detrimental impact on this part of the North Berwick to Seton Sands Coast SLA, contrary to ELLDP Policy DC9 and NPF4 Policy 4.

## **OTHER MATERIAL CONSIDERATIONS**

It must now be considered whether there are any other material considerations that outweigh the proposal's conflict with the development plan as set out in the LANDSCAPE section earlier in this report.

Of consideration is whether the value and cultural and heritage importance of the West Links Golf Course in its current form and layout, including the economic benefits that it brings to the area, are sufficient to outweigh the detrimental visual impact that the proposed development would have on the landscape character of this part of North Berwick.

The application is part of the constrained coast around North Berwick. As the proposed development is to facilitate the continuing existing recreational use of the recreational open space of the West Links Golf Course, and is for the installation of measures to combat coastal erosion, it has a clear operational justification of need to be in this constrained coastal location.

In Chapter 6 of their Options Appraisal report of the EIA, the applicant states that a no active intervention strategy in response to the threat of future erosion would likely require a golf course redesign and subsequent consequences for Managed Realignment, and that when taking account of the erosion over preceding years, this is not considered to be a viable option in terms of the sustainability of the golf course due to likely further erosion of golf course land. The report continues to state that the golf course occupies a narrow strip of land and scope for redesign of holes could impact the West Links' standing as one of the top 30 golf course in the world with consequent impact on visitor numbers to North Berwick and East Lothian.

As has been stated earlier in this report, the Service Manager - Economic Development advises that the West Links golf course is a strategic tourism and economic asset of international standing and is consistently ranked within the top 25 golf courses globally,

recognised as an exemplar of authentic links architecture, and forms a cornerstone of East Lothian's identity as Scotland's Golf Coast, and that the course's reputation is reinforced by its historic links design. The Service Manager - Economic Development further advises that the West Links Golf Course makes a significant and irreplaceable contribution to East Lothian's tourism economy, international profile, and year-round visitor spend, and that the proposed works support the long-term sustainability of the course and, by extension, the broader visitor economy.

The West Links Golf Course occupies a narrow strip of land on the coastal side of North Berwick. In the circumstances of the restricted and constrained nature of the land that the golf course occupies and in the circumstances of the importance of the cultural and heritage value of the West Links Golf Course as an exemplar of authentic links architecture and the international standing of the golf course within the top 25 golf courses globally, and taking into account the contributions made by the West Links Golf Course and The North Berwick Golf Club (TNBGC) to tourism and the economy of East Lothian, it would therefore in this case seem unreasonable to require the TNBGC to redesign the golf course layout in an attempt to relocate the golf holes, fairways and tees away from the impacts of coastal erosion along the shoreline edge of the beach and golf course interface. Any such change to the design and layout of the golf course would be likely to have a significant detrimental impact on the sustainability and importance of the course, and thus would have a significant detrimental impact on this strategic tourism and economic asset of East Lothian.

Undoubtedly, the proposed development at the 13th green where parts of the hard engineered gabion baskets would be left exposed and visible within the beachscape would have a negative impact on the landscape character of the area including on this part of the North Berwick to Seton Sands Coast SLA.

However, in the context of the wider SLA and coastline, such negative visual impact from this length of exposed gabion baskets would be for a relatively short duration of some 155m and the planting of marram grass on the top edge of the steps of the proposed exposed gabion baskets of this part of the proposed development would in some way help to soften the hard engineered form of the proposed exposed gabion baskets.

On balance therefore it is considered that the contribution that the West Links Golf Course and TNBGC makes to tourism and to the economy of East Lothian, in part as a consequence of its cultural and heritage value as an exemplar of authentic links architecture and the international standing of the golf course, is sufficient to outweigh the detrimental visual impact of the proposed development at the 13th green, which would be of relatively short duration in the context of the wider SLA and coastline and would be somewhat mitigated by the planting of marram grass on the steps elements of the proposed exposed gabion baskets.

In addition, as has been recommended earlier in this report in the case of the 3rd tee and 14th green, a condition could be imposed requiring the re-covering of the parts of the development at the 13th green which are shown on the application drawings to be covered by sand should they be uncovered by weather and tide events.

A condition could also be imposed requiring the planting of the marram grass on the stepped parts of the proposed exposed gabion baskets at the 13th green and the maintenance of such marram grass planting thereafter in order to ensure the establishment of the marram grass to ensure some screening of the proposed gabion baskets.

Accordingly, and subject to the aforementioned planning controls, the benefits of that the West Links Golf Course and TNBGC makes to tourism and to the economy of East Lothian,

in part as a consequence of its cultural and heritage value as an exemplar of authentic links architecture and the international standing of the golf course, is sufficient to outweigh the detrimental visual impact of the proposed development at the 13th green would have on this part of SLA. Thus, this material consideration is sufficient to outweigh the limited detrimental visual impact of the proposals and on balance the proposed development does not conflict with NPF4 Policy 4, and ELLDP Policies DC9 and DP1 and the ELLDP SPG on Special Landscape Areas.

