



**MINUTES OF THE MEETING OF THE
PLANNING COMMITTEE**

1

**TUESDAY 2 DECEMBER 2025
VIA HYBRID MEETING FACILITY**

Committee Members Present:

Councillor L Allan (R)
Councillor D Collins (R)
Councillor A Forrest (R)
Councillor N Gilbert (R)
Councillor C McGinn (R)
Councillor S McIntosh
Councillor K McLeod
Councillor J McMillan (Depute Convener)
Councillor C Yorkston

Other Councillors Present:

None

Council Officials Present:

Mr G Marsden, Service Manager – Planning
Mr C Grilli, Service Manager – Governance
Ms E Taylor, Team Manager – Planning Delivery (R)
Mr D Irving, Senior Planner
Ms S McQueen, Planner
Mr S Robertson, Assistant Planner
Mr G McLeod, Transportation Planning Officer (R)
Mr R Miller, Transportation Planning Officer (R)
Mr C Wiseman, Project Officer – Landscape (R)
Ms J Newcombe, Biodiversity Officer (R)
Ms P Gray, Communications Adviser (R)
Ms E Barclay, Democratic Services Assistant
* (R) = remote participant

Clerk:

Ms B Crichton

Visitors Present/Addressing the Committee:

Item 3: Mr N Martin
Item 4: Mr I Hynd and Mr S Bain

Apologies:

Councillor N Hampshire
Councillor C Cassini
Councillor J Findlay

Declarations of Interest:

None

The clerk advised that the meeting was being held as a hybrid meeting; that the meeting would be recorded and live streamed; and that it would be made available via the Council's website as a webcast, in order to allow public access to the democratic process in East Lothian. She noted that the East Lothian Licensing Board was the data controller under the Data Protection Act 2018; that data collected as part of the recording would be retained in accordance with the Council's policy on record retention; and that the webcast of the meeting would be publicly available for five years from the date of the meeting.

The committee clerk recorded the attendance of Planning Committee members by roll call.

**1. MINUTES FOR APPROVAL
Planning Committee, 4 November 2025**

The minutes were agreed as an accurate record of the meeting.

**2. MINUTES FOR NOTING
a. Local Review Body (Planning), 21 August 2025**

Members agreed to note the minutes.

b. Local Review Body (Planning), 23 October 2025

Members agreed to note the minutes, subject to the amendment of a typographical error.

3. PLANNING APPLICATION NO. 25/00481/PM: SECTION 42 APPLICATION TO VARY CONDITION 22 OF PLANNING PERMISSION 15/00337/PM, LAND AT CRAIGHALL, MUSSELBURGH

A report had been submitted in relation to planning application no. 25/00481/PM. Daryth Irving, Senior Planner, presented the report, highlighting the salient points. The report recommendation was to grant consent.

Officers responded to questions from Committee members in relation to: the reasons behind the delay in upgrading the roundabout, and with whom the responsibility lay for the work; whether the pedestrian-only access route to school would remain in place following the construction period; the timeline for work starting; the capacity of the existing junction; whether officers were satisfied that the islands on the arms of the roundabout were adequate to facilitate safe crossing for pedestrians; and whether there was opportunity to make the design safer for pedestrians. Graeme McLeod, Transportation Planning Officer, also agreed to take back Councillor McIntosh's questions about whether the development could improve the road design for drivers leaving the services.

Neil Martin spoke to the application on behalf of Persimmon. He advised that the work should begin early in 2026, and work was currently underway to finalise contracts and the programme of works with the Council. He advised that the Council was originally going to undertake the work, but this had not been possible. He gave a firm commitment from

Persimmon that the safe route to school, including the new active travel connection under the railway underpass and the footpath adjacent to the road, would be in place prior to the work beginning on the site; these would form the permanent active travel routes towards Craighall and the new primary school.

Councillor McIntosh sought clarity as to where the original obligation to upgrade the roundabout had lain, and Mr Irving provided commentary on how the matter had progressed between Persimmon and the Council.

At the debate stage, Councillor Forrest, local member commented on: having an appreciation of the challenges in adding the additional arm to the roundabout; local concerns that the changes would not be made, and welcoming the application coming forward; and a hope that the safe route to school and widened pavement would decrease the number of car journeys.

Councillor McIntosh, also a local member, welcomed the safe route to school and pedestrian access through the south route. However, she would vote against the application, as she did not agree with allowing the sale of 80 additional houses before the developer had to fulfil its obligation to upgrade the roundabout. She also raised concerns about the roundabout's design not being in keeping with the Sustainable Transport Hierarchy, and failing to address issues for pedestrians. Councillor McMillan acknowledged these comments, and asked that Transport colleagues consider Councillor McIntosh's points.

Councillor McMillan then moved to a roll call vote, and Committee members all voted in support of the officer's recommendation to grant consent, except for Councillor McIntosh, who voted against.

Decision

Planning Committee agreed to grant planning permission, subject to the following conditions:

- 1 Within two months of the date of the grant of this planning permission, final site setting out details shall be submitted to and approved by the Planning Authority.

The above mentioned details shall include final site setting-out drawings to a scale of not less than 1:200, giving:

- a) the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b) finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing;
- c) the ridge heights of the proposed houses and flatted buildings; shown in relation to the finished ground and floor levels on the site; and
- d) open spaces adjacent to the opened culvert, including levels between these and the slope of the sides of the culvert.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

- 2 Within two months of the date of the grant of this planning permission, all flood risk assessment (FRA) documents submitted shall be consolidated to include all information provided throughout the consultation, for the approval of the planning authority in consultation with the Scottish Environment Protection Agency and thereafter all phases of

development shall be carried out in accordance with the consolidated flood risk assessment, unless otherwise agreed in writing by the Planning Authority in consultation with the Scottish Environment Protection Agency.

Reason:

To ensure that all agreed information shall be carried forward within the approved FRA and that site construction shall be carried out in accordance with the conclusions of the FRA about parts of the site at flood risk, which includes the preservation of flood plain and flow pathways in perpetuity.

- 3 Notwithstanding that which is shown on Development Layout Drawing CR DL001 Rev J docketed to planning permission 15/00337/PM, within two months of the date of the grant of this planning permission a detailed boundary treatment plan for the whole of the development shall be submitted to and approved in writing by the Planning Authority. The plan so approved shall delineate the boundaries of the development site and the front, rear and side boundary treatments of each residential plot with wall, hedge or railing boundary treatments where those boundaries face streets or public spaces and with other appropriate boundary treatments between individual properties where not facing public spaces and to include for screening of private driveways and shall take account of the findings of the Noise and Vibration Impact Assessment docketed to planning permission 15/00337/PM. Details of materials and finishes shall be provided.

Thereafter all boundary treatments so approved shall be implemented prior to the occupation of the relevant plot.

Reason:

In the interests of the amenity of future residents of the development and of the quality of design of the development and the visual amenity of the area.

- 4 Prior to the commencement of construction of the each of the flatted buildings of the development as shown on the Layout Plan CR DL001 Revision J docketed to planning permission 15/00337/PM, details showing enhancement by additional windows, architectural features and materials of the gable elevations of each block shall be submitted to and approved in writing by the Planning Authority and thereafter the flatted buildings shall be constructed in accordance with the details so approved.

Reason:

In the interests of the quality of design of the development and the visual amenity of the area.

- 5 Prior to the construction of those houses or flats that have gables facing onto streets, open space or parking as shown on Development Layout Plan CR DL001 Revision J docketed to planning permission 15/00337/PM, details showing enhancement by additional windows, architectural features and materials of gable elevations of those flats or houses shall have been submitted to and approved in writing by the Planning Authority and thereafter those houses and flats shall be constructed in accordance with the details so approved.

Reason:

In the interests of the quality of design of the development and the visual amenity of the area.

- 6 Notwithstanding what is shown on the approved layout and elevation drawings docketed to planning permission 15/00337/PM, the use of brick as a predominant external finish is not approved and, within two months of the date of the grant of this planning permission, a coordinated scheme of external materials and colour finishes of external walls and roofs of all buildings and walls shall have been submitted to and approved in writing by the Planning Authority. The scheme so approved shall respect the layout of the development and shall promote render, reconstituted stone, natural stone or appropriate contemporary cladding as the predominant finish to the walls of the residential units. This shall include for a variety of render or cladding colours where those finishes are to be used. Thereafter, unless otherwise approved in writing by the Planning Authority, the development shall be

carried out in accordance with the scheme of external materials and colour finishes so approved.

Reason:

In the interests of the quality of design of the development and the visual amenity of the area.