## **INTERNATIONALLY DESIGNATED SITES, SITES OF SPECIAL SCIENTIFIC INTEREST AND BIODIVERSITY**

The site forms part of the Firth of Forth Special Protection Area (SPA) and the Firth of Forth Site of Special Scientific Interest (SSSI). The site is also close to the Forth Islands Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI). The site is also within the North Berwick to Seton Sands Coast Special Landscape Area and parts of the site are also within Priority Habitat areas.

Chapter 5 of the EIA Report includes an assessment of the potential impacts of the proposed development on biodiversity and this chapter of the EIA Report is supported by a Preliminary Ecological Appraisal, a Wintering Birds Survey Report, a Habitats Regulations Appraisal and an outline Biodiversity Enhancement Management Plan.

A Habitats Regulations Assessment (HRA) report has been submitted with the application to establish whether the proposed development is likely to have any significant effects on the qualifying interests of the designated sites. The HRA concludes that there is potential for likely significant effects to arise on the selected qualifying interests of the Firth of Forth SPA, or the Forth Islands and Outer Firth of Forth and St Andrews Bay SPAs, and that with mitigations any potential impacts could be avoided.

The proposed development is unconnected to the conservation management of a Natura 2000 or Ramsar site, and is likely to have a significant effect on the integrity of a Natura 2000 site or Ramsar site. Thus, an Appropriate Assessment is required to be undertaken.

On the consideration of Special Protection Areas, NatureScot advise that the proposal could affect the Firth of Forth, Outer Firth of Forth and St Andrews Bay and Forth Islands Special Protection Areas.

NatureScot advises that they were not consulted at the EIA Scoping stage and had they been they would have recommended that loss of intertidal habitats as a result of hard defences was scoped in, and as this would have long-term year round impacts, that bird survey work covering all seasons was presented. This information and analysis is missing from the EIA and is a 'likely significant effect' that should have been included in the HRA and EIA.

NatureScot further advise that the proposed new defences, in combination with projected sea-level rise are likely to cause significant narrowing of the beach and tidal flats, beginning locally as early as 2030s at the 13th tee, and that this could directly impact on the conservation objective for the Firth of Forth SPA to maintain distribution and extent of habitats and could also affect bird populations from nearby SPAs, by reducing the extent of off-site supporting habitats.

However, NatureScot goes on to advise that, taking into account their knowledge of the site and the relatively small scale of the proposal in relation to the extent of intertidal habitats in the SPA, they are of the opinion that the information provided with the application and EIA is sufficient to conclude no adverse effect on site integrity for the

'extent of habitat' conservation objection for Firth of Forth SPA. They comment that this area of shoreline is not a key breeding or foraging site for SPA breeding bird species from Firth of Forth SPA and other nearby SPAs during the spring and summer.

NatureScot further advises that disturbance during construction is likely to have a significant effect on the qualifying interests of Outer Firth of Forth and St Andrews Bay SPA and Firth of Forth SPA. However, it should be possible to conclude no adverse effects on site integrity using the information provided with the application. In addition to the proposed mitigation set out in the EIA Report, NatureScot advise that the Construction Lighting Plan should include plans to prevent flood lighting and/or vehicle lights from disturbing roost sites on the rock or shoreline during low light and dark hours, and that flood lights should face inland and vehicles should avoid the use of full beam headlights unless strictly necessary.

On the matter of cumulative impacts on coastal processes and designated sites, NatureScot advises that the proposal raises the issue of the cumulative impact of hard defences along the coast and that if large stretches of coast have new or maintained hard defences it is inevitable that there will be significant impact on protected sites over time. They advise that this is an area of policy development for NatureScot and note the upcoming East Lothian Coastal Change Adaptation Plan.

On the consideration of the impact on the Firth of Forth SSSI, NatureScot advises that coastal defences can deflect energy onto nearby undefended areas of coast and that 'bypass erosion' could accelerate erosional retreat of the SSSI dune habitat west of the Eil Burn. However, they further advise that this cannot be identified as a clear threat from the current proposal but should be considered in the context of cumulative impacts to this feature.

NatureScot further advise that the proposed development would be adjacent to the rock exposures of the foreshore, which are part of the protected earth sciences feature of the Firth of Forth SSSI. However, this feature of the SSSI would not be affected by the proposed development providing the gabion baskets and mattresses are installed into the cliff as is shown on the application drawings at the 13th tee, rather than extending onto the foreshore.

Finally, NatureScot comments that with the predicted loss of intertidal habitat this proposal will result in a net loss to biodiversity and as is required by NPF4 Policy 3, details should be sought on how positive effects for biodiversity will be delivered.

In conclusion, NatureScot advises that on balance the proposals will not adversely affect the natural heritage interests of international importance on the site.

The **Council's Biodiversity Officer** has carried out an Appropriate Assessment for the proposed development and advises that the conclusions of the Appropriate Assessment are that there would be no adverse effects on the 3 SPAs (Firth of Forth SPA, Outer Firth of Forth SPA and St Andrews Bay and Forth Islands SPA) subject to the mitigations outlined in the Habitat Regulations Appraisal (HRA) and that in-combination effects are not significant. The HRA mitigations include:

- a pre-construction ecological survey to ensure the Zone of Influence (ZOI) has not changed;
- Appointment of an ECOW and the associated monitoring of the construction phase; and
- submission of a CEMP and a Construction Lighting Plan.

Subject to the mitigations outlined in the Habitat Regulations Appraisal, a detail that could

be secured through a condition attached to a grant of planning permission, the Biodiversity Officer raises no objection to the proposed development.

The Biodiversity Officer further advises that the conclusions and findings of the Preliminary Ecological Appraisal (PEA) and the outline Biodiversity Enhancement Management Plan (oBEMP) are satisfactory, and recommends:

(i) the submission of a final Biodiversity Enhancement Management Plan to include details of the biodiversity enhancements to be shown on a landscape plan;

(ii) adherence with the mitigation measures outline in section 5 of the PEA;

(iii) the submission of a Construction Environmental Management Plan (CEMP) and for that document to include:

(a) practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction;

(b) the times during construction when a specialist ecologist requires to be present on site to oversee works; and

(c) the role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person; and

(iv) the appointment of an Ecological Clerk of Works (ECOW) to oversee the works and submission of the CEMP.

These requirements could be secured through conditions attached to a grant of planning permission.

Subject to the aforementioned recommendations, the Council's Biodiversity Officer is satisfied that the proposed development would not have a detrimental impact on biodiversity in the area and should provide positive biodiversity enhancements, and thus raises no objection to the application.

Accordingly, subject to the recommended planning controls, the proposed development would not compromise the objectives of designation and overall integrity of the Firth of Forth SPA, Outer Firth of Forth and St Andrews Bay SPA, Forth Islands SPA and the Firth of Forth SSSI and would not be harmful to biodiversity on the site. Thus the application does not conflict with Policies 3 and 4 of NPF4 and Policies NH1, NH2, NH3, NH4, NH5 and NH6 of the adopted East Lothian Local Development Plan 2018.

## **SCOTTISH WATER AND FLOOD RISK**

The factors of water environment and coastal processes were scoped out of the EIA in the Council's Scoping Opinion.

**Scottish Water** has been consulted on the application and in respect of the EIA Report. They advise that they have no objection to the proposed development. A copy of Scottish Water's responses to both the application and the EIA Report have been forwarded to the applicant's agent for their information.

**Marine Scotland Water** has been consulted on the application however no response from them has been received.

By its coastal shoreline location the application site is identified on the Scottish Environment Protection Agency's (SEPA) flood risk maps as being at risk from coastal flooding. As such SEPA have been consulted on the application and in respect of the EIA

Report.

As the proposal is for coastal erosion defence measures, it is considered to be water compatible.

The **Scottish Environment Protection Agency (SEPA)** advise that they have no objection to the application on the grounds of flood risk. They comment that although the proposals include areas of land raising as part of the coastal erosion reinforcement works, such potential land raising is minimal and in this coastal location would be unlikely to significantly increase the risk of flooding elsewhere. A copy of SEPA's response has been forwarded to the applicant's agent for their information.

The **Council's Team Manager - Structures and Flooding** raises no objection to the application on the grounds of flood risk and on the grounds of coastal protection. He comments that the East Lothian Shoreline Management Plan identifies erosion rates circa 0.7-1.0m/yr at West Links Golf Course, compared to the typical 0.2-0.4m/yr. The Team Manager - Structures and Flooding further comments that he is of the opinion that as a links golf course, West Links Golf Course is an "essential asset" in the East Lothian area and that the applicant has submitted a number of detailed studies, including a coastal erosion options appraisal report in support of the application. He is content that the proposed development is appropriate based on the content of the report.

On these considerations the proposed development is not contrary to Policy 22 of NPF4 and Policy NH11 of the adopted East Lothian Local Development Plan 2018.

## **HISTORIC ENVIRONMENT**

The majority of the site is within the North Berwick Conservation Area. There are a number of listed buildings nearby including the Category A listed Carlekemp, the Category A listed Bunkerhill, the Category B listed Engine Cottage, Bunkerhill Lodge, Marine Hotel and Minaki, and the Category C listed St Ann's, 12 York Road.

The Scheduled Ancient Monument of Westerdunes Court Pillbox is located some 200 metres away to the west of the application site.

The EIA Scoping Opinion scoped out the factor of cultural heritage.

Section 6.7 of the EIA Report considers the potential direct and indirect impacts resulting from the proposed development on cultural heritage and archaeology assets and concludes that construction is unlikely to have any direct impacts on any of the historic assets in the vicinity of the site, and explains that the design of the proposals has been progressed taking cognisance of and seeking to avoid known archaeological/cultural heritage artefacts and scheduled monuments and that listed buildings have a degree of screening from the proposed works due to the elevation of the works and the intervening distances. This section of the EIA Report does however acknowledge that there may be previously unidentified cultural heritage and archaeological assets which could be impacted by the proposed development.

There are no listed buildings on the application site. Thus, the consideration in the assessment of this application is the impact on the setting of the listed buildings and scheduled monument, rather than any direct impacts on the listed buildings or scheduled monument.