- 7 All houses and flats shall include Low and Zero Carbon Generating Technologies (LZCGT) to meet the energy requirements of Scottish Building Standards. Compliance with this requirement shall be demonstrated through obtaining an 'active' sustainability label through Building Standards and submission of calculations indicating the SAP Dwelling Emissions Rate (DER) or SBEM Buildings Emissions Rate (BER) with and without the use of the LZCGT. LZCGT shall reduce the DER/BER by at least 10%, rising to at least 15% for applications validated on or after 1 April 2019. For larger developments, encouragement is given to site-wide LZCGT rather than individual solutions on each separate building.

Reason:

In the interests of sustainable development and compliance with Policy SEH2 of the adopted East Lothian Local Development Plan 2018.

- 8 A detailed scheme of landscaping, including details of its implementation through phases of the development, shall be submitted to and approved in writing by the Planning Authority, within two months of the date of the grant of this planning permission. The scheme shall provide details of:
- a) the height and slopes of any mounding on or re-contouring of the site including SUDS basin/ponds details;
 - b) tree and shrub sizes, species, habitat, siting, planting distances and a programme of planting;
 - c) non-thorn shrub species located adjacent to pedestrian areas;
 - d) indications of all existing trees and hedgerows on the land, details of any to be retained, and measures for their protection in the course of development;
 - e) tree planting located in communal areas and not in private gardens;
 - f) the southeast boundary levels and planting, including sections showing the levels between frontage plots and the site frontage, maximising the extent of hedgerow along the frontage to be retained and proposals for native species replacement planting as mitigation;
 - g) landscaping and planting around the pumping station and sub station denoted in the open space in the eastern corner and sub station adjacent to the equipped play area in the centre of the site on the approved Development Layout Plan DL001 Revision G mitigate their prominent positions;
 - h) the proposed SUDS basin redesigned with a more organic shape, differing side slope gradients to reduce the engineered look of the basin, omission of the grasscrete track around the basin as per advice in Sewers for Scotland 3, and with access provided only to the inlet and outlet points for maintenance and increased planting;
 - i) The landscape space to the north boundary of the site with the freight rail line combining tree planting in terms of species and positioning acceptable to Network Rail with understorey shrub planting, informal paths and areas for natural play along its length. Planting along the security fence should be kept to hedgerow thicket planting;
 - j) The open space to the south-western boundary combining tree planting of formal small species trees with understorey shrub planting, informal paths and areas for natural play along its length;
 - k) Where hedge planting is used for front garden boundaries, beech or hornbeam hedge with return around corner plots and to the front boundaries and returns of the flatted blocks;
 - l) residential street and parking area tree planting as small species to include Sorbus aucuparia varieties, small Prunus 'Sunset Boulevard' and ornamental Pear, with placement to avoid overshadowing gardens;
 - m) large species specimen trees in the main open spaces to create features at nodal points, placed in small numbers within large open spaces to include species such as lime, horse chestnut, oaks, evergreen oak, sweet chestnut, maples and with feature willows close to the watercourse;
 - n) Fastigate limes to create a formal avenue frontage;

- o) primary routes within the site defined with formal planting such as fastigate hornbeam or fastigate pears; and
- p) Feature corner spaces containing feature trees such as multi-stemmed birches.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with the details of implantation so approved. Any trees or plants which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar species and final size, unless the Planning Authority gives written consent to any variation. No trees or shrubs, detailed in the approved landscaping plans to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority.

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 to control the impact of leaf fall on the operational railway.

- 9 A full management plan for development and long-term maintenance of all landscape elements on the site shall be submitted to and approved in writing by the Planning Authority, within two months of the date of the grant of this planning permission.

The maintenance of all communal landscape areas, and any hedges to private front gardens, as approved in terms of condition 3 above, shall be adopted and maintained by a Factor or a Residents Association in accordance with details to be submitted to and approved by the Planning Authority prior to the occupation of any residential units hereby approved.

Reason:

To ensure the retention and maintenance of landscaping on the site in the interest of amenity.

- 10 Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (Scotland) Order 1997 (as amended), other than as shown on the drawings docketed to planning permission 15/00337/PM no substation, pumping station, gas governor or other above ground utility infrastructure shall be installed on site without the formal approval of the Planning Authority.

Reason:

In the interests of the visual amenity of the area.

- 11 A Construction Method Statement (CMS) or Construction Environmental Management Plan (CEMP) shall be submitted for approval within two months of the date of the grant of this planning permission. The CMS or CEMP shall outline measures to be taken to minimise impacts upon existing and proposed sensitive receptors due to noise and dust. These shall include compliance with:

"Best Practice Guidance" as recommended BS5228-1: 2009 + A1:2014 "Code of practice for noise and vibration control on construction and open sites - Part 1:Noise";

"Best Practice Guidance" as recommended BS5228-2: 2009 + A1:2014 "Code of practice for noise and vibration control on construction and open sites - Part2: Vibration"; and

Section 8 of the Institute of Air Quality Management Guidance on the assessment of dust from demolition and construction (2014) with regards to practicable control measures for reducing visible dust emissions affecting properties beyond the site boundary.

Reason:

In the interests of the residential amenity of the area.

- 12 Where not already provided the developer shall provide a suitable trespass proof fence of at least 1.8 metres in height adjacent to Network Rail's boundary and provision for the

fence's future maintenance and renewal should be made. Details of the proposed fencing shall be submitted to the Planning Authority for approval within two months of the date of the grant of this planning permission and the development shall be carried out only in full accordance with such approved details.

Reasons: In the interests of public safety and the protection of Network Rail infrastructure.

- 13 Prior to the opening of Craighall Primary School, the following shall be provided to details and specifications to be agreed in advance with the Planning Authority:
- a) an up to 4.0 metre wide footpath/cyclepath with street lighting, from the western part of the application site, under the A1 underpass to the closest boundary access gate of the primary school site;
 - b) an upgraded to up to 3.5 metre wide where space allows (2.0 metres minimum) shared used footway/cyclepath on the west side of B6415 between the north access junction of the development site to a point 50 metres south of the A1 overbridge;

Reason:

To ensure that pedestrian and cycle routes are available to occupants of the development, including provision for safe routes to school and connection with Old Craighall.

- 14 Within two months of the date of the grant of this planning permission, the detailed design of the north access junction to the development site from the B6415 public road shall be completed in accordance with the following, details of which shall be submitted for the prior written approval of the Planning Authority:

a) Provision and maintenance of a visibility splay of 4.5 metres by 70 metres on each side of the proposed access such that there shall be no obstruction to visibility above a height of 1.05 metres measured from the adjacent carriageway level within that area;

b) Unless otherwise agreed in writing by the Planning Authority, the junction the B6415 formed with turning from that road enhanced by a road marking scheme at the junction in the form of ladder marking 50 metres on either side of the junction, with a gap in the ladder at the junction. Lane widths shall be 3.0 metres inbound/outbound with 1.5m in the middle;

c) Provision of a Road Safety Audit completed through Stages 1 to 4, preliminary design to post-construction.

Reason:

In the interests of road safety

- 15 Prior to the occupation of the 381st residential unit, the south access junction to serve the development with the roundabout at the B6415/A1 link road and exit from Old Craighall services shall be constructed in accordance with the detailed design and specification shown for it on docketed drawing no. 60732123-SHT-CON-DD-1100-P1-001 and made available for use.

Reason:

In the interests of traffic capacity management and road safety.

- 16 Unless otherwise agreed in writing with the Planning Authority, the implementation of the development shall accord with the following, subject to details, including timescales for implementation, to be submitted for the prior approval of the Planning Authority:

a) East and westbound bus stops with bus shelters shall be provided, adjacent/opposite to the site frontage, on the B6415 to serve the site. These shall be located and designed to provide safe access to public transport routes on the B6415. Works to provide safe pedestrian crossing points adjacent to either/both bus stops shall also be provided. Details shall be submitted for approval;

b) Street lighting shall be provided/upgraded over the full extent of the proposed site frontage on the B6415 from the ECML overbridge to the south of the A1 link road / service area roundabout;