At its closest the proposed development would be some 120 metres away from the nearest listed building and some 200 metres away from the Scheduled Ancient Monument of

## Westerdunes Court Pillbox.

At such distance and due to the intervening land of the golf course and in some cases intervening trees and boundary enclosures, and due to the nature of the proposed development with the proposed gabion mattresses and baskets being installed on the dune system at the edge of the golf course land with the beach/shoreline and as has been explained earlier in this report of handling that the proposed finished ground level on top of the uppermost proposed gabion baskets would be a minimum of 200mm cover with marram grass planting, the proposed development would not be readily visible in views of the listed building or in views away from those listed buildings. In the case of the proposed development at the 3rd tee and the 14th green, the proposed development would be recovered with sand and marram grass planting and would not be readily discernible in views towards the listed buildings from the shoreline/beach. Although parts of the shoreline/beach face of the proposed development at the 13th green would remain partially exposed and visible, taking into account the intervening land of the golf course and existing trees and boundary enclosures at the nearby listed buildings in this locality, the proposed development would not draw focus away from the listed buildings or their settings and thus would not have a detrimental impact on the setting of any of the nearby listed buildings.

In these circumstances and on balance, none of the proposed development would not draw focus away from the nearby listed buildings or their settings and thus would not have a detrimental impact on the setting of any of the nearby listed buildings.

At its closest the proposed development would be some 200 metres to the east of the Scheduled Ancient Monument of Westerdunes Court Pillbox. The construction access route for the proposed development passes immediately to the west of the western end of the application site and therefore would be some 195 metres away from the Scheduled Ancient Monument. In such circumstances, the proposed development including its construction access would not have a direct impact on the Scheduled Ancient Monument of Westerdunes Court Pillbox.

The nearest part of the proposed development to the Scheduled Ancient Monument of Westerdunes Court Pillbox would be at the 13th green. The proposed gabion baskets at the 13th green would extend for some 150 metres and would be 2, 3 and 4 baskets in height all with a gabion mattress at the base. At their closest, the proposed gabions would be some 245 metres to the east of the Westerdunes Court Pillbox. When installed the northern face of these proposed gabion baskets would not be wholly covered by sand and vegetation and thus they would be partially exposed and visible. Marram grass planting is proposed on the steps of the proposed gabion baskets in order to help integrate the baskets into their landscape setting. The top of the uppermost gabion basket would have the ground level reinstated behind it and with a 200mm (minimum) depth of cover on top of the uppermost proposed gabion basket. In this context it would be the shoreline/beach face of the proposed gabion baskets that would be partially exposed and visible in public views of the setting of the Scheduled Ancient Monument of Westerdunes Court Pillbox.

Due to the intervening distance between this part of the proposed development and the Westerdunes Court Pillbox and as the top of the uppermost proposed gabion baskets of this part of the proposed development would be covered with sand and planting and as the proposed mattress and as a minimum the lower part of the lowest gabion basket would be covered with sand and taking into account the proposed marram grass planting, although likely to be partially visible in public views from the shoreline/beach and thus in the setting of the Scheduled Ancient Monument, the impacts on the setting of the Scheduled Ancient Monument of Westerdunes Court Pillbox would be of short duration and would not be significant. Accordingly, the proposed development would not be harmful

to the setting of the Scheduled Ancient Monument of Westerdunes Court Pillbox.

**Historic Environment Scotland (HES)** has been consulted on the application and on the EIA Report. HES comment that the proposals do not raise historic environment issues of national significance and therefore HES do not raise objection to the application. HES comment that the Westerdunes Court Pillbox scheduled ancient monument is located outwith the application site and therefore should not experience direct physical impacts, and HES advise that therefore they are content that potential setting impact to this monument are unlikely to be significant.

The **Council's Archaeology/Heritage Officer** advises that the application site is part of the dune system which bounds the West Links Golf Course and is part of a larger dune system which extends to Aberlady Bar to the west. The dune system is known to contain a significant amount of prehistoric burials with the closest known burial being approximately 100m to the south of the proposed area but further burials within the dune system are to be expected and are often not identified until erosion or intrusive works uncovers them. Additionally, the proposed area was known to have been utilised as a training/staging area by the Home Guard during WWII and there may well be ordinance within the dune system as well. The proposals therefore have the potential for impacts and disturbance of previously unidentified archaeological remains, and the impacts are judged to be significant enough that a suitable mitigated response is required. The Archaeology/Heritage Officer therefore recommends that a Watching Brief by a suitably qualified professional archaeologist(s) should be carried out on site during all ground breaking works in order to mitigate the potential impacts of the proposed development on the historic environment. This requirement could be secured through a condition attached to a grant of planning permission. A copy of the Archaeology/Heritage Officer's response to the application has been forwarded to the applicant's agent for their information. Subject to the aforementioned recommended planning control, the Archaeology/Heritage Officer raises no objection to the application.