- c) The internal access road and parking areas shall be laid out as shown on Development Layout Plan CR DL001 Revision J docketed to planning permission 15/00337/PM;
- d) All access roads shall conform to ELC Standards for Development Roads in relation to road layout and construction, footways & footpaths, parking layout and number, street lighting and traffic calming measures. This shall also comply with ELC Design Standards for New Housing Areas;
- e) The Segregated Active Travel Corridor to be provided on the northern part of the site and between the site and Whitehill Farm Road/Queen Margaret University shall be a minimum 4.0 metre wide footpath/cyclepath with street lighting and surfacing to a specification to be agreed in advance with the Planning Authority;
- f) Road corners shall be constructed with asphalt finish with coloured chip or with thermoplastic screed (i.e. 'Imprint' or similar);
- g) Parking for the residential elements of the development shall be provided at a rate as set out in the East Lothian Council Standards for Development Roads - Part 5 Parking Standards;
- h) Vehicle accesses to private parking areas (i.e. other than driveways) shall be via a reinforced footway crossing and have a minimum width of 5.5 metres over the first 10 metres to enable adequate two way movement of vehicles;
- i) Driveways shall have minimum dimensions of 6 metres by 3 metres. Double driveways shall have minimum dimensions of 5 metres width by 6 metres length or 3 metres width by 11 m length. Pedestrian ramps to houses may encroach by up to 300mm on the width (but not the length) provided they are no greater than 150mm in height above the adjacent driveway surface;
- j) Within residential private parking areas the minimum dimensions of a single parking space shall be 2.5 metres by 5 metres. All visitor parking spaces within these areas shall be clearly marked for visitors with the remaining private parking spaces allocated to individual dwellings;
- k) Cycle parking for flats shall be included at a rate of 1 space per flat. The parking shall be in the form of 1 locker per flat or communal provisions in the form of a lockable room or shed;
- l) Wheel washing facilities must 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;
- m) A Construction Method Statement to minimise the impact of construction activity on the safety and amenity of the area shall be submitted to and approved by the Planning Authority prior to the commencement of development. 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. Temporary measures shall be put in place to control surface water drainage during the construction works. Routes for construction traffic shall also be included. It shall also make recommendations in respect of how building materials and waste will be safely stored and managed on site;
- n) A Green Travel Plan to minimise private car trips and to encourage use of alternative modes of transport such as trains, buses, cycling and walking shall be submitted to and approved by the Planning Authority prior to the housing being occupied and /or the business units coming into operation;

o) All courtyard parking areas, other than those with bin stores accessible from the roadside shall be accessible to Refuse Collection Vehicles, constructed to adoptable standard and with a T-shaped turning area of 23.5 metres length if that is where bin presentation points are located;

p) Roadways and roadway speed tables shall be designed in detail to ensure footways connect or can cross at-grade on each speed table with road and footway levels designed with low kerb upstand and with street trees in refuge areas, to details to be agreed by the Planning Authority;

q) The use of stone chippings for private driveways is not approved. Driveways shall be hard surfaced with permeable pavements or a surface to be agreed in writing with the Planning Authority; and

r) A detailed plan of street trees and street lighting to reduce forward visibility and traffic speeds within the development,

All parking spaces, roads and footpaths/cycleways shown in the docketed drawings shall be constructed in accordance with the docketed drawings and foregoing conditions of this planning permission and shall be finished and available for use in accordance with a phasing plan for completion of residential units on the site, to be submitted for the written approval of the Planning Authority prior to the occupation of any residential unit within the development.

Reason:

To ensure the satisfactory completion of the road network in the interest of visual amenity and highway safety.

- 17 The equipped play area and informal open spaces to be provided within the site in the positions shown for them on Development Layout Plan CR DL001 Revision J docketed to planning permission 15/00337/PM shall be formed, equipped and made available for use in accordance with details, including timescales for provision, to be submitted and approved by the Planning Authority and thereafter the play area informal open spaces shall be made available for use equipped, surfaced and with boundary treatments as relevant in accordance with the details so approved.

Reason:

To ensure the provision of an appropriate equipped play area and open spaces, in the interests of the amenity of the development.

- 18 Unless otherwise agreed in writing by the Planning Authority, the following measures shall be implemented for the relevant residential units prior to the occupation of that unit:

a) Acoustic Barriers of 1.8 – 2.4m height shall be provided as detailed by thick black lines in Figure 4 of Appendix 3 of REC's Technical Report Ref: AC105702-1R3 entitled "Noise & Vibration impact assessment, Newcraighall, East Lothian" of 6th December 2018. The barriers shall be either of brick wall construction or timber fence that has a minimum mass of 5kgm⁻², is close boarded, sealed at the base and be free from holes. The height of the barrier is plot specific. The precise mitigation measures required for each individual plot shall be as described in Table A4 Mitigation Strategy of REC's Technical Report of 06th December 2018; and

b) Upgraded glazing and/or ventilation units shall be provided to habitable rooms (living rooms/bedrooms) of all properties as described in Table A4 Mitigation Strategy of REC's Technical Report of 06th December 2018.