The majority of the proposed development would be within the North Berwick Conservation Area. The ELLDP SPG on Cultural Heritage and the Built Environment describes the Conservation Area as encompassing the original core of the town and a major part of the later Victorian and Georgian development. The Conservation Area Statement focuses on the historic built form of the town and Harbour and the views outwards to the shoreline including glimpsed views between buildings.

Taking account of the considerations set out in the LANDSCAPE section of this report, in its location at the West Links Golf Course and by virtue of the extent of the proposed works, and subject to the aforementioned planning controls, the proposed development would not be harmful to the historic core of the North Berwick Conservation Area and would not harm the character and appearance of the North Berwick Conservation Area.

On these above considerations and subject to the aforementioned planning controls, the proposed development is consistent with Policy 7 of NPF4 and Policy CH1, CH2 and CH4 of the adopted East Lothian Local Development Plan 2018 and Planning Advice Note 2/2011: Planning and Archaeology.

## **TRANSPORTATION, FOOTPATHS AND ACCESS**

Drawings submitted with the application show that access to the proposed development site would be taken from the northern end of Hamilton Road via an existing vehicular access and road serving the golf course, which provides access to the golf course maintenance shed/compound and other parts of the western extent of the golf course land.

Further to the east, a public right of way crosses the golf course from the northern end of Fidra Road in a northerly direction to the shoreline. A further public right of way passes along the shoreline beyond the land of the West Links Golf Course. A further informal footpath crosses the golf course at the vehicular access from the northern end of Hamilton Road and there are further informal footpaths along parts of the southern edge of parts of the golf course land.

The **Council's Road Services** raise no objection to the application subject to the following matters being made conditions of a grant of planning permission:

- Parking Provision: No construction vehicles or construction workforce vehicles should be parked on Hamilton Road or Cromwell Road, and sufficient construction parking should be provided on the golf course land, preferably at the green keeper's maintenance facility and the contractor's compound;

- Construction Method Statement: Prior to the commencement of development a construction method statement designed to minimise the impact of construction activity and the movements of construction traffic on the amenity of the area shall be submitted for the prior approval of the Planning Authority;

- Wheel Washing: Prior to the commencement of development wheel washing facilities shall be provided and maintained in working order during the period of construction of the proposed development;

- Dilapidation Survey: Prior to the commencement of development a programme for monitoring the condition of the public road and footpath to be used by construction traffic for the period of development shall be submitted for the prior approval of the Planning Authority. The public road and footpaths to be surveyed and monitored shall include Hamilton Road, Cromwell Road, the golf course maintenance road to the break in the rubble stone wall, the public footpath and right of way from the golf course maintenance road north to the beach/shoreline, and the public footpath and right of way from the northern end of Fidra Road to the beach/shoreline.

These requirements could be secured through conditions attached to a grant of planning permission.

On the matter of the potential impact on public footpaths, the **Council's Access Officer** raises no objection to the application. He is supportive of the proposed steps adjacent to the 3rd tee and is satisfied that the proposals would not affect any other locations where members of the public access the beach across the golf course land.

Any disruption to the existing public rights of way and footpaths which cross the golf course land at the locations of the proposed development would be limited to the construction period and other locations for access to the beach and shoreline would continue to be available for public access.

Although access from the northern end of the public right of way that crosses the golf course land from the end of Fidra Road would be precluded during the construction works of that part of the development at the 3rd tee, including the installation of the new timber steps, any such restriction to access to the shoreline at this location would be of a temporary nature and other locations where members of the public access the beach across the golf course land would remain accessible.

The proposed installation of the timber steps adjacent to the 3rd tee would replace a currently sloping unmade access leading from the end of the public right of way that

crosses the golf course land from Fidra Road to the shoreline. The applicant's agent advises that the public access to the beach at this location has formed due to regular foot traffic over a prolonged period of time and that continued use results in the natural plant erosion protection being eroded away. It is further stated that the proposed timber steps will allow this damage to be corrected and will act as a preventative measure for future erosion. The applicant's agent comments that given the current unmade and uneven ground across the golf course land and through the cleft in the dune on to the beach/shoreline, this access is not presently inclusive to all levels of mobility. Thus it was not considered that a ramped access would be required. Furthermore, to retain the current unmade sloping beach access would allow for the continued erosion of the natural plant protection and dune.

The proposed timber steps would ensure that access from the northern end of the public right of way that crosses the golf course land to the beach/shoreline would be maintained and although the proposed steps would not be inclusive to all levels of mobility, the current unmade and uneven ground across the golf course land and on to the beach/shoreline presently limits such access.

On these above considerations and subject to the aforementioned planning controls, the proposed development is consistent with Policy 14 of NPF4 and Policy T1 and T2 of the adopted East Lothian Local Development Plan 2018.

## **CLIMATE**

The factor of climate was scoped out of the EIA in the Council's Scoping Opinion.

At its meeting on 27 August 2019, the Council approved a motion declaring a Climate Emergency. Thereafter, at its meeting on Tuesday 3rd September 2019 the Council's Planning Committee decided that a condition requiring a developer to submit for the approval of the Planning Authority a report on the actions to be taken to reduce the carbon emissions from the buildings and from the completed development should be imposed on relevant applications for planning permission. This application could be considered to be such a relevant planning application. However, on the basis of the nature of the proposed development and its small scale, it would not be reasonable to seek carbon emissions reduction measures in relation to the proposed development for hard intervention coastal defence measures.

## **AMENITY**

The nearest residential properties are Carlekemp, Stables Cottage (Carlekemp), Engine Cottage and other residential properties on the north side of Abbotsford Road, at the northern end of Strathearn Road and Hamilton Road, and on the north side of Cromwell Road and York Road. The closest of these are some 130 metres away to the south.

By virtue of their distances away from the application site and by virtue of its nature and character, the proposed development would not allow for any harmful overlooking, overshadowing, loss of sunlight or daylight, or loss of privacy to any of those neighbouring/nearby residential properties.

The **Council's Environmental Health Officer** has no comment to make regarding the proposals.

On the matter of potential noise, dust and vibration disturbance arising from the construction phase of the proposed development, recreational activities including walking, cycling and use of the golf course and residential properties on the construction access

route could be impacted during the construction phase. The **Council's Road Services** recommends that the requirement for the submission of a construction method statement designed to minimise the impact of construction activity and the movements of construction traffic on the amenity of the area to be submitted prior to the commencement of development be secured by a planning condition. This requirement can be controlled by a condition attached to a grant of planning permission. Subject to such a control being imposed and due to the transient nature of the receptors and the limited temporary duration of the construction phase, the proposed development would not have a detrimental impact on amenity.

On these above considerations the proposed development is consistent with Policy 14 of NPF4 and Policy DP2 of the adopted East Lothian Local Development Plan 2018.

## **CONCLUSIONS**

Based on the planning assessment given above and subject to the aforementioned planning controls, on balance, the benefits of that the West Links Golf Course and TNBGC makes to tourism and to the economy of East Lothian, in part as a consequence of its cultural and heritage value as an exemplar of authentic links architecture and the international standing of the golf course, is sufficient to outweigh the detrimental visual impact of the proposed development at the 13th green would have on this part of SLA. Thus, this material consideration is sufficient to outweigh the limited detrimental visual impact of the proposals and on balance the proposed development does not conflict with NPF4 Policy 4, and ELLDP Policies DC9 and DP1 and the ELLDP SPG on Special Landscape Areas and Cultural Heritage and the Built Environment. Otherwise the planning assessment given above, finds that, subject to the aforementioned planning controls, the proposed development would not conflict with NPF4 Policies 3, 7, 10, 14, 20, 21, 22, and 29, or with ELLDP Policies DC1, DC6, OS1, NH1, NH2, NH3, NH4, NH5, NH6, NH11, CH1, CH2, CH4, DP2, T1 and T2.

Thus, on balance, 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.

## **RECOMMENDATION**

That planning permission be granted subject to the undernoted 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 hereby approved a programme for monitoring the condition of the public road and footpaths to be used by construction traffic, prior to, during and immediately following the completion of the development, shall be submitted to and approved in advance in writing by the Planning Authority. The public roads and footpaths to be monitored shall be:
  - (i) Hamilton Road (public and private section);
  - (ii) Cromwell Road;
  - (iii) Golf course maintenance road from the end of Hamilton Road to the break in the stone wall;
  - (iv) Public footpath and right of way from the golf course maintenance road northwards to the beach/shoreline; and
  - (v) Public footpath and right of way from the north end of Fidra Road northwards to the

beach/shoreline.

To ensure that damage to the adjoining road and footpath network resulting from the movement of construction traffic is rectified.

The programme of monitoring shall include details of the inspection schedule and of the commitment by the developer for repairs to be made to the aforementioned roads and footpath, as relevant, including emergency repairs and more serious damage to the road surface that could represent a significant road safety risk.

Thereafter the approved programme of monitoring shall be implemented. Any non-emergency/remedial repair works required to those public roads and/or footpaths shown by the monitoring as arising from the construction of the development shall be undertaken by the applicant within three (3) months of the completion of the final monitoring undertaken, unless an alternative means of securing the works is approved in writing by the Planning Authority.

Reason:

To ensure that damage to the public road and footpath network resulting from the movement of construction traffic associated with the proposed development is rectified.

- 3 Prior to the commencement of development a Construction Method Statement to minimise the impact of construction activity and the movement of construction vehicles on the safety and amenity of the area shall be submitted to and approved in advance in writing by the Planning Authority. The Construction Method Statement shall recommend mitigation measures to control noise, dust, construction traffic (including routes to/from site) and shall include hours of construction work and routing of traffic, delivery time restrictions and parking provision and a health and safety method statement and shall include provision for wheel washing facilities or alternative facilities to prevent deleterious materials being carried onto the public road on vehicle tyres. The Construction Method Statement shall also provide details of utility/service drainage connections, including what temporary measures shall be put in place to control surface water and maintain the public footpath facility.

The Construction Method Statement shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site.

Thereafter, the Construction Method Statement shall be implemented and complied with in accordance with the approved details for the period of construction of the development hereby approved.

Reason:

To minimise the impact of construction activity in the interests of the amenity of the area.