Reason:

In order to ensure compliance with daytime garden noise levels as low as practicable due to noise associated with road traffic on the A1 and B6415 and in order to ensure compliance with daytime and night-time internal noise levels specified in Table 4 of BS8233:2014 "Guidance on sound insulation and noise reduction in buildings" due to noise

from road and rail traffic as described in Table A4 Mitigation Strategy of REC's Technical Report of 06th December 2018.

- 19 Prior to the commencement of the works to construct the re-configured roundabout as required by Condition 15 above, the pedestrian routes as shown on drawing nos. 1330-P-P-02 and 1330-P-P-01 that are docketed to this planning permission shall be formed and made available for use. There shall be no gaps in pedestrian footway provision so that pedestrians do not require to share a road with vehicular traffic and where they have to cross a road to access a footway or footpath, there shall be a dropped kerb crossing available. The pedestrian routes shall be finished to final level and surfaced and shall have street lighting. Thereafter the pedestrian routes shall remain in place unless otherwise approved by the Planning Authority.

Reason:

In the interests of pedestrian safety.

- 20 Prior to the commencement of the works to construct the re-configured roundabout as required by Condition 15 above, a Road Safety Audit for the proposed pedestrian routes required by Condition 19 above shall be submitted to and approved by the Planning Authority, and shall include an implementation programme describing when measures identified in the audit will be provided in relation to construction of them.

Reason:

In the interests of pedestrian safety.

4. PLANNING APPLICATION NO. 25/00661/PM: COASTAL REINFORCEMENT AND PROTECTION WORKS, INCLUDING INSTALLATION OF GABION BASKETS, MATTRESSES, REINSTATEMENT OF EXISTING GABIONS, DUNE REINSTATEMENT, AND ASSOCIATED WORKS, WEST LINKS GOLF COURSE, ABBOTSFORD ROAD, NORTH BERWICK

A report had been submitted in relation to planning application no. 25/00661/PM. Stephanie McQueen, Planner, presented the report, highlighting the salient points. The report recommendation was to grant consent.

Officers responded to questions in relation to: planting and coverage of the gabion baskets and mattresses; the course of action should the baskets and mattresses become repeatedly exposed following storm and tide events; community consultation; whether the design counted as an 'in perpetuity defence' in relation to National Planning Framework 4's position on defence of essential infrastructure; whether the application could be considered premature in being brought forward before the Coastal Change Adaptation Plan; confidence that other parts of the coastal economy would not be at increased risk as a result of the work; and the likely outcome should the defences not be installed.

Iain Hynd and Stuart Bain spoke to the application. Mr Hynd discussed the urgency of the work to protect the historic golf course. He highlighted the locations on the course most at risk, and highlighted the growing concern over East Lothian's coastline. He advised that the Club monitored changes to the coastline. He pointed to current coastal defences, which were performing well, but said that damage to the coastline and harbour wall in 2023 had led to taking more urgent action. He discussed the particulars of the plans, which had been chosen as the least intrusive solution. He highlighted the full Environmental Impact Assessment, including consideration of biodiversity enhancement options and wintering bird surveys, and measures agreed with the Council's Biodiversity Officer to deliver habitat improvements. He reported that the community had shown support at consultation events.

Mr Bain discussed the significant erosion to the West Links in recent years, leaving these areas at critical risk, and threatening the golf course and public access to the dune system. He discussed the course's standing in world golf, and its positive impact on tourism and the local economy. He summarised that the application would preserve the coastline for future generations, while respecting environmental obligations, and said it presented the most balanced solution.

Mr Bain and Mr Hynd responded to questions relating to: timescales for commencement and completion of the work; and measures to ensure birds were not disrupted throughout the construction period.

At the debate stage, Committee members commented on: the importance of golf clubs to the county; the clear evidence of change on this part of the coastline; futureproofing the golf course; the course's standing in world golf; the importance of undertaking the work before further damage occurred, and even before the Coastal Change Adaptation Plan could come forward; the Club's immense success, even since Covid, and the part it played in the community; the Club's approach to safety to allow the community to access the course; and welcoming of conditions around access, the Construction Method Statement, and biodiversity.

The Convener then moved to a roll call vote, and Committee members unanimously voted in support of the officer's recommendation to grant consent.

Decision

Planning Committee agreed to grant consent, subject to the following 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 (Environcentre, 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.

Signed

Councillor J McMillan
Depute Convener of the Planning Committee

The webcast for this meeting will be available at the link below for five years from the date of the meeting:

https://eastlothian.public-i.tv/core/portal/webcast_interactive/1043678

DRAFT