- 4 Prior to the commencement of development hereby approved, details of wheel washing facilities to be installed on the site shall be submitted to and approved in advance in writing by the Planning Authority. The wheel washing facilities shall be provided and maintained in working order during the period of construction of the site. All vehicles must use the wheel washing facilities to prevent deleterious materials being carried onto the public road on vehicle tyres.

Thereafter, the wheel washing facilities shall be implemented and complied with in accordance with the approved details for the period of construction of the development hereby approved.

Reason:

In the interests of road and pedestrian safety.

- 5 Prior to the commencement of development hereby approved, details of construction vehicle parking shall be submitted to and approved in advance in writing by the Planning

Authority. No construction vehicles or construction workforce vehicles shall be parked on Hamilton Road or Cromwell Road. Sufficient construction vehicle parking provision shall be provided on the golf course land, preferably at the green keeper's maintenance facility and at the contractor's compound identified on docketed drawing no. 241413-PEV-ZZ-ZZ-DR-C-0221 rev P02.

Thereafter, construction vehicle parking shall accord with the details so approved unless the Planning Authority agreed to any variation.

Reason:

In the interests of road and pedestrian safety.

- 6 No development shall take place on the site until the applicant or their agent has, through the employ of an archaeologist or archaeological organisation, secured the implementation and reporting of a programme of archaeological works (Watching Brief) on the site of the proposed development in accordance with a written scheme of investigation which the applicant or their agent shall submit to and have approved in advance in writing by the Planning Authority. Thereafter, the programme of archaeological works (Watching Brief) shall be carried out in accordance with the details so approved.

The written scheme of investigation shall include, but not exclusively, that the appointed archaeologist or archaeological organisation shall have access at all times to the application site during the carrying out of the development works for the development hereby approved and shall observe work in progress and record items of interest and finds, and shall report on them in writing to the Planning Authority following the end of the period of observations.

Notification of the date of commencement of development on the site shall be given to the Planning Authority in writing not less than 14 days before development commences.

The watching brief should be undertaken and reported upon in accordance with a written scheme of investigation which has been submitted by the applicant (or their agent) and approved in writing in advance by the Planning Authority prior to the commencement of development.

Reason:

To facilitate an acceptable archaeological investigation of the site.

- 7 The development hereby approved shall be undertaken in accordance with the Environmental Impact Assessment Report docketed to this planning permission, except where altered by the conditions below, or unless otherwise agreed in writing by the Planning Authority.

Reason:

To ensure the reported likely environmental impacts of the development are not exceeded and the specified mitigation measures are fully implemented.

- 8 Prior to the commencement of development hereby approved, the applicant and/or developer shall provide evidence that an Ecological Clerk of Works (ECOW) has been employed by the applicant/developer to monitor works on the site through the period of construction of the development hereby approved. The Ecological Clerk of Works (ECOW) shall oversee the submission of a Construction Environmental Management Plan (CEMP) and the construction works on the site and shall be retained through to completion of development.

Reason:

To mitigate the potential impacts of the development in the interests of safeguarding biodiversity on the site including of the Firth of Forth SPA, the Forth Islands SPA, the Outer Firth of Forth and St Andrews Bay SPA and Firth of Forth Site of Special Scientific Interest (SSSI).

- 9 Prior to the commencement of development hereby approved on the site (including any ground works and vegetation clearance), a Construction Environmental Management Plan (CEMP: Biodiversity) shall be submitted to and approved in advance in writing by the Planning Authority in consultation with NatureScot.

The CEMP: Biodiversity shall include, but not exclusively, the following:

- (a) practical measures (both physical and sensitive working practices) to avoid or reduce impacts during construction;
- (b) the times during construction when a specialist ecologist requires to be present on site to oversee works;
- (c) the role and responsibilities on site of an ecological clerk of works (ECOW) or similarly competent person; and
- (d) the timings for the different areas of the development hereby approved being undertaken.

Thereafter, all construction works associated with the development hereby approved shall accord with the approved Construction Environmental Management Plan (CEMP: Biodiversity), unless otherwise approved in writing by the Planning Authority in consultation with NatureScot.

Reason:

To mitigate the potential impacts of the development in the interests of safeguarding biodiversity on the site including of the Firth of Forth SPA, the Forth Islands SPA, the Outer Firth of Forth and St Andrews Bay SPA and Firth of Forth Site of Special Scientific Interest (SSSI).

- 10 Development hereby approved shall be carried out in strict accordance with the mitigation measures set out in Chapter 5 of the West Links Golf Course Coastal Erosion Protection - Phase 2 Preliminary Ecological Appraisal report, November 2024 (prepared by Environcentre), Chapter 6 of the West Links Golf Course Coastal Erosion Protection - Phase 2 Shadow Habitat Regulations Appraisal, May 2025 (prepared by Environcentre) and Chapters 5.14 and 7 of the West Links Golf Course Coastal Erosion Protection - Phase 2 Environmental Impact Assessment Report, May 2025 (prepared by Environcentre), unless the Planning Authority agree to any variation.

Reason:

To ensure the reported likely environmental impacts of the development are not exceeded and the specified mitigation measures are fully implemented in order to mitigate the potential impacts of the development on the Firth of Forth SPA, the Forth Islands SPA, the Outer Firth of Forth and St Andrews Bay SPA and Firth of Forth Site of Special Scientific Interest (SSSI) in the interests of safeguarding biodiversity on the site.

- 11 Prior to the commencement of development hereby approved on the site (including any ground works and vegetation clearance), a Construction Lighting Plan shall be submitted to and approved in advance in writing by the Planning Authority in consultation with NatureScot. The Construction Lighting Plan shall include, but not exclusively, plans to prevent flood lighting and/or vehicle lights from disturbing roost sites on the rocks or shoreline during low light and dark hours. Flood lights shall face inland and vehicles shall avoid the use of full beam headlights unless strictly necessary.

Thereafter, all construction works associated with the development hereby approved shall be carried out in strict accordance with the approved Construction Lighting Plan, unless otherwise approved in writing by the Planning Authority in consultation with NatureScot.

Reason:

To mitigate the potential impacts of the development on the Firth of Forth SPA, the Forth Islands SPA, the Outer Firth of Forth and St Andrews Bay SPA and Firth of Forth Site of Special Scientific Interest (SSSI) in the interests of safeguarding biodiversity on the site.

- 12 Prior to the commencement of development hereby approved, a final Biodiversity Enhancement Management Plan shall be submitted to and approved in advance in writing by the Planning Authority. The final Biodiversity Enhancement Management Plan shall include a site landscape plan detailing the layout and positions of the biodiversity enhancements presented in the Outline Biodiversity Enhancement Management Plan (Environment Centre, May 2025) and shall include details of positive biodiversity enhancements and a timescale for their implementation.

Thereafter, the measures to conserve, restore or enhance biodiversity on the site and to deliver positive biodiversity enhancements shall be implemented in accordance with the details and timescale so approved.

Reason:

In the interests of enhancing the biodiversity on the site and to enhance the ecological interest in accordance with NPF4 policy 3.

- 13 Details of the type of stones, including their colour and appearance, to be used to fill the gabion baskets and mattresses hereby approved shall be submitted to and approved in advance in writing by the Planning Authority prior to its use in the development hereby approved. Thereafter, the type of stones used, including their colour, to fill the gabion baskets and mattresses hereby approved shall accord with the detail so approved.

Reason:

To ensure that where exposed the type of stone used is appropriate to its location in terms of its appearance and colour in the interests of safeguarding the landscape character of the area including of the North Berwick to Seton Sands Coast Special Landscape Area and the North Berwick Conservation Area and in the interests of protecting the nature conservation interests of the Firth of Forth Site of Special Scientific Interest.

- 14 Prior to the commencement of development, a programme for recovering of the gabion baskets and mattresses in the event of them being uncovered by a weather or tide event shall be submitted to and approved in writing in advance by the Planning Authority. The programme shall include:

- (a) the recovering of the gabion baskets and mattresses at the 3rd tee and 14th green of the development hereby approved; and
- (b) the recovering of the gabion baskets and mattresses at the 13th green of the development hereby approved where those baskets and mattresses are shown to be covered by sand on the drawings docketed to this grant of planning permission;

and shall include a timescale for the recovering of the gabion baskets and mattresses with sand to be carried out.

Thereafter, the programme for recovering of the gabion baskets and mattresses hereby approved shall be implemented in accordance with the details so approved, unless the Planning Authority agrees to any variation.

Reason:

In the interests of safeguarding the landscape character of this part of the North Berwick to Seton Sands Coast Special Landscape Area and of this part of the North Berwick Conservation Area.

- 15 Prior to the commencement of development, a programme for the treatment and planting to the gabion baskets hereby approved shall be submitted to and approved in advance in writing by the Planning Authority. The programme for the treatment and planting of the gabion baskets shall include details for the timescale for the planting of the marram grass, replanting of the marram grass in the gabion baskets in the event that the marram grass planting of them fails or is removed by a weather or tide event.

Thereafter the treatment and planting of the gabion baskets shall be undertaken in

accordance with the details so approved and shall be undertaken at the time of the installation of the gabion baskets and such treatment and planting shall thereafter be maintained, unless the Planning Authority agrees to any variation.

**Reason**

To ensure retention of the special character and landscape amenity of the area.

- 16 All landscape planting, including marram grass and re-turfing, detailed on the drawings docketed to this grant of planning permission shall be carried out in the first planting and seeding season (October to March inclusive) following the installation of the gabion mattresses and baskets hereby approved or the completion of the development, whichever is the sooner, and any plants which within a period of ten years from the completion of the development die, are removed or become seriously damaged or diseased 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. All existing and new planting comprised in the scheme of landscaping shall be retained and maintained unless the Planning Authority gives written consent to any variation.

**Reason:**

In order to ensure the implementation of a landscaping scheme to enhance the appearance of the development in the interests of the amenity of the area and the landscape character of this part of the North Berwick to Seton Sands Coast Special Landscape Area and this part of the North Berwick Conservation Area